



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

North Ayrshire Council Meeting

21 June 2023

VOLUME OF MINUTES

From 2 December 2022 - 7 June 2023

Date	Committee	Pages
2 December 2022	Ayrshire Shared Services Joint Committee	1-3
20 February 2023	Ayrshire Regional Economic Joint Committee	4-6
10 March 2023	Ayrshire Shared Services Joint Committee	7-10
16 March 2023	Integration Joint Board	11-17
10 May 2023	Licensing Committee	18-22
11 May 2023	Integration Joint Board	23-27
15 May 2023	Ayrshire Economic Partnership Board	28
19 May 2023	Ayrshire Shared Services Joint Committee	29-32
24 May 2023	Planning Committee	33-43
30 May 2023	Audit and Scrutiny Committee	44-48
30 May 2023	Cabinet	48-54
31 May 2023	Licensing Committee	55-61
7 June 2023	Licensing Committee	62-67

Ayrshire Shared Services Joint Committee

2 December 2022

At a Meeting of the Ayrshire Shared Services Joint Committee at 10.00 a.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

Present (Physical Participation)

Marie Burns (North Ayrshire Council) (Items 1 – 5).

Present (Remote Participation)

Scott Davidson and Tom Marshall (North Ayrshire Council) (Items 1 – 5), Alec Clark, Ian Davis, William Grant and Bob Pollock (South Ayrshire Council), Neall Ingram, Maureen McKay, Douglas Reid and Neill Watts (East Ayrshire Council).

In Attendance (Physical Participation)

L. Jeffery, Ayrshire Civil Contingencies Team (Items 1 – 5), A. Little and C. Stewart, Committee Services Officers (Chief Executive's Service).

In Attendance (Remote Participation)

Katie Kelly, Depute Chief Executive (East Ayrshire Council); Mike Newall (South Ayrshire Council), Craig Knape, Strategic Manager Network and Operations (Ayrshire Roads Alliance), Carol Boyd, Ayrshire Civil Contingencies Team (Items 1 – 5) and Theresa Mackin, Strategic Manager Business Operations (Ayrshire Roads Alliance).

Chair

Councillor Marie Burns (Items 1 – 5) and Douglas Reid (Items 6 – 8).

1. Declarations of Interest

There were no declarations of interest by Members in terms of the Joint Committee's Order No. 25 and the Councillors' Code of Conduct.

2. Urgent Item and Order of Business

The Chair agreed, in terms of Standing Order 9, that a verbal update on committee dates for 2023 be considered as an urgent item and, in terms of Standing Order 10, further agreed to vary the order of business to allow the urgent item to be considered as the first item to allow the three authorities to consider the proposal.

3. Minutes

The Minutes of the meeting held on 10 June and 4 November 2022 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4. Committee Timetable

The Committee was advised of proposed dates for meetings of the Ayrshire Shared Services Joint Committee for the period August until December 2023.

The Joint Committee agreed to approve the dates of 1 September, 3 November and 1 December 2023.

5. Ayrshire Civil Contingencies

Submitted report by Carol Boyd, Service Lead - Risk and Safety on proposals within the current Ayrshire Civil Contingencies Team (ACCT) Service Plan for 2023/2024. The Service Plan was attached at Appendix 1 to the report and included information on the key contingency plans, training and exercises for the Civil Contingencies Team, work activity ongoing or completed within 2022 and further actions for 2023-2024.

Members asked questions and were provided with further information in relation to:-

The Joint Committee agreed to approve the current Ayrshire Civil Contingencies Team (ACCT) Service Plan for 2023/2024 as set out at Appendix 1 to the report.

6. Rotation of Chair

Councillor Burns withdrew from the Chair at this point, to allow Councillor Reid to chair the meeting for the remaining items of Ayrshire Roads Alliance business.

Councillors Burns, Davidson and Marshall left the meeting at this point.

7. Revenue Financial Monitoring Report

Submitted report by the Head of Finance and ICT on the revenue budget monitoring position for the year to 30 September 2022, for the Ayrshire Roads Alliance and also the budget for 2022-23. Appendix 1 provided the service budget split between the strategic service delivery and local service delivery, including the core/recurring costs of service delivery from the local service costs at a single Council level. A full budget monitoring statement, including reasons for major variances was attached at Appendix 2 to the report.

Members asked questions and were provided with further information in relation to:-

- Further information in relation to debt charges that will be provided to the next meeting of the Joint Committee

The Joint Committee agree to (a) note the financial management position of the Ayrshire Roads Alliance; and (b) receive a further financial update at the next meeting of the Joint Committee.

8. Roadworks Programme 2022/23

Submitted report by the Head of Roads on the progress of work through the Roads Improvement programmes within East Ayrshire and South Ayrshire for financial year 2022-2023. The 2022/23 programmes for South and East Ayrshire Councils were set out at Appendices 1 and 2 to the report and Appendix 3 provided details of EV Infrastructure.

Members asked questions and were provided with further information in relation to:-

- Information that is awaited from contractors on the timescale for the commissioning of EV chargers and repairs to fault chargers;
- A report to Cabinet on an EV charging strategy;
- The completion of resurfacing works already started and routine maintenance

- and safety repairs that will continue to be carried out;
- Annual inspections of rural roads and the use of AI to allow analysis of data on the condition of roads; and
- Increased inspections on diversion routes as a result of roadworks on the A77.

The Joint Committee agreed to note the Ayrshire Roads Alliance works completed in 2022/23.

9. Performance Scorecard

Submitted report by the Head of Roads on the progress made to date against the Performance Scorecard. The Performance Scorecard was presented at Appendix 1 to the report and provided commentary against the specific red and amber performance measures.

Members asked questions and were provided with further information in relation to analysis of parking ticket appeals that will be provided to Members.

The Joint Committee agreed to (a) note the performance scorecard presented in the report; (b) continue to receive the performance scorecard updates; and (c) otherwise, note the content of the report

10. Improvement Action Plan

Submitted report by the Head of Roads providing an update on the management of the Improvement Action Plan with the Ayrshire Roads Alliance. The December update of the Improvement Action Plan was attached at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to;

- the priority classification of residential roads; and
- that the Strategic Manager Network and Operations would contact Members directly to arrange for site inspections.

The Joint Committee agreed to (a) note the Improvement Action Plan presented in the report; (b) continue to receive updates on progress; and (c) otherwise, note the content of the report

11. Risk Register

Submitted report by the Head of Roads providing an update on the management of risk associated with the Ayrshire Roads Alliance. The Risk Register Scoring Matrix was provided at Appendix 1 and the Ayrshire Roads Alliance Risk Register was attached at Appendix 2 to the report.

Members asked questions and were provided with further information in relation to the mitigation measures for ash tree dieback that could be included at Item 66 in the risk register

The Joint Committee agreed to (a) note the Risk Register detailed at Appendix 2 to the report; and (b) receive updates on progress at future meetings of the Joint Committee.

The meeting ended at 10.40 a.m.

AYRSHIRE ECONOMIC JOINT COMMITTEE

MINUTES OF MEETING HELD ON MONDAY 20 FEBRUARY 2023 AT 1411 HRS IN THE COUNCIL CHAMBERS, EAST AYRSHIRE COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK/MS TEAMS

PRESENT: Councillors Clare Maitland, Maureen McKay and Douglas Reid, East Ayrshire Council; Councillors Marie Burns, and Anthony Gurney, North Ayrshire Council; Councillors Peter Henderson and Bob Pollock, South Ayrshire Council; Simon Foster, Spirit Aerosystems; Angela Cox, Ayrshire College and Paul Zealey, Skills Development Scotland.

ATTENDING: Eddie Fraser, Chief Executive; Katie Kelly, Depute Chief Executive; David McDowall, Head of Economic Growth; and Dougal Watt, Senior Auditor, all East Ayrshire Council; Craig Hatton, Chief Executive; Russell McCutcheon, Executive Director - Place; Louise Kirk, Head of Service: Economic Development; Neale McIlvanney, Ayrshire Growth Deal; and Emma McMullen, Senior Manager, Economic Policy, all North Ayrshire Council; Eileen Howat, Chief Executive; and Louise Reid, Assistant Director, Strategic Change; both South Ayrshire; and Christine Baillie Democratic Services Team Leader; and Sheryl Wilcox, Democratic Services Officer, both East Ayrshire Council.

ALSO ATTENDING: Alistair Dobson, Taste of Arran; Malcolm Roughhead, Visit Scotland; and Simon Craufurd Chairperson, Ayrshire and Arran Visitor Economy Leadership Group.

APOLOGIES: Councillor Martin Dowe, South Ayrshire Council; and Jane Martin, Scottish Enterprise.

CHAIR: Councillor Douglas Reid, Chair.

PREVIOUS MINUTES

1. There were submitted and approved as a correct record, the Minutes of the meeting held on 8 December 2022 (circulated).

AYRSHIRE REGIONAL ECONOMIC STRATEGY

2. There was submitted a report (circulated) by the Ayrshire Regional Strategy Working Group which presented the final draft Ayrshire Regional Economic Strategy for approval.

It was agreed:

- (i) to note the progress of the Regional Strategy Working Group in developing a new Regional Economic Strategy for Ayrshire;
- (ii) to note that the final draft strategy had been endorsed by the Ayrshire Economic Partnership Board subject to minor amendments and submission to the Ayrshire Economic Joint Committee for approval;
- (iii) to note the minor changes made to the draft strategy as instructed by the Ayrshire Economic Partnership Board;
- (iv) to approve the final draft Regional Economic Strategy for Ayrshire;
- (v) to note that the Working Group would progress the production of an action plan and appropriate delivery/governance arrangements for future consideration by

the Ayrshire Economic Partnership Board, to promote effective delivery of the strategy's emerging actions.

AYRSHIRE GROWTH DEAL - ANNUAL REPORT 2021/22

3. There was submitted a report (circulated) by the Head of Economic Growth, East Ayrshire Council which introduced the Draft Ayrshire Growth Deal Annual Report 2021/22 attached as Appendix 2 to the report.

It was agreed:

- (i) to note the progress made with the Ayrshire Growth Deal (AGD) during 2021/22, which related to activities from 1 October 2021 to 30 September 2022; and
- (ii) to approve the publication of the Annual Report on the Ayrshire Growth Deal website.

AYRSHIRE GROWTH DEAL - PROGRAMME UPDATE

4. There was submitted a report (circulated) by the Head of Economic Growth, East Ayrshire Council which advised members of the progress of the Ayrshire Growth Deal and the development of its component projects as at 31 January 2023.

It was agreed to note:

- (i) the updates provided in the report attached as Appendix 1;
- (ii) the progress across the Ayrshire Growth Deal Programme;
- (iii) anticipated slippage of business case milestones and risk to financial drawdown; and
- (iv) the main strategic and operational risks.

VISITOR ECONOMY WORKSTREAM UPDATE: AYRSHIRE VISITOR ECONOMY STRATEGY AND ACTION PLAN

5. There was submitted a report (circulated) by the Chief Executive, North Ayrshire Council which sought approval of the Ayrshire Visitor Economy Regional Strategy and associated Action Plan, which had been co-produced by members of the Regional Partnership Visitor Economy Workstream. The report also set out arrangements for future reporting on delivery and resource impacts related to the delivery of the Strategy and Action Plan.

It was agreed:

- (i) to approve the Ayrshire Visitor Economy Regional Strategy and Draft Action Plan, as a basis for future collaboration of industry and public sector within the visitor economy; and
- (ii) that a paper is submitted to a future meeting of the Partnership Board and Joint Committee outlining governance and delivery of the Strategy and Draft Action Plan, as well as resource implications.

EXTENSION OF FOOD TOURISM CO-ORDINATOR POSTS, 2023/24

6. There was submitted a report (circulated) by the Head of Economic Growth, East Ayrshire Council which noted the efforts being made by the Food Tourism Co-ordinators in pursuit of the ongoing recovery and renewal of that sector, and which confirmed the extension of their employment for a period of 12 months.

It was agreed:

- (i) to acknowledge the activities being undertaken by the Food Tourism Co-ordinators working in partnership to support food and drink businesses as part of the longer-term recovery of the sector;
- (ii) to authorise match funding of £6,666 from each Council to allow a 12 month extension of the two Food Tourism Co-ordinator posts, from 1 April 2023 to 31 March 2024; and
- (iii) otherwise, to note the contents of the report.

The meeting terminated at 14.26 hrs.

Ayrshire Shared Services Joint Committee
10 March 2023

At a Meeting of Ayrshire Shared Services Joint Committee at 10.00 a.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, East Ayrshire Council Headquarters, Kilmarnock

Present (Physical Participation)

Councillors Douglas Reid and Neal Ingram (East Ayrshire Council); and Councillor Philip Saxton (South Ayrshire Council).

Present (Remote Electronic Participation)

Councillors Barry Douglas and Neil Watts (East Ayrshire Council) and William Grant and Bob Pollock (South Ayrshire Council).

In Attendance (Physical Participation)

K. Braidwood, Head of Roads, C. Knape, Strategic Manager Network and Transportation and T. Mackin, Strategic Manager Business Support (Ayrshire Roads Alliance); P. Whip, Group Finance Manager and ICT and S. Nelson, Committee Services Officer (East Ayrshire Council); and M. Anderson, Senior Manager (Committee and Member Services) (North Ayrshire Council).

In Attendance (Remote Electronic Participation)

K. Kelly, Depute Chief Executive (East Ayrshire Council).

Chair

Councillor Douglas Reid in the Chair.

Apologies

Councillors Marie Burns, Joe Cullinane, Scott Davidson and Tom Marshall (North Ayrshire Council) and Alec Clark (South Ayrshire Council).

1. Introductory Remarks

In the absence of the Chair, and given that there were no items of business on the agenda for which North Ayrshire Council Elected Members were required to attend, Councillor Douglas Reid was appointed to chair the meeting.

2. Declarations of Interest

There were no declarations of interest in terms of Standing Order 11 and Section 5 of the Councillors' Code of Conduct.

3. Temporary Traffic Regulation Orders

The Committee received a presentation by the Head of Roads and the Strategic Manager Business Support (Ayrshire Roads Alliance) on a new digital platform developed by the ARA with True View Visuals for processing requests for Traffic Regulation Orders and Notices.

The presentation highlighted:

- the benefits of this unique online system in terms of streamlining processes, generating public notices and mapping, and tracking the status of requests;
- other potential applications of the platform, such as skip permits;
- potential income generation arising from marketing the system to other agencies; and
- the ARA's success in being named as finalists in the APSE Highway Maintenance Innovation category

Members asked questions, and received clarification, on the following:

- anticipated changes in the role of local newspapers, with a trend towards titles moving online;
- the scope to develop the platform for use with other types of permit;
- the current status of the platform, which went 'live' in November 2022; and
- planned refinements to the mapping tool, to take account of one-way systems when setting diversions and allow for the identification of secondary diversions.

Noted.

4. Ayrshire Roads Alliance – Revenue Financial Monitoring Report

Submitted report by the Chief Financial Officer and Head of Financial and ICT on the Ayrshire Roads Alliance revenue budget monitoring position for the year to 31 December 2022. Appendices 1 and 2 to the report provided the split between strategic and local service delivery and the financial monitoring report, respectively.

Members asked questions, and received clarification, on the following;

- whether additional funding identified in East Ayrshire Council's recent budget-setting had been taken into account, or if this would be reflected in future reporting;
- anticipated changes in respect of contract costs; and
- the COSLA position in terms of parking fine levels;

It was agreed (a) to note the financial management position of the Ayrshire Roads Alliance; (b) to request a further financial update at the next meeting of the Joint Committee; and (c) otherwise, to note the content of the report.

5. Ayrshire Roads Alliance – Risk Report and Register

Submitted report by the Head of Roads (Ayrshire Roads Alliance) on the management of risk associated with the Ayrshire Roads Alliance. The risk Scoring Matrix and Ayrshire Roads Alliance Risk Register were set out at Appendices 1 and 2 to the report, respectively.

It was agreed (a) to note the risk register presented at Appendix 2 to the report; (b) to continue to receive updates on progress; and (c) otherwise, to note the content of the report. The risk scoring matrix and Ayrshire Roads Alliance Risk Register were set out at Appendices 1 and 2 to the report, respectively.

6. Ayrshire Roads Alliance – Improvement Action Plan

Submitted report by the Head of Roads (Ayrshire Roads Alliance) on the management of the Improvement Action Plan with the Ayrshire Roads Alliance. The Improvement Action Plan was set out at Appendix 1 to the report.

Members asked questions, and received clarification, on the following:

- whether the support of Transport Scotland could be sought for the Bellfield Interchange and Active Travel Prestwick projects, which had received positive feedback from the Scottish Government and could be the subject of bids to the next cycle of Levelling Up funding, but which had not been successful under STPR2;
- the position with regard to the A70 and A71, which were designated as local routes, notwithstanding their strategic importance to Ayrshire;
- recent discussion at the Ayrshire Regional Economic Joint Committee on the importance of transportation and infrastructure to economic strategy; and
- the value of the three Ayrshire authorities working together to look at transport links (including roads, ports and rail) and present a business case for Ayrshire Growth Deal support

The Head of Roads (Ayrshire Roads Alliance) undertook to write to Transport Scotland on behalf of the Committee in support of the Bellfield Interchange and Active Travel Prestwick projects.

It was agreed (a) to note the Improvement Action Plan set out at Appendix 1 to the report; (b) to continue to receive updates on progress; and (c) otherwise, to note the content of the report.

7. Roadworks Programme 2022/23

Submitted report by the Head of Roads (Ayrshire Roads Alliance) on the progress of work through the roads improvement programmes within East Ayrshire and South Ayrshire for the financial year 2022/23. The South and East Ayrshire Council Programmes of Works 2022/23 were set out at Appendices 1 and 2 to the report, respectively. Appendix 3 provided information on EV Infrastructure.

Members asked questions, and received clarification, on the following;

- the impact of budget constraints on road improvements/repairs and the need for reassurance that project which had been delayed in previous years would be progressed as a priority; and
- work to identify more effective materials for use in patch repairs and the challenges around this, in terms of the overall condition of roads

It was agreed (a) to note the Ayrshire Roads Alliance works completed in 2022/23 as set out in the report and its appendices; and (b) otherwise, to note the content of the report.

8. Ayrshire Roads Alliance – Update on Performance Scorecard

Submitted report by the Head of Roads (Ayrshire Roads Alliance) on the progress made to date against the Performance Scorecard. The detailed Performance Scorecard monitoring report was set out at Appendix 1 to the report.

A Member referred to the discount scheme recently introduced by South Ayrshire Council to promote the early payment of invoices and received clarification that work was underway to explore the scope for the ARA to introduce a similar scheme.

It was agreed (a) to note the Performance Scorecard information presented in the report and its appendix; (b) to continue to receive the Performance Scorecard updates; and (c) otherwise, to note the content of the report.

9. Date of Next Meeting

The Senior Manager (Committee and Member Services) (North Ayrshire Council) invited the Committee to consider rescheduling the next meeting due to take place on 28 April 2023, in order to accommodate a meeting of the COSLA Leaders.

The Committee agreed that the next meeting be re-scheduled to take place at 10.00 a.m. on Friday 19 May 2023.

The Meeting ended at 11.10 a.m.



North Ayrshire Health and Social Care Partnership

**Minute of Integration Joint Board meeting held on
Thursday 16 March 2023 at 10.00 a.m.**

**involving participation by remote electronic means and physical attendance
within the Council Chambers, Irvine.**

Present (Physical Participation)

Voting Members

Bob Martin, NHS Ayrshire and Arran (Chair)
Councillor Margaret Johnson, North Ayrshire Council (Vice Chair)
Councillor Timothy Billings, North Ayrshire Council
Councillor Anthea Dickson, North Ayrshire Council

Professional Advisers

Caroline Cameron, Director of Health and Social Care Partnership
Paul Doak, Head of Service (HSCP Finance and Transformation)/Section 95 Officer
Scott Hunter, Chief Social Work Officer

Stakeholder Representatives

Louise McDaid, Staff Representative (North Ayrshire Council)/Chair, North Coast
Locality Forum
Pamela Jardine, Carers Representative
Vicki Yuill, Third Sector Representative
Louise Gibson, IJB Irvine Locality Forum (Chair)

Present (Remote Participation)

Voting Members

Adrian Carragher, NHS Ayrshire and Arran
Christie Fisher, NHS Ayrshire and Arran
Marc Mazzucco, NHS Ayrshire and Arran

In Attendance (Physical Participation)

Alison Sutherland, Head of Service (Children, Families and Criminal Justice)
Thelma Bowers, Head of Service (Mental Health), HSCP
David Thomson, Head of Service (Health and Community Care)
Eleanor Currie, Manager, HSCP
Michelle Sutherland, Partnership Facilitator, HSCP
Kerry Logan, Senior Manager (Health and Community Care)
Ruth Wilson, Team Manager (Democratic Services)
Karen Andrews, Team Manager
Hayley Clancy, Committee Services Officer
Shannon Wilson, Committee Services Officer
Diane McCaw, Committee Services Officer

In Attendance (Remote Participation)

Elaine Young, Head of Health Improvement/Assistant Director of Public Health (NHS)
Scott Bryan, Strategic Planning, Policy and Inequalities Officer

Apologies

Iain Jamieson, Clinical Director

1. Apologies for Absence and Chair's Remarks

Apologies for absence were noted.

The Chair thanked both Louise Gibson and Janet Davies for their contributions to the Partnership, and wished Louise all the best in her future career and Janet best wishes for her retirement.

2. Declarations of Interest

There were no declarations of interest in terms of Standing Order 7.2 and Section 5.14 of the Code of Conduct for Members of Devolved Public Bodies.

3.1 Matters Arising from the Action Note

Updates in terms of the Action Note were detailed as follows:-

- **2022-23 – Month 7 Financial Performance** – Report on Dental Services – date to be confirmed.
- **The Promise in North Ayrshire Update on Progress** – further progress report and action plan to be remitted to IJB following The Promise Conference in November 2022 – planned for May 2023.
- **Director's Report** – Suicides, drugs and alcohol related deaths – report to be presented to IJB in May 2023 specifically on suicide prevention strategy. Other elements covered in previous updates to IJB.
- **Analogue to Digital** – Update to be provided to IJB on 11 May 2023.

Noted.

4. Director's Report

Submitted report by Caroline Cameron, Director (NAHSCP) on developments within the North Ayrshire Health and Social Care Partnership.

The report provided an update on the following areas:-

- National Developments that included the Care Inspectorate webinar to be held on Tuesday 21 March on Use of Technology to Support People Experiencing Care, the United Nations Convention on the Rights of the Child (UNCRC), and Raising awareness on connection with Spotting Signs of Neglect and Self-neglect in Adults;
- Ayrshire wide developments that included a skills and knowledge development event to support people who use cocaine, the Falls Link Worker Programme, and Pan Ayrshire work on Directions, with an update report scheduled for June 2023; and
- North Ayrshire Developments that included the Income Advisor Project, the North Ayrshire Alcohol and Drug Partnership Development Day to be held on Wednesday 29 March in Saltcoats Town Hall, North Ayrshire Council having

been recognised as a Carer Positive 'Exemplary' employer in Scotland, planning for the return of the Partnership Awards Ceremony to be held on Tuesday 20 June 2023 in the Volunteer Rooms, Irvine, the successful securing of staff accommodation on Arran, the use of the Care Opinion independent website, Care at Home Recruitment events taking place throughout March, the forthcoming change from Analogue to Digital, the creation of the Castleview Hub, and the positive Care Inspectorate Inspection Report for the Anum Cara Respite Service.

Councillor Billings joined the meeting at this point.

Members asked questions and were provided with further information in relation to:-

- evaluation and monitoring regarding the Falls Link Worker Programme;
- the standardised approach to Directions across the three Partnerships;
- the positive Anam Cara Respite Service report from the Care Inspectorate;
- the date clash for the Health and Social Care Partnership and Community Justice Ayrshire awards;
- the success and cost effectiveness of recruitment advertising methods;
- recruitment event attendance levels, where the Senior Manager undertook to provide attendance figures to the Board;
- the move from analogue to digital, including robust plans for when digital devices are installed; and
- the provision of advice to North Ayrshire Council Elected Members regarding spotting signs of neglect and self-neglect in adults.

Noted.

5. Financial Monitoring Report – Month 10

Submitted report by Paul Doak, Head of Service (HSCP Finance and Transformation) on the IJB's financial performance, including an update on the estimated financial impact of the Covid-19 response. Appendix A to the report provided the financial overview of the partnership position, with the full Transformation Plan for 2022/23 provided in Appendix B. Appendix C provided an overview of those service changes with financial savings attached to them and the current BRAG status around the deliverability of each saving. Appendix D outlined the movement in the overall budget position for the Partnership following the initial approved budget with Appendix E showing the IJB reserves position in detail.

Members asked questions and were provided with further information in relation to:-

- the overspend on employee costs as a result of vacancy and long term sickness cover; and
- the Dean Funding Pay Award, where further information will be provided to the Board.

The Board agreed to (a) note (i) the overall integrated financial performance report for the financial year 2022-23 and the current overall projected year-end underspend of £1.181m, (ii) the progress with delivery of agreed savings, (iii) the remaining financial risks for 2022-23, including the impact of remaining Covid-19 estimates and costs; and (b) approve the budget reductions which were detailed at paragraph 2.11 of the report.

6. Budget 2023/2024

Submitted report by Paul Doak, Head of Service (HSCP Finance and Transformation) on the financial position of the partnership for 2023/2024, including the proposed delegated funding, service budget pressures, plans developed to set a balanced budget and the associated risks. A summary of the 2022/23 budget and net budget increase was detailed at Appendix A. Appendix B provided details of the service costs and demand pressures. Savings in relation to NAC and NHS commissioned services were outlined at Appendix C and Appendix D provided the NHS baseline uplift for 2023/24 on a managed basis. The budget and finance settlement funding letter detailing the requirements in relation to the level of funding to be delegated to IJBs in 2023/24 was detailed at Appendix E to the report.

The Board received professional advice from the Chief Social Work Officer who advised that he was satisfied that arrangements were in place, or in development, to ensure the safe provision of social work services in the forthcoming year.

Members asked questions and were provided with further information in relation to:-

- the use of reserves and unallocated general fund balance to support the budget position throughout the year;
- the likelihood of achieving the delivery of savings;
- there being no current detail on any potential residential care review;
- any potential risk to care services on Arran;
- the removal of covid recovery funding from the budget;
- monitoring absences and risks in terms of covid, with the IJB receiving sight of the ongoing position in this regard; and
- the obligation to advise the public of ongoing pressures to systems.

Elaine Young left the meeting at this point.

The Board agreed to (a) approve the budget for 2023-24 for North Ayrshire Health and Social Care Partnership inclusive of all pressures, savings and reserves, noting that the funding position was subject to confirmation by NHS Ayrshire and Arran; and (b) note the risks associated with this budget.

7. Medium Term Financial Outlook 2023-2026

Submitted report by Paul Doak, Head of Service (HSCP Finance and Transformation) on the Medium-Term Financial Outlook for the period to 31 March 2026. Detailed information on the Medium-Term Financial Outlook 2023-2026 was set out at the Appendix to the report.

The Board agreed to note the Medium-Term Financial Outlook and the potential financial position in years 2 and 3.

8. Strategic Risk Register

Submitted report by Paul Doak, Head of Service (HSCP Finance and Transformation) on the updated IJB Strategic Risk Register. Appendix A detailed the current Strategic Risk Register and an extract of the approved risk management strategy was attached at Appendix B to the report.

Members asked questions and were provided with further information in relation to the potential to elevate the financial sustainability risk score in the future.

The Board agreed to approve the updated IJB Strategic Risk Register.

9. HSCP Equality Outcomes Plan (2022-2025)

Submitted report by Caroline Cameron, Director (NAHSCP) on the development of a focussed set of equality outcomes which more closely reflect primary service user groups. The full Equality Outcomes Plan 2022-2025 was detailed at the Appendix to the report.

Members asked questions and were provided with further information in relation to:-

- Care Experience being considered a Protected Characteristic in North Ayrshire; and
- methods to ensure the inclusion of all characteristics within the equality outcomes.

The Board agreed to approve publication and implementation of the Equality Outcomes Plan 2022-2025.

10. Primary Care General Medical Services Update

Submitted report by Vicki Campbell, Head of Primary and Urgent Care Services providing an update on the provision of General Medical Services across Ayrshire and Arran. The report set out how General Practice is continuing to operate in the current challenging environment, and on how it will evolve and develop through the implementation of the Primary Care Improvement Plan.

Members asked questions and were provided with further information in relation to:-

- the provision of a more concise activity report being provided to IJB on a regular basis;
- timescales for any roll out of digital services offered to GP practices, including those in the Garnock Valley; and
- work to create a capital planning priorities list.

The Board agreed to (a) note (i) the current position of Primary Care General Medical Services, and (ii) the progress of implementation of the new GMS Contract through the Primary Care Improvement Plan; (b) support the current projected balance of the Primary Care Improvement Fund for 2022/23; and (c) approve the transfer of funds from the Primary Care Improvement Fund and General Medical Services to the NHS Ayrshire & Arran Public Health Department for the delivery of vaccinations as set out in Section 3.5 of the report.

11. Primary Urgent Care Update

Submitted report by Vicki Campbell, Head of Primary and Urgent Care Services providing an update on the provision of primary urgent care services through the Ayrshire Urgent Care Service (AUCS) and an update on the new pathways delivered through the service as a result of the introduction of the national Redesign of Urgent Care (RUC) Programme.

Members asked questions and were provided with further information in relation to:-

- the potential for providing a flowchart detailing how a patient would move through the system; and
- the benefit of communicating to the public the work which is carried out in the background.

The Board agreed to note (i) the progress of the Urgent Care agenda across Ayrshire and Arran; (ii) the new pathways introduced through the RUC Programme; and (iii) the increased activity within AUCS and proposal being progressed to sustain the successful person-centred delivery model and patient pathways.

12. Whistleblowing Update

Submitted report by Karen Callaghan, Corporate Governance Co-ordinator, in relation to whistleblowing concerns raised in Quarter 2 (July-30 September 2022).

Noted.

13. Urgent Items

The Chair agreed to consider the following item as urgent to allow the Board to receive up-to-date information.

13.1 Implementation of the National CAMHS and Neurodevelopmental Specifications

Submitted report by Caroline Cameron, Director (NAHSCP) providing an update on the implementation of the National CAMHS Specification and on work with partner services in the development of Neurodevelopmental Services for children and young people where there is no co-occurring mental health presentation. The Specification complements, and sits within, the Getting It Right for Every Child approach and aims to ensure that children and families receive the support and access to services which meet their needs at the earliest opportunity.

Members asked questions and were provided with further information in relation to:-

- reports continuing to be presented to the IJB Performance and Audit Committee reflecting the trajectories, demand and management of the service;
- the requirement for communication to give confidence in terms of criteria and reporting;
- the history in terms of referrals to the CAMHS service;
- the presentation of a similar report to the South and East Ayrshire IJBs; and
- a further update being provided to the IJB, potentially prior to the summer recess period.

The Chair advised the Board that once Members had digested the information contained within the report, they should contact Thelma Bowers, Head of Service, Stuart McKenzie, Senior Manager for CAMHS or Dr. Helen Smith, NHS Ayrshire and Arran direct with any outstanding questions not dealt with at the meeting.

The Board agreed to note (a) the successful implementation in Ayrshire and Arran to meet the National CAMHS Specification, noting the ongoing demands and risks placed on the services in terms of accepting referrals for young people that do not meet the national criteria and specification; and (b) that work with partners will be taken forward through the 3 NSCHs in Ayrshire and Arran to progress whole system

plan(s) to meet the National Neurodevelopment Specification, while referrals not meeting the CAMHS specification will cease to be accepted by CAMHS from 1 August 2023.

In terms of Standing Order 6.8. the Chair agreed that the meeting be adjourned at 12.25 p.m. for a comfort break. The meeting reconvened at 12.35 p.m. with the same Members and Officers present and in attendance.

14. Exclusion of the Public – Paras 6, 9 and 10

The Committee resolved in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following item of business on the grounds indicated in terms of Paragraphs 6, 9 and 10 of Part 1 of Schedule 7A of the Act.

15. Care at Home Review

Submitted report by Kerry Logan, Senior Manager on the Care at Home Review.

The IJB, while noting the concerns raised by Councillor Billings in terms of the recommendation, agreed to the proposal for Option 2 as outlined in the report.

16. Valedictory

The Board was advised that Robert Martin would be retiring from his role on the NHS Board and expressed its thanks and appreciation for his outstanding contribution to the work of the Partnership, from his involvement during the Shadow year to present. Individual Board Members addressed the meeting and wished him well with his retirement.

The meeting ended at 1.20 p.m.

Licensing Committee
10 May 2023

At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine

Present (Physical Participation)

Eleanor Collier, Nairn McDonald, Cameron Inglis, Christina Larsen, Jean McClung, Matthew McLean, Donald L. Reid and Ronnie Stalker.

Present (Remote Participation)

Angela Stephen.

In Attendance

D. Robertson, Enforcement Officer (Legal Services), W. O'Brien, Solicitor, A. Toal, Administration Assistant (Licensing) and H. Clancy, Committee Services Officer (Democratic Services) (Chief Executive's Service).

Also in Attendance

Detective Chief Inspector I. Spence and Sergeant S. Syme (Police Scotland)

Chair

Councillor Collier in the Chair.

Apologies

John Bell

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the Meeting held on 19 April 2023 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Exclusion of the Public

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public, for Agenda Items 5 and 6 (Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters) on the grounds that they involved the likely disclosure of Exempt Information as defined in Section 50J of, and Schedule 7A to, the Local Government (Scotland) Act 1973.

The 'Exempt Information' concerned is information of the type described in one or more of Paragraphs 3, 6, 14 and 15 of Part 1 of Schedule 7A to the Act:

3. "Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority."

6. "Information relating to the financial or business affairs of any particular person (other than the authority)."
14. "Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."
15. "The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance."

4. Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters

Submitted report by the Head of Democratic Services on hearings to be determined and applications for the grant or renewal of licences, consents and permits, on hearings and on other matters, under the Civic Government (Scotland) Act 1982 and other Licensing legislation.

Appendix A: Hearings

4.1 Taxi Driver's Licence: TDL/00298 (Renewal): John Phillips

At a previous meeting on 19 April 2023, the Committee agreed to continue consideration to allow the licence holder to attend.

The applicant, having been duly cited to attend, was not present.

Decision

The Committee agreed to defer consideration of this application to a future meeting to allow the applicant to attend.

4.2 Private Hire Car Licence: PHCL/369 (Substitute): Kelly Scott

The applicant, having been duly cited to attend, was present.

The applicant then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee unanimously agreed (a) the proposed vehicle should be treated in the circumstances of the case as justifying an exception to Paragraph 12 of the Council's Taxi and Private Hire Car Vehicle Approval Specification under Civic Government (Scotland) Act 1982, Sections 10(2) and 10(5) ("Wheelchair Accessible Vehicles"); and (b) to continue consideration of the application to allow the Clerk to consider whether or not Delegated Powers can be used to determine the application.

4.3 Taxi Driver's Licence: TDL/01773: Colin Bennett

At a previous meeting on 19 April 2023, the Committee considered a complaint against the licence holder and agreed to continue consideration until a Hearing to be held under Civic Government (Scotland) Act 1982, Schedule 1, Paragraph 11(7).

The licence holder, having been duly cited to attend, was present. The complainants were also in attendance.

The complainants addressed the Committee and responded to questions. The licence holder then addressed the Committee on the issues raised and responded to questions.

The licence holder and the complainants then withdrew to allow the Committee to deliberate. Thereafter the licence holder and complainants re-joined the meeting, with the same Members and officers present and in attendance, to hear the Committee's decision.

Decision

Councillor McLean, seconded by Councillor Larsen, moved that the Committee revoke the Licence in terms of Paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982 on the grounds that the licence holder is not a fit and proper person to be the holder of a licence.

Councillor Reid, seconded by Councillor Stalker, moved that the Committee suspend the Taxi Driver's Licence for a period of two months starting from 28 days after the date of the meeting.

On a division and a roll call vote, there voted for the amendment Councillors Collier, Inglis, McClung, Reid and Stalker (5) and for the motion, Councillors McDonald, Larsen, McLean and Stephen (4), and the amendment was declared carried.

Accordingly, the Committee agreed to suspend the Taxi Driver's Licence for a period of two months starting from 28 days after the date of the meeting.

4.4 Taxi Driver's Licence: TDL/02310 (Renewal): Nathan Smith

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

4.5 Taxi Driver's Licence: TDL/02310: Nathan Smith

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

4.6 Taxi Driver's Licence: TDL/02283: Jamie Dorrans

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

4.7 Taxi Licence: TL/440: Jamie Dorrans

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

4.8 Taxi Driver's Licence: TDL/02303: Calvin Smith

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

4.9 Taxi Licence: TL/441: Calvin Smith

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

4.10 Taxi Licence: TL/001: Hugh O'Neill, Calvin Smith, Jamie Dorrans, Desmond Quigley

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

4.11 Taxi Licence: TL/034: Hugh O'Neill, Gordon Smith, Calvin Smith

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

4.12 Taxi Licence: TL/436: Hugh O'Neill, Gordon Smith, Calvin Smith

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

4.13 Taxi Licence: TL/073: Hugh O'Neill, Gordon Smith, Calvin Smith, Jamie Dorrans

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

4.14 Taxi Licence: TL/431: Hugh O'Neill, Gordon Smith, Calvin Smith, Jamie Dorrans

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

4.15 Taxi Licence: TL/435: Hugh O'Neill, Gordon Smith, Calvin Smith, Jamie Dorrans

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

4.16 Taxi Licence: TL/155: Hugh O'Neill, Jamie Dorrans

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

4.17 Taxi Licence: TL/443: Gordon Smith

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

4.18 Taxi Licence: TL/443: Hugh O'Neill

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

4.19 Booking Office Licence: BOL/023: Hugh O'Neill

The Committee agreed to continue consideration of this item to a Special meeting of the Committee on 31 May.

The meeting ended at 12.05 p.m.



North Ayrshire Health and Social Care Partnership

**Minute of Integration Joint Board meeting held on
Thursday 11 May 2023 at 10.00 a.m.**

**involving participation by remote electronic means and physical attendance
within the Council Chambers, Irvine.**

Present (Physical Participation)

Voting Members

Councillor Margaret Johnson, North Ayrshire Council (Chair)
Councillor Timothy Billings, North Ayrshire Council
Councillor Anthea Dickson, North Ayrshire Council

Professional Advisers

Caroline Cameron, Director of Health and Social Care Partnership
Paul Doak, Head of Service (HSCP Finance and Transformation)/Section 95 Officer
Scott Hunter, Chief Social Work Officer
Darren Fullarton, Associate Nurse Director/IJB Lead Nurse
Victor Chong, Medical Representative

Stakeholder Representatives

Louise McDaid, Staff Representative (North Ayrshire Council)/Chair, North Coast
Locality Forum
Vicki Yuill, Third Sector Representative

Present (Remote Participation)

Voting Members

Joyce White (Vice-Chair)
Adrian Carragher, NHS Ayrshire and Arran
Christie Fisher, NHS Ayrshire and Arran

In Attendance (Physical Participation)

Elaine Young, Head of Health Improvement/Assistant Director of Public Health (NHS)
Thelma Bowers, Head of Service (Mental Health), HSCP
Elizabeth Stewart, Senior Manager, HSCP
Eleanor Currie, Manager, HSCP
Kerry Logan, Senior Manager (Health and Community Care)
Ruth Wilson, Team Manager (Democratic Services)
Karen Andrews, Team Manager
Shannon Wilson, Committee Services Officer
Diane McCaw, Committee Services Officer

Apologies

Marc Mazzucco, NHS Ayrshire and Arran

1. Apologies for Absence

Apologies for absence were noted.

2. Declarations of Interest

There were no declarations of interest in terms of Standing Order 7.2 and Section 5.14 of the Code of Conduct for Members of Devolved Public Bodies.

3. Minutes/Action Note

The accuracy of the Minutes of the meeting held on 16 March 2023 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3.1 Matters Arising from the Action Note

Updates in terms of the Action Note were detailed as follows:-

- **2022-23 – Month 7 Financial Performance** – report on Dental Services – planned for 24 August 2023.
- **The Promise in North Ayrshire Update on Progress** – further progress report and action plan to be remitted to IJB following The Promise Conference in November 2022 – planned for June 2023.
- **Director's Report** – Suicides, drugs and alcohol related deaths – report to be presented to IJB in May 2023 specifically on suicide prevention strategy. Other elements covered in previous updates to IJB. On Agenda 11 May 2023 - Action closed.
- **Analogue to Digital** – Update on Agenda 11 May 2023 – Action closed.
- **Implementation of the National CAMHS and Neurodevelopmental Specifications** – further update - date tbc.

Noted.

4. IJB Membership Update

Submitted report by Caroline Cameron, Director (NAHSCP) on the recent appointments and changes to the IJB, IJB Performance and Audit Committee and Strategic Planning Group. The full updated membership list was detailed at Appendix 1 to the report.

The report detailed the appointments as follows:-

- Councillor Margaret Johnson, as Chair of the IJB, following the rotation of the roles of Chair and Vice-Chair;
- Joyce White OBE, as the new non-Executive NHS Ayrshire and Arran member of the IJB who will assume the role of Vice-Chair of the IJB and also Chair of the Strategic Planning Group;
- Marc Mazzucco rotating to assume the role of Chair of the IJB Performance and Audit Committee;
- Timothy Billings rotating to assume the role of Vice-Chair of the IJB Performance and Audit Committee; and
- Sharon Hackney as the Lead Allied Health Professional for North Ayrshire commencing from 12 June 2023.

The Director further advised that discussions are underway within the Partnership in relation to the current vacancies on the IJB which should be resolved by the end of the summer period, and on the recruitment exercise in relation to a Head of Service (Health & Community Care) and Head of Service (Children, Families and Justice). Expressions of interest were also sought from IJB Members to join the Performance and Audit Committee.

Councillor Billings joined the meeting at this point.

The Chair welcomed Joyce White as non-Executive NHS Ayrshire and Arran Member to the IJB and confirmed that Elaine Young would be detailed on the membership as a Professional Adviser in terms of Public Health representative.

Noted.

5. Director's Report

Submitted report by Caroline Cameron, Director (NAHSCP) on developments within the North Ayrshire Health and Social Care Partnership.

The report provided an update on the following areas:-

- National Developments that included the publication on 6 April 2023 of the Accounts Commission report on IJB workforce pressures and financial challenges, the Care Inspectorate thematic review of the experiences of disabled children and young people, the HMICS thematic review in relation to policing mental health in Scotland, the Scottish Government review of National Outcomes, and the extension to the Scottish Parliament's consideration of the National Care Service Bill until after summer 2023;
- The Ayrshire wide development of the award of the Baby Friendly Initiative (BFI) Gold accreditation; and
- North Ayrshire Developments that included the closure of nominations for the North Ayrshire Partnership Awards with winners to be announced on 20 June 2023, the commencement of the transformation from analogue to digital Community Alarm and Telecare equipment, the transfer of all Care at Home delivery to the HSCP in-house Care at Home service, and the alignment of Financial Inclusion Services to meet the needs and increasing demand for support from our citizens.

Members asked questions and were provided with further information in relation to:-

- The potential for early learning from the Care Inspectorate review to allow proactive assistance to be provided;
- North Ayrshire's commitment to undertaking a degree of self-evaluation work in relation to services for children with disabilities;
- Partnership working in terms of mental health and financial services;
- Representation from Public Health on the Financial Inclusion Partnership;
- An update to a future meeting regarding the in-house Care at Home service following the transfer from an external care provider; and
- Covid-19 balances now being fully recovered by the Scottish Government.

Noted.

6. Community Alarm/Telecare Service Transition from Analogue to Digital

Submitted report by Kerry Logan, Senior Manager, on the North Ayrshire programme of work for Community Alarm and Telecare Service transition from Analogue to Digital Service including information on a procurement exercise in terms of the digital technology required to replace the existing analogue equipment in the homes of service users, interim arrangements to ensure services can continue to be delivered while there is a blend of communication methods, the development of a project plan for the transition, the conducting of a procurement exercise for a Call Monitoring and Alarm Receiving Centre, and the possible introduction of a specific eligibility criteria for the service as a result of potential cost implications linked to the transition.

Victor Chong left the meeting at this point.

Members asked questions and were provided with further information in relation to:-

- Potential risk in terms of possible widening of inequalities within rural locations;
- Enhanced community engagement to provide reassurance in terms of the changes;
- The need to highlight the requirement for additional funding to deliver services; and
- The importance of the level of kit which is purchased.

The Board agreed to note the content of the report and implications detailed therein.

7. Suicide Prevention: Strategy, Learning and Development

Submitted report by Thelma Bowers, Head of Service providing an oversight on the extensive range of suicide prevention work ongoing across health and social care by suicide prevention groups and HSCP clinical and social care teams to evidence an impact on incidents of suicide in North Ayrshire. The report provided updates in relation to the New National Suicide Prevention Strategy: Creating Hope Together: Scotland's Suicide Prevention Strategy 2022-2032, the North Ayrshire and wider Ayrshire and Arran Suicide Prevention Strategy and Planning, learning achieved through suspected deaths by suicide and development of training. Action plans to support longer term outcomes were also detailed.

Louise McDaid joined the meeting at this point.

Members asked questions and were provided with further information in relation to:-

- Progressive and detailed actions for consideration in relation to all outcomes;
- Alignment with public health priorities and partnership working in this regard;
- Guidance for Managers on support for staff;
- The impact of gambling addiction on the number of suicides;
- The need to review training and education in relation to gambling as a risk factor;
- Ensuring our communities have a clear understanding of suicide, risk factors and its prevention;
- Links with the private sector and corporate businesses to highlight risks;
- The provision of training to those who work within the financial support sectors and the level of need and demand for this specialist training; and
- The requirement for a whole system approach involving communities.

Darren Fullarton advised a summary of training levels and availability could be provided to a future meeting of the IJB.

The Board agreed to support the current plans and direction of travel.

8. Equality Mainstreaming and Outcomes Report 2021-22

Submitted report by Scott Bryan, Interim Programme Manager, Strategic Planning detailing progress in terms of Equality Outcomes. The Equality Mainstreaming and Outcomes Report 2021-22 was detailed in full at the Appendix to the report.

The Board agreed to (a) approve for publication the Equality Mainstreaming and Outcomes Report 2021-22 as detailed at the Appendix to the report; and (b) otherwise note the terms of the report.

9. Whistleblowing Update

Submitted report by Karen Callaghan, Corporate Governance Co-ordinator, in relation to whistleblowing concerns raised in Quarter 3 (October - 31 December 2022).

Noted.

The meeting ended at 11.40 a.m.

AYRSHIRE ECONOMIC PARTNERSHIP BOARD

MINUTES OF MEETING HELD ON MONDAY 15 MAY 2023 AT 0902 HRS IN THE COUNCIL CHAMBERS, EAST AYRSHIRE COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK AND BY VIDEO CONFERENCE

PRESENT: Councillors Douglas Reid and Clare Maitland, East Ayrshire Council; Councillors Marie Burns and Anthony Gurney North Ayrshire Council; Councillors Peter Henderson and Bob Pollock, South Ayrshire Council; Alastair Dobson, Taste of Arran; Simon Foster, Spirit Aerospace; Derek McCrindle, Scottish Enterprise; Malcolm Roughead, Visit Scotland; Claire Baird, Ayrshire Chamber of Commerce and Industry.

ATTENDING: David McDowall, Head of Economic Growth; Graham Saunders, Programme Manager - Ayrshire Growth Deal; Dougal Watt, Senior Auditor (all East Ayrshire Council); Louise Kirk, Head of Service/Economic Development and Regeneration; Russell McCutcheon, Executive Director - Place; Marnie Ritchie, Senior Manager, Growth & Investment (all North Ayrshire Council); and George Hunter, Assistant Director - Communities; Louise Reid, Assistant Director - Strategic Change (all South Ayrshire Council);

ALSO ATTENDING: Christine Baillie, Democratic Services Team Leader; and Sheryl Wilcox, Democratic Services Officer, East Ayrshire Council.

APOLOGIES: Councillor Martin Dowe, South Ayrshire Council; Hisashi Kuboyama, Federation of Small Businesses; and Paul Zealey, Skills Development Scotland.

CHAIR: Councillor Douglas Reid, Chair.

PREVIOUS MINUTES

1. There were submitted and approved as a correct record, the Minutes of the meeting held on 27 April 2023 (circulated).

AYRSHIRE GROWTH DEAL - PROGRAMME UPDATE

2. There was submitted a report (circulated) by the Head of Economic Growth, East Ayrshire Council which advised members of the progress of the Ayrshire Growth Deal and the development of its component projects as at 28 April 2023 as detailed at Appendix 1 of the report.

The Board agreed to note the contents of the report and recommend approval to the Ayrshire Economic Joint Committee to:

- (i) note the updates provided in the report;
- (ii) note the progress across the Ayrshire Growth Deal Programme;
- (iii) note the actions to address the anticipated slippage of the business case milestones and the risk to financial drawdown;
- (iv) note the main strategic and operational risks; and
- (v) note the communications update.

The meeting terminated at 0928 hrs.

AYRSHIRE SHARED SERVICES JOINT COMMITTEE

MINUTES OF MEETING HELD ON FRIDAY 19 MAY 2023 AT 1000 HOURS IN THE WILLIAM MURDOCH ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK AND BY VIDEO CONFERENCE

PARTICIPATING: Councillors Douglas Reid and Neal Ingram (both East Ayrshire Council); and Councillors Alec Clark, Bob Pollock, William Grant and Philip Saxton (all South Ayrshire Council).

ALSO PARTICIPATING: Katie Kelly, Depute Chief Executive; and Paul Whip, Group Finance Manager (both East Ayrshire Council); Kevin Braidwood, Head of Roads; Craig Knape, Strategic Manager: Roads; and Theresa Mackin, Business Support Manager (all Ayrshire Roads Alliance).

ATTENDING: Stuart Nelson, Democratic Services Officer (East Ayrshire Council).

APOLOGIES: Councillors Barry Douglas and Neil Watts (both East Ayrshire Council); and Councillors Joe Cullinane, Marie Burns, Scott Davidson and Tom Marshall all North Ayrshire Council).

CHAIR: Councillor Douglas Reid, East Ayrshire Council.

DECLARATIONS OF INTEREST

1. No declarations of interest were intimated by the Members participating in relation to the items of business on the Agenda.

PREVIOUS MINUTES

2. There were submitted (circulated) and approved as a correct record, the Minutes of the meeting held on 10 March 2023, with no matters arising.

UPDATE ON PERFORMANCE SCORECARD

3. There was submitted a report (circulated) by the Head of Roads: Ayrshire Roads Alliance, which advised the Joint Committee regarding the progress made to date against the Performance Scorecard.

The Head of Roads provided further information and clarifications in response to matters raised by Members during discussion, viz:-

- it was anticipated that the strong positive performance within South Ayrshire Council and East Ayrshire Council areas during the 2021/22 financial year in relation to the Annual Performance Indicator – “% of A Class roads that should be considered for maintenance”, had continued during the 2022/23 financial year, noting that (a) notwithstanding the moratorium on resurfacing works towards the end of 2021/22 due to budgetary restrictions, pot hole and other emergency/urgent repairs had continued to be carried out; (b) additional resources had been allocated by both South Ayrshire and East Ayrshire Councils for roads spend during 2023/24; (c) the outcome of the latest road condition survey would be available within the coming months; and (d) liaison and consultation is ongoing and continuing with colleagues at South Ayrshire on works within that Council area; and

- notwithstanding public perception, over the recent period, South Ayrshire Council area had improved from twenty-first to twelfth position in the Scottish Road Condition Index.

It was agreed:-

- (i) to note the Performance Scorecard presented in the report;
- (ii) to continue to receive Performance Scorecard updates;
- (iii) to note that the Head of Roads would make arrangements for “walkrounds” with Councillors Grant and Clark within their respective Wards, in relation to matters which they had each raised on aspects relating to the condition of roads in their areas;
- (iv) to note that the Strategic Manager – Roads would arrange to liaise further with Councillor Clark following the meeting with a view to providing feedback following on from a previous “walkround”/site visit within the Councillor’s Ward;
- (v) to note that the Head of Roads would liaise further with colleagues within Procurement Services regarding the potential for a discounted rate being applied in respect of the prompt payment by ARA of contractors/suppliers invoices (acknowledging that for March 2023, 99% of all invoices had been paid within 30 days), and would report back to the Joint Committee accordingly; and
- (vi) otherwise, to note the contents of the report, and the further information provided verbally at the meeting.

RISK REPORT AND REGISTER

4. There was submitted a report dated 4 May 2023 (circulated) by the Head of Roads: Ayrshire Roads Alliance which advised the Joint Committee on the management of risk associated with the Ayrshire Roads Alliance.

Arising from discussion, the Depute Chief Executive, East Ayrshire Council, outlined the Graduate Intern scheme introduced by the Council, which is already proving to be an effective conduit for bringing young talent to the workforce, and confirmed that she would be happy to share knowledge of that with other authorities; and the Head of Roads confirmed (a) ongoing discussions with the Council’s People and Culture service regarding developing the Graduate Intern scheme within the Roads service; and (b) that, in terms of normal recruitment processes, applicants for posts who can demonstrate the required qualifications and/or experience will always be considered.

It was agreed:-

- (i) to note the Risk Register presented in the report;
- (ii) to continue to received updates on progress;
- (iii) to request the Head of Roads to provide an update on Ash Dieback to the next meeting of the Joint Committee; and
- (iv) otherwise, to note the contents of the report and the further information provided verbally at the meeting.

AYRSHIRE ROADS ALLIANCE: SERVICE PLAN 2023/24

5. There was submitted a report dated 3 May 2023 (circulated) by the Head of Roads: Ayrshire Roads Alliance which sought approval for the Ayrshire Roads Alliance Service Plan for 2023/24.

It was agreed:-

- (i) to approve the Ayrshire Roads Alliance Service Plan for 2023/24;
- (ii) to note the confirmed finance budgets for 2023/24;
- (iii) to note the Performance Scorecard for 2022/23;
- (iv) that progress updates be provided to future meetings of the Joint Committee; and
- (v) otherwise, to note the contents of the report.

ROADWORKS PROGRAMME 2023/24

6. There was submitted a report (circulated) by the Head of Roads: Ayrshire Roads Alliance on the progress of work through the roads improvement programmes within East Ayrshire and South Ayrshire for financial year 2023/24.

Arising from discussion, the Head of Roads confirmed (a) ongoing discussions with relevant colleagues and agencies with regard to the expansion of the EV charging network, including a meeting this afternoon involving officers from North Ayrshire Council, the Scottish Futures Trust, and East Ayrshire Council Procurement Services, and within that awareness and considerations of the need for further investment within smaller/rural communities as well as the larger population centres; (b) that the Roadworks Programme for 2023/24 would include resurfacing within Troon, and the detail of that was currently under consideration with colleagues at South Ayrshire; (c) based on previous experience, awareness of potential local public sensitivities with regard to the carrying out of roadworks associated with requirements arising from the British Open Golf Championship being held at Royal Troon in July 2024 and the need for careful scheduling of such works prior to the New Year; noting also that the first meeting with the Royal and Ancient in that respect was scheduled to take place next week; and (d) considerations ongoing regarding the suitability of the proposal to dredge Girvan Harbour to replenish the Girvan Golf Course beach, having regard to possible lead contamination of material in the harbour.

It was agreed:-

- (i) to note the Ayrshire Roads Alliance programmed works for 2023/24;
- (ii) to note that the "walkround" with Councillor Clark, referred to at Item 3(iii), above would include Girvan harbour area; and
- (iii) otherwise, to note the contents of the report and the further information provided verbally at the meeting.

ROTATION OF JOINT COMMITTEE

7. It was noted, as confirmed by the Democratic Services Officer, East Ayrshire Council, that the chairing and administration of meetings of the Joint Committee would, in accordance with the Minute of Agreement, rotate to East Ayrshire Council from June 2023.

AOCB

8

- The Chair

confirmed that Katie Kelly would shortly be leaving her post as Depute Chief Executive with East Ayrshire Council, and took the opportunity, personally and on behalf of members of the Joint Committee, to express appreciation to Katie for her leadership and excellent work during her time in post in relation to the Roads service, and the enthusiasm which she had brought to the role; and wished her well for the future. Katie, in turn, commented that it had been a privilege to have had the opportunity to have been able to contribute to the work of the Roads service over the period and to have played a part in helping the service to develop and to continue to make real progress throughout its areas of service delivery, mentioning some of the main achievement highlights; and that it had been a pleasure to have worked with colleagues within the Roads service across both authorities and to have served the Joint Committee; and she wished colleagues and the Joint Committee continued success going forward, for the benefit of our communities.

The meeting terminated at 1040 hours

Planning Committee
24 May 2023

At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

Present (Physical Participation)

Robert Foster, Timothy Billings, Stewart Ferguson, Cameron Inglis and Ian Murdoch.

Present (Remote Participation)

Scott Davidson, Davina McTiernan, Jim Montgomerie and Chloé Robertson.

Also Present (Physical Participation)

Tom Marshall

In Attendance

Y. Baulk, Head of Service (Housing & Public Protection) and I. Davies, Senior Development Management Officer (Place); and R. Lynch, Senior Manager (Legal Services), J. Niven, Solicitor (Legal Services) and C. Stewart, D. McCaw and S. Wilson, Committee Services Officers (Democratic Services) (Chief Executive's Service).

Chair

Councillor Foster in the Chair.

Apologies

Amanda Kerr

1. Declarations of Interest

In respect of Agenda Items 5 (22/00712/MSCM) and 6 (23/00131/PP): 'Site at Former Coal Terminal, Hunterston, West Kilbride', Councillor Murdoch advised that he was a member of Hunterston Park Liaison Committee. However, having applied the objective test, he assessed that it was not an interest in terms of the Councillors' Code of Conduct which would prevent him from taking part in the decision. Accordingly, Councillor Murdoch did not require to leave the meeting for these items of business.

2. Minutes

The Minutes of the Meeting held on 22 March 2023 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. 23/00114/PP: Site to the North East of Wee Minnemoer, Millport, Isle of Cumbrae

Comsol Energy have applied for planning permission for installation of a photovoltaic solar farm, with associated battery energy storage systems and associated infrastructure at the site to the North East of Wee Minnemoer, Millport, Isle of Cumbrae. 116 representations, of which 108 were objections, 1 neutral representation and 7 comments in support, were received and detailed in the report.

The Chair advised that he had accepted a request from the Elected Members of Ward 1 (North Coast and Cumbraes), who were not a Member of the Planning Committee, to address the Committee in terms of their objections to the application, whereupon it had mutually been agreed between them that Councillor Tom Marshall should speak on their behalf.

In terms of the second deputation, Dr Gregor Harvie and Mr Alex Harvie, representing Cumbrae Community Council, were in attendance to speak to the terms of their objection to the application.

The agent for the applicant, Colin Lavety, Stantec, had been invited to respond to the objections raised. Craig Little and Lynsey Breen, Comsol Energy, were in attendance as representatives of the applicant.

The Senior Manager (Legal Services) outlined the terms of the Procedure for those addressing the Planning Committee and all parties confirmed their understanding and acceptance thereof.

Councillor Marshall addressed the Committee in relation to the objections of the Local Members of Ward 1 (North Coast and Cumbraes). In this respect, Councillor Marshall advised that this was the first time he could recall that there was a unanimous view on any proposal by all the local Members who were not Members of the Planning Committee. Councillor Marshall spoke about the importance of tourism and the likely effect on the visual landscape if the proposal was to go ahead. Councillor Marshall advised that Millport and Cumbrae were areas with a declining population and, as such, needed as much support as possible.

Councillor Marshall asserted that the location was inappropriate, being in the Great Cumbrae Special Landscape Area, as defined in the Local Development Plan; that the development would adversely impact on the area; and that it would not be possible to put in place sufficient mitigation measures such as planting and screening. Secondly, the location was inappropriate being situated in part of the Barbay local nature Conservation site and would adversely impact that area. Councillor Marshall cited further considerations, namely that given the need for an Environmental Impact Assessment (EIA) was essentially subjective, the decision not to require an EIA was misjudged; the visual impact would have a detrimental effect on tourism which in the case of Cumbrae attracted 750,000 tourists a year; the access route for HGV construction vehicles was the inner circle road, which in his view was unsuitable for such heavy traffic; and, unlike other major capital projects on the island, there was no plan to mitigate against the impact caused by the large number of vehicles.

Dr Harvie addressed the Committee in support of the objections. Dr Harvie highlighted that in line with the overwhelming opposition of the local community, Cumbrae Community Council objected to the proposed solar farm on the Isle of Cumbrae as it offered no benefits whatsoever to the community, only negative impacts on a local beauty spot and an important habitat and even the power generated would be taken off the island and connected to the national grid. Dr Harvie clarified that the community was not opposed to renewable energy generation on the island, or even solar power on the island, but believed any such proposals should involve an assessment of need and proper consideration of the possible options and locations. He asserted that this poorly thought out and ill-conceived proposal, which has been hanging over the community of this small island for 7 years, had undertaken no such assessment. Dr Harvie also referred specifically to the LDP - Policy 16 and the need to demonstrate locational need, which he contends the applicants have not done; and Policy 15 where the planning authority should only support development on special landscape areas where there is no unacceptable impact. He also made reference to specific environmental factors, such as the sightings of 20 species of endangered birds in the area, 2 of which are on the priority species list.

Dr Harvie went on to provide information on the history of the application and the objections it had attracted. In 2023, this, the third application was submitted, but this time with a 40% increase in power generation from 5 to 7MW, and with an additional 12MW of battery storage. This takes the development to 19MW, just 1MW below the level that would make this a major application, requiring a statutory public consultation process. He pointed out that more than 300 comments had been submitted to North Ayrshire Council in respect of the current application, just 5 of which were in favour.

Dr Harvie referred to the scale of the proposed development, which included 12,000 panels up to 4m tall, 12 buildings up to 5.3m high, a 1.5km long, 2m high fence with 31 CCTV masts and a communications tower. At an enormous 15.3 hectares, equivalent to 22 football pitches, this would take up 1.3% of the total area of the small island of Cumbrae. He suggested that this would be comparable to allowing the construction of a 565 hectare solar farm at the top of Goat Fell on Arran. Dr Harvie also highlighted concerns relating to the Landscape and Visual Impact Assessment and lack of community engagement or community benefit regarding the proposal.

Mr Lavety then addressed the Committee on behalf of the applicant, in response to the objectors. He provided contextual information on the application and, in particular, advised that Planning permission for a solar farm was previously approved on this site in 2016. Previous approval was 5MW output – now proposed to increase to 19MW. Mr Lavety asserted that the current application was – in land use planning terms - almost identical to the previous approval and that the only major changes were the increase in generating/storage capacity (as a result of advancements in renewables technology).

Mr Lavety advised that there was an increasing need for reliance on alternative renewable sources of power generation – such as solar and battery storage. He referred to National Planning Framework 4 which encouraged low and zero carbon design and expansion of renewable energy generation. Policy 11 stated that development proposals for all forms of renewable, low-carbon and zero-emissions technologies would be supported, including energy storage and solar arrays. He also referred to the North Ayrshire Local Development Plan which contained strong support for renewable energy projects via Strategic Policy 1 and Policy 29 and suggested that both the previous approval and policy support confirmed that the principle of developing this site was established.

Mr Lavety referred to the proposed site layout and the approved 2016 site layout in his presentation and also made reference to their approach, the nature of the application submitted, including commentary on environmental impacts. Mr Lavety asserted that beyond doubt the current proposal complied fully with planning policy and national energy policy, as it did in 2016.

Mr Lavety noted that, despite there being no statutory need for community consultation, the applicant had held a public event to provide information to the local community and, as agent for the applicant, he had worked positively with Council Officers to address any concerns raised by members of the local community as well as consultees throughout the determination period. He further noted that there were no objections from key statutory consultees and that the applicant had responded to those comments received from the Community Council and Scottish Wildlife Trust.

Mr Lavety asserted that there were no material considerations of sufficient weight to suggest that planning permission should be refused. It was his contention that the proposal would make a positive contribution towards the Scottish Government's Renewable Energy Targets, which would in turn support the move to a low carbon economy, both in providing energy to the national grid, and energy storage. Mr Lavety concluded his presentation by urging Members to reach a positive decision on this application, per the planning officer's recommendation, particularly as it would remove the need for any subsequent appeal process, at no cost to the applicant or the Council.

The objectors were then afforded an opportunity to make brief final comments. Dr Harvie reiterated that the proposal had been hanging over the community of Cumbrae for over seven years and in that time, there had been 800 comments made on the scheme. As far as he was aware, Comsol had not taken on board a single one of them. Referring to the points raised concerning designations, Dr Harvie suggested that, while they may only be local designations, local designations still counted.

Members then asked questions of the objectors and applicant's representatives and received further information on the following:

- whether some of the proposals in the application were against the principles contained in the Local Development Plan, particularly in relation to the Great Cumbrae Special Landscape Area;
- the strength and weight of community concerns, which also reflected in the views given by local residents to the local Ward Members;

- Millport's position-as a conservation area, in which residents did not have permitted development rights for the installation of solar panels;
- the site selection process;
- visual impact on the land, from different view points and the overall scale and size of the proposed development;
- impact on wildland habitats;
- the applicant's failure to show the landscape visual impact assessment in their presentation; and
- the anticipated affect on tourism on Cumbrae, in terms of potential impact on views, traffic during construction and concerns relating to use of CCTV in terms of privacy.

The Senior Development Management Officer then outlined the terms of the planning report.

Members had the opportunity to ask further questions and received clarification on the following: -

- the rationale for selecting particular locations in terms of the visual impact assessments; and
- the likely impact on the local area of the proposed traffic changes including the installation of additional passing places.

Councillor Billings, seconded by Councillor Murdoch, moved that the application be refused on the grounds that the development was contrary to the Local Development Plan, in particular in that there would be adverse impacts on habitats, visual impact and tourism, and that the applicants submitted insufficient evidence to justify the level of detriment. In addition, there was insufficient evidence that the extent of environmental impact had been properly considered. There being no amendment, the motion was declared carried.

4. Notice under Sections 207 and 208 of the Town and Country Planning (Scotland) Act 1997: Site to North of Kirn Point, Lochranza, Isle of Arran

Submitted report by the Executive Director (Place) seeking approval to promote a Path Diversion Order under sections 207 and 208 of the Town and Country Planning (Scotland) Act 1997 to divert the Right of Way SCU123/1.

The Committee agreed to grant authority to proceed with promoting a Path Diversion Order for Right of Way SCU123/1 through a site to the North of Kirn Point, Lochranza, Isle of Arran.

In terms of Standing Order 5.7, Councillor Foster, Chair, agreed that the meeting be adjourned at 3.30 p.m. for a short comfort break. The meeting reconvened at 3.40 p.m. with the same Members and officers present and in attendance.

Prior to continuing with the remaining business, the Committee Services Officer was asked to confirm the decision in relation to the previous application '23/00114/PP: Site to the North East of Wee Minnemoer, Millport, Isle of Cumbrae', as a technical issue had resulted in a failure in the livestream of the proceedings.

5. 22/00712/MSCM: Site at Former Coal Terminal, Hunterston, West Kilbride

XLCC have applied for planning permission for details pertaining to pre-commencement conditions relating to erection of a high voltage cable manufacturing facility, at the former coal terminal, Hunterston, West Kilbride. Four objections were received in relation to the application.

The Chair advised that he had accepted a request from Fairlie Community Council to address the Committee in terms of their objections to the application. The Chair had also accepted a request from a John Riddell who had a representation he wished to make in terms of the application.

Mr Riddell was heard first in respect of his representation, and was then followed by Fairlie Community Council, who were represented by Rita Holmes (Chair) and who was joined (virtually) by Melvin Grosvenor who had compiled their noise report and by Les Huson (noise specialist).

XLCC, as the applicant, had been invited to respond to the objections raised. Alan Mathers and David Kelly, representing XLCC, and Jim Bailey and Lise Tjellesen (RPS Group) were in attendance.

Mr Riddell addressed the Committee and asked if the Committee could accept a change to Proposed Condition 6 in the report, the addition of which was annotated in **bold** below:

“The rated noise level, as defined in BS4142:2014+A1: 2019, from the operation of the development must not exceed the background noise level at the curtilage of any existing or consented noise sensitive property at the time of application. **For the avoidance of doubt a daytime background noise level of 34 dB(A) and a night time background noise level of 26 dB(A) shall apply to all residential receptors situated within the Fairlie settlement boundary**”.

Ms Holmes then addressed the Committee in support of the Community Council's objections and circulated a document in support of the oral submission. In this regard, Ms Holmes expressed the view that the Fairlie and Cumbrae communities would bear the brunt of any negative impacts from the facility or the jetty. In terms of their Commissioned Comprehensive Noise Report, Ms Holmes advised that it indicated that there was the very real potential for the local community to be exposed to intolerable levels of noise and vibration, not only from the Cable Manufacturing Facility, utilising huge machinery and hazardous materials, but from the Cable Vessels coming into Hunterston jetty. She also referred to the impacts caused by the development in terms of other matters including impinging on residential amenity and visual amenity.

Ms Holmes advised that the community council's second concern related to the location plan submitted by XLCC regarding the cable delivery infrastructure out to and onto the jetty and the absence of any illustrative photo montages. She considered that the plan was unclear as to which jetty it related to and this had already been flagged up in a letter from the community council to the Chief Executive of XLCC. Ms Holmes asserted that the plan appeared to have been submitted in haste and lacked sufficient detail to determine the impact on visual amenity.

Lastly, Ms Holmes suggested that the 'cut and paste' quotes from the Local Development Plan merely served to highlight the inappropriateness and incongruity of such a huge industrial development so close to the village of Fairlie.

Mr Grosvenor was heard in relation to the Grosvenor Consultancy report and Mr Huson in relation to the technical aspects of the noise complaint issues contained within the report and to the request that a noise monitoring scheme should be in place prior to approval being given to the application.

Mr Bailey, RPS Group, spoke in support of the application. He acknowledged there would be some temporary noise during construction, but advised that the applicant would do their utmost to minimise noise both during the construction phase and during operation. In terms of the noise aspects, Mr Bailey advised that Ms Tjellesen, was present to give information and answer questions relating to the noise aspects in relation to the application. Mr Bailey also referred to additional consultation meetings that had been held in relation to the proposal. Mr Bailey also referred to the painting of the tower building, to blend into the surrounding area.

Mr Alan Mathers, XLCC, provided information on the technical aspects of the application and the background to the proposal. Mr Mathers also made reference to a similar factory in Sweden and noise aspects including proximity to residential buildings. Mr Mathers spoke about the employment aspects of the proposed development and the apprenticeship opportunities that the development would bring.

Members then asked questions of the objectors and applicant's representatives, including hearing from Ms Tjellesen (RPS Group), in relation to acoustics, and received further information on the following:-

- the height and colour of the proposed tower;
- the lack of a financial bond for the removal of the tower in the event of redundancy;
- the request for a noise monitoring scheme to be in place prior to the application being approved and the rationale for this;
- potential noise that could be generated in relation to the proposal and measurements at specific locations including a proxy measurement where access at that particular location could not be given;
- background noise levels and infrasound low frequency noise and the methodology of the computer modelling;
- whether the noise report commissioned by Fairlie Community Council had been given serious consideration and how the applicant would deal with their concerns;
- control of noise of piling operations during construction;
- monitoring and control of contaminants and dust, including mitigation measures;
- previous background and operating noise levels at the location, and whether this information was readily available including compliance monitoring; and
- electrical connections to Hunterston Park Jetty and the responsibility for this.

The Senior Development Management Officer then outlined the terms of the planning report.

Members had the opportunity to ask further questions and received clarification on the following:-

- considerable concern about potential issues around both the construction and operating phase and why was there no detailed noise submission submitted;
- the separate noise reports submitted by the applicant and the noise report submitted by Fairlie Community Council and whether appropriate consideration had been given to the latter;
- enforcement of conditions contained in the application and the resources/capacity available to allow for this;
- whether a noise monitoring programme could be addressed by the addition of a further condition;
- potential damage to the roads, including traffic levels and routes and the imposition of a construction management plan and code of practice being put in place by the Council as Roads Authority;
- updated information provided by the applicant and the reasons why this was allowed in terms of planning application processes; and
- noise levels at Hunterston Park Jetty and enforcement powers with regard to noise generated by a ship docked at the Jetty.

Councillor Foster, seconded by Councillor Inglis, moved that the application be granted, subject to the conditions outlined in the report, with Condition 6 amended to include the additional wording proposed by Mr Riddell in his presentation.

Councillor Billings proposed a strengthened additional condition for a noise monitoring scheme to be put in place for the first 12 months of operation of the site, to the satisfaction of North Ayrshire Council and a further additional condition requiring products to be transported to and from the factory in an environmentally sustainable way, including roads that should not be used, and this should be to the satisfaction of North Ayrshire Council and delegated to officers. Both the mover, Councillor Foster, and seconder of the motion, Councillor Inglis, indicated their consent and agreement to the additional conditions proposed by Councillor Billings.

Accordingly, the Committee agreed to grant the application, subject to the following conditions:

1. The development shall be undertaken only in accordance with the approved Dust Management Plan.
2. The development shall be carried out only in accordance with the approved Construction Management Plan and Code of Practice. For the avoidance of doubt construction traffic shall use the rail and port connections as a first principle and the use of the A78 through Fairlie, the B780/B781, the C26 and all local non-classified roads shall be prohibited to construction vehicles.
3. The development shall be carried out only with oversight of the appointed Ecological Clerk of Works (ECoW) with the responsibilities and powers as approved.
4. The development shall be carried out only in accordance with the approved drainage details.

5. That the landscaping approved shall be carried out in the first planting season following the operation of the factory or erection of the buildings whichever is soonest. Any landscaping which is removed, dies, becomes diseased or otherwise fails shall be replaced within 5 years of planting.
6. The rated noise level, as defined in `BS4142:2014+A1:2019, from the operation of the development must not exceed the background noise level at the curtilage of any existing or consented noise sensitive property at the time of application. For the avoidance of doubt a daytime background noise level of 34 dB(A) and a night time background noise level of 26 dB(A) shall apply to all residential receptors situated within the Fairlie settlement boundary.
7. The operation of the development shall be carried out only in accordance with the approved sustainable travel plan.
8. Prior to the operation of the development a noise monitoring scheme for the first 12 months of operation of the facility shall be submitted to the Council, as Planning Authority, for written approval. Thereafter any scheme as may be approved shall be carried out in accordance with the details of the scheme.

In terms of Standing Order 5.7, Councillor Foster, Chair, agreed that the meeting be adjourned at 5.35 p.m. for a short comfort break. The meeting reconvened at 5.45 p.m. with the same Members and officers present and in attendance, with the exception of Councillor Montgomerie.

At the invitation of the Chair, the Senior Manager (Legal Services) advised Committee that there had been technical issues affecting the livestream of the meeting for those viewing the proceedings online, which had resulted in dropouts and gaps in the broadcast, and efforts would be made to try and reinstate the full recording of the meeting, following the meeting, if at all possible.

6. 23/00131/PP: Site at Former Coal Terminal, Hunterston, West Kilbride

XLCC have applied for Variation of condition 11 of planning permission N/22/00133/PPPM relating to the construction of a high voltage sub-sea cable manufacturing facility, at the former coal terminal, Hunterston, West Kilbride. Seven objections were received in relation to the application.

The Chair advised that he had accepted a request from Fairlie Community Council to address the Committee in terms of their objection to the application. Fairlie Community Council were represented by Rita Holmes (Chair).

XLCC, as the applicant, had been invited to respond to the objections raised. Alan Mathers and David Kelly, representing XLCC, and Jim Bailey and Lise Tjellesen (RPS Group) were in attendance.

Ms Holmes addressed the Committee in support of the Community Council's objections. She referred to the lack of a financial bond being in place in relation to the tower prior to commencement of any works, to ensure its removal in the event of it becoming redundant. Ms Holmes asserted that the original condition 11 should still stand and should not be varied in the circumstances proposed in the application.

Mr Alan Mathers, XLCC, spoke in support of the application and advised that as regards the concern regarding removal of the tower if it became redundant or was not finished, the applicant was willing to put in place a bond meaning that the tower would be removed once construction started and the construction was above ground level, which would take approximately 8 months from the commencement of construction.

The Senior Development Management Officer then outlined the terms of the planning report and advised that there was a drafting error in respect of Paragraph 5 on page 70 of the agenda papers and this paragraph should not be taken as part of the report. Following the decision, in relation to what was agreed in condition 6 of the previous application, '22/00712/MSCM: Site at Former Coal Terminal, Hunterston, West Kilbride', Condition 17 of this application would be adjusted to be consistent with the previously amended condition.

Councillor Inglis, seconded by Councillor Ferguson, moved that the application to vary condition 11 be granted as set out in the report. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed (a) to grant the application to vary condition 11 to read as follows:

11. Prior to commencement of the works above ground level of development of the tower, details of a financial bond to be secured with the landowner for the removal of the tower in the event of redundancy shall be submitted to North Ayrshire Council, as Planning Authority, for written approval. Any such bond shall be retained through the life of the development with confirmation to be provided to North Ayrshire Council, as Planning Authority, on a yearly basis following completion of the tower.

7. 23/00190/PP: Site to Trearne Quarry, Gateside, Beith

Submitted report by the Head of Service (Housing & Public Protection) regarding Amendment of condition 2 of planning permission 15/00573/DCMS for the continuation of quarrying and the importation of soil forming materials to create a soils growing medium for the purpose of site restoration.

Councillor Billings, seconded by Councillor Foster, moved that the application be granted, subject to conditions. There being no amendment, the motion was declared carried.

The Committee agreed to grant the application, subject to the following conditions:

1. That all quarrying operations at the site shall be discontinued within 3 years from the date of this decision and the entire site shall be restored within a further 2 years in accordance with the approved restoration scheme (as required under the periodic review of minerals consent 15/00573/DCMS) to the satisfaction of the Council, as Planning Authority. For the avoidance of doubt, all other conditions attached to consent ref. 15/00573/DCMS would continue to apply.

2. That no further vegetation or soil stripping shall take place on the site until the developer has appointed an ecological clerk of works to undertake pre-commencement habitat surveys together with recommendations on any mitigation measures as may be necessary. A report of the survey and recommendations shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the implementation of the consent shall be undertaken in accordance with such details as may be approved.

The meeting ended at 6.10 p.m.

Audit and Scrutiny Committee
30 May 2023

At a Meeting of the Audit and Scrutiny Committee of North Ayrshire Council at 10.00 a.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

Present (Physical Participation)

John Bell, Donald Reid, Eleanor Collier, Cameron Inglis and Matthew McLean.

Present (Remote Participation)

Tom Marshall and Davina McTiernan.

In Attendance (Physical Participation)

C. Hatton, Chief Executive; R. McCutcheon, Executive Director (Place); C. Cameron, Director, P. Doak, Head of Service (Finance and Transformation) and E. Stewart, Senior Manager (Children, Families and Justice) (Health and Social Care Partnership); A. McClelland, Head of Service (Education) and R. Leith, Head of Service (Connected Communities) (Communities & Education); M. Boyd, Head of Service (Finance), L. Miller, Senior Manager (Audit, Fraud, Safety and Risk), D. Forbes, Senior Manager (Financial Management) (Finance), F. Walker, Head of Service and B. Quigley, Senior Manager (People & ICT), and A. Craig, Head of Service (Democratic), and D. McCaw and H. Clancy, Committee Services Officers (Chief Executive's Service).

Also in Attendance (Physical Participation)

D. Jamieson, Audit Scotland.

Chair

Councillor Bell in the Chair.

Apologies

Ian Murdoch and John Sweeney.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors

2. Minutes

The Minutes of the Meeting of the Audit and Scrutiny Committee held on 28 March 2023 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Code of Corporate Governance Statement 2022/23

Submitted report by the Head of Democratic Services on the Code of Corporate Governance Statement 2022/23, which outlined how the Council ensured good governance and transparent accountability for delivering the desired outcomes for service users and communities. The Statement was set out in full at Appendix 1 to the report.

The Committee agreed to approve the Code of Corporate Governance Statement 2022/23, as outlined at Appendix 1 to the report.

4. Annual Governance Statement 2022/23

Submitted report by the Head of Service (Finance) on the Council's Annual Governance Statement for 2022/23 for inclusion within the draft Annual Accounts. The Annual Governance Statement, detailed in full at Appendix 1 to the report, outlined the main components of the governance framework in place, changes which had been made to the framework during 2022/23, and improvement actions planned during 2023/24.

The Committee agreed to approve the draft Annual Governance Statement as detailed at Appendix 1 to the report.

5. Accounting Policies 2022/23

Submitted report by the Head of Service (Finance) on the accounting policies which would be adopted in the preparation of the Council's Annual Accounts for the year to 31 March 2023. The draft Accounting Policies proposed for adoption were detailed at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to:-

- items with an inherent value of nil and how these complied with accounting code; and
- the process followed regarding service concession items featured in accounting policies.

The Committee agreed to approve the Accounting Policies as detailed in Appendix 1 to the report.

6. Strategic Risk Register 2023/24

Submitted report by the Head of Service (Finance) on the Council's agreed Strategic Risk Register for 2023/24. The Strategic Risk Register Report 2023/24, with detailed actions, was provided at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to:-

- the delay to the implementation of the National Care Service, and managing risk around any potential impact on the Council's resources;

- ongoing engagement and consultation in terms of Stage 1 of the National Care Service (Scotland) Bill;
- current funding provisions, and associated financial stability concerns;
- the financial environment risk reflecting the ongoing challenge faced by the Council;
- control measures to identify pressures and required savings levels;
- adjustments in terms of the climate change risk and associated review of content, mitigations and scoring;
- recent changes to the Deposit Return Scheme and awareness of any subsequent impact on Council service delivery;
- key considerations in determining ongoing updates to the Strategic Risk Register;
- lessons learned and future improvements for participatory budgeting events;
- volunteer recruitment challenges faced by community groups; and
- a review on the effectiveness of the participatory budgeting process with a follow-up report to a future Committee on lessons learned and suggested improvements.

The Committee agreed (a) that the Head of Service (Connected Communities) (i) carry out a review of the participatory budgeting process and (ii) provide a follow-up report to a future meeting of the Committee on lessons learned and suggested improvements to the process; and (b) otherwise, to note the report.

7. Internal Audit Annual Report 2022/23

Submitted report by the Head of Service (Finance) on the work of Internal Audit during 2022/23 and providing an opinion on the governance, risk management and internal control environment of the Council. The Annual Report 2022/23, together with a statement on internal controls, was detailed at Appendix 1 to the report.

The Committee agreed to note (i) the content of the annual report detailed at Appendix 1 to the report and (ii) the opinion of the Senior Manager on the Council's governance, risk management and internal control environment.

8. Corporate Fraud Team Annual Report 2022/23

Submitted report by the Head of Service (Finance) on the work of the Corporate Fraud Team during 2022/23, where 357 referrals for investigation had been received.

The Senior Manager (Internal Audit, Risk and Fraud) highlighted investigations which had been carried out across a range of areas, including employee-related matters as well as Council Tax, Discretionary Housing Payments, Scottish Welfare Fund, Blue Badges and Housing tenancy issues. The Committee was advised of joint working arrangements with the DWP Single Fraud Investigation Service (SFIS) in cases where there were suspected frauds relating to both DWP Benefits and Council Tax Reduction.

The Senior Manager also referred to the biennial National Fraud Initiative (NFI) work involving matching of relevant datasets across public bodies to identify possible fraud or error for further investigation. The exercise would be completed by March 2024 with outcomes reported to a future meeting of the Audit and Scrutiny Committee.

Noted.

9. Internal Audit and Corporate Fraud Action Plans: Quarter 4 Update

Submitted report by the Head of Service (Finance) on the progress made by Council Services in implementing the agreed actions from Internal Audit and Corporate Fraud reports as at 31 March 2023. Appendix 1 to the report provided full details of the two actions which were not completed within the agreed timescales.

Members asked a question and were provided with further information in relation to IR35 Off Payroll Working, which would be reviewed again by Internal Audit in 2024/25.

The Committee agreed to (a) note the current position with the implementation of Internal Audit and Corporate Fraud actions; and (b) challenge those Services that had not implemented actions within the previously agreed timescales.

10. Internal Audit Reports Issued

Submitted report by the Head of Service (Finance) on the findings of Internal Audit work completed between March and April 2023. The findings from two audit assignments were detailed at Appendix 1 to the report, together with the respective executive summaries and actions plans.

Members asked questions and were provided with further information in relation to:-

Museums and Heritage Assets

- records which were held both manually and digitally;
- the frequency of asset audits;
- historical issues which resulted in a number of asset records being either incomplete or not generated;
- the risks associated with the holding and storage of heritage assets;
- insurance and maintenance arrangements in connection with one asset currently on long-term loan to the National Museum of Scotland; and
- additional arrangements in connection with the valuation of a collection of books and the addition to the insurance policy.

Accounts Payable Transaction Testing Q4

- duplicate invoices and controls around the processing of invoices.

The Committee agreed to note the outcomes from the Internal Audit work completed as set out in the report and detailed in Appendix 1 to the report.

11. Exclusion of the Public – Para 1

The Committee resolved in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following items of business on the grounds indicated in terms of Paragraph 1 of Part 1 of Schedule 7A of the Act.

12. Internal Audit Reports Issued (exempted item)

Submitted report by the Head of Service (Finance) on the findings of two Internal Audit reviews.

The Committee agreed to note the outcomes from the Internal Audit work completed as set out in the report and detailed in Appendix 1 to the report.

13. Investigation Reports Issued

Submitted report by the Head of Service (Finance) on investigation reports finalised since the last meeting.

Noted.

14. Internal Audit and Corporate Fraud Action Plans: Quarter 4 Update

Submitted report by the Head of Service (Finance) on the progress made by Council Services in implementing the agreed actions from Internal Audit and Corporate Fraud reports as at 31 March 2023. Appendix 1 to the report provided full details of the two actions which were not completed within the agreed timescales.

The Committee agreed to (a) note the current position with the implementation of Internal Audit and Corporate Fraud actions; and (b) challenge those Services that had not implemented actions within the previously agreed timescales.

The meeting ended at 11.35 a.m.

Cabinet
30 May 2023

At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Marie Burns, Tony Gurney, Alan Hill, Margaret Johnson, Christina Larsen and Shaun Macaulay; and Andrew Bruce (Church Representative) and Jacqui McKenzie (Teaching Representative) (Agenda Items 3 – 6).

Also Present

Cameron Inglis.

In Attendance

C. Hatton, Chief Executive, M. Boyd, Head of Service and D. Forbes, Senior Manager (Finance) and F. Walker, Head of Service (People & ICT) (Chief Executive's Service); C. Cameron, Director (Health and Social Care Partnership); R. McCutcheon, Executive Director, D. Hammond, Head of Service (Sustainability, Transport & Corporate Property), N. McIlvanney, Senior Manager (Growth & Investment) and C. Fitzsimmons, Senior Manager (Economic Development and Regeneration) (Place); A. Sutton, Executive Director, A. McClelland, Head of Service and K. Herron, Senior Manager (Education) (Communities & Education); A. Craig, Head of Service, M. McColm, Senior Manager (Communications), S. Wilson and C. Stewart, Committee Services Officers (Democratic Services).

Apologies

Lay Members Rev. Mark Goodman and Elizabeth Turbet.

Chair

Marie Burns in the Chair.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the Meeting of the Cabinet held on 2 May 2023 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. School Attainment Results 2022

Submitted a report by the Executive Director (Communities and Education) on the overall performance of the 2022 North Ayrshire Council school leavers as highlighted in the INSIGHT benchmarking tool and Curriculum for Excellence attainment levels in literacy and numeracy for 2022. Supporting statistics were attached at Appendices 1-5 to the report.

The Cabinet expressed its thanks to the staff and pupils for the achievements demonstrated in the report and noted the strong ethos in learning establishments across North Ayrshire.

Members asked questions and were provided with further information in relation to:

- how the pupil destinations data was gathered and monitored by working alongside Ayrshire College and the local employability partnership; and
- the impact on attainment levels caused by the COVID-19 pandemic and the work undertaken to close this gap; and

The Cabinet agreed to (a) approve the measures being taken to make further improvements to attainment and achievement levels across all schools; and (b) otherwise note the content of the report, including the progress being made by learners, specifically in literacy and numeracy and the achievements of school leavers in SQA examinations in 2022.

4. Educational Achievement of Care Experienced Learners in North Ayrshire in 2022

Submitted a report by the Executive Director (Communities and Education) on the Curriculum for Excellence Broad General Education (BGE) attainment levels of care experienced learners in 2022, Senior Phase attainment of care experienced school leavers in 2022 and post-school participation of care experienced learners. Supporting statistics were attached at Appendices 1-6 to the report.

The Cabinet acknowledged the challenge for care experienced young people and noted their achievements exceeded the national comparisons. Councillor Macaulay highlighted that this work was not limited to learning establishments and thanked both Education and the wider team.

Noted.

5. Proposal to amend the primary school catchment boundary between Saltcoats and Stevenston

Submitted a report by the Executive Director (Communities and Education) on the outcome of the Statutory Public Consultation and seeking approval to amend the primary school catchment boundary between Mayfield and Glencairn, St Anthony's and St John's Primary Schools. The Consultation Report was attached at Appendix 1 to the report.

The Cabinet agreed to (a) note the content of the Consultation Report at Appendix 1 to the report; and (b) amend the primary school catchment boundary lines between Mayfield and Glencairn, St Anthony's and St John's Primary Schools from August 2023, as referred to in the report and illustrated in the location plan at Appendix 6 of the Consultation Report.

6. Equality Mainstreaming Report 2020-22 and Outcomes 2021-2025 Mid-Term Report

Submitted a report by the Head of Service (Democratic Services) presenting the Equality Mainstreaming Report 2020-22 and Outcomes 2021-2025 Mid-Term Report (encompassing the Education Authority) Mid-Term Report. This was attached at Appendix 1 to the report.

On behalf of the Cabinet, Councillor Macaulay highlighted the huge amount of work undertaken, noting that there was a range of different measures to support equal rights in North Ayrshire and a lengthy process had been undertaken to produce this report.

Lay Member Jacqui McKenzie highlighted that Arran Pride Month took place in June 2022 as part of LGBT History Month and requested that this be corrected in the report.

The Cabinet agreed to approve (a) the content of Equality Mainstreaming Report 2020-22 and Outcomes 2021-2025 Mid-Term Report set out at Appendix 1 to the report, subject to the minor correction highlighted in terms of the 2022 Arran Pride event; and (b) publication of the report on the Council's website as required under the Equality Act 2010.

7. Appointment of Older People's Champion

Submitted a report by the Head of Service (Democratic Services) on the appointment of an Older People's Champion following the resignation of the previous representative.

Councillor Larsen, seconded by Councillor Macaulay, formally nominated Councillor Burns to be appointed as the Older People's Champion. There being no other nominations, Councillor Burns was duly appointed.

The Cabinet congratulated Councillor Burns on her appointment.

In terms of Standing Order 6.8 (vii), Councillor Burns, Chair, agreed that the meeting be adjourned at 3.25 p.m. to resolve a technical issue affecting audio broadcast of the meeting. The meeting reconvened at 3.35 p.m. with the same Members and officers present and in attendance, with the exception of Lay Members Andrew Bruce and Jacqui McKenzie.

8. Revenue Budget 2022/23 : Financial Performance to 31 March 2023

Submitted a report by the Head of Service (Finance) on the financial performance of the Council for 2022/23.

Members asked questions and were provided with further information in relation to ongoing monitoring of key areas and emerging risks, how these were addressed when closing accounts for the financial year and the proposed earmarking which sought to mitigate these risks.

The Cabinet agreed to (a) approve the earmarking of £3.524m identified at section 2.5 of the report to meet future year commitments; and (b) otherwise note (i) the information and financial outturn position outlined in the report, (ii) the transfer of the net in-year underspend of £1.524m to support the Roads Maintenance budget and the Energy Smart scheme, as approved by Council, (iii) the financial performance of the Health and Social Care Partnership highlighted at section 2.6 of the report, (iv) the deficit position of KA Leisure and (v) the virements detailed in Appendix 7 to the report.

9. Capital Programme Performance to 31 March 2023

Submitted a report by the Head of Service (Finance) on progress in delivering the Capital Investment Programme for 2022/23.

Members asked questions and were provided with further information in relation to current treasury advice and the possibility of interest rates against borrowing reducing in the near future.

Noted.

10. Cost of Living Crisis

Submitted a report by the Executive Director (Communities and Education) providing a second progress report in relation to the North Ayrshire Council responses to the current cost-of-living crisis and associated investments and funds. The Cost of Living Themes & Updates paper was attached at Appendix 1 to the report.

The Cabinet expressed thanks to all involved in the work undertaken and highlighted the efforts to tackle poverty and embed support to people in North Ayrshire.

The Cabinet agreed to (a) accept future progress reports on the investments, funds and activity associated with the cost-of-living crisis; and (b) otherwise note the progress the Council had made in developing support in relation to the cost-of-living crisis.

11. Regeneration Delivery Plan Action Programme and Funding Proposals

Submitted a report by the Executive Director (Place) seeking approval for the proposed Regeneration Delivery Plan action programme and funding proposals.

The Cabinet recognised the success of the Council and congratulated the team on the extent of the funding attracted.

Members asked questions and were provided with further information in relation to:

- the Garrison House and Arran Dyemill Park projects and the positive impact funding had had on both projects; and
- the importance of reviewing and updating the Regeneration Delivery Plan to reflect changing circumstances across localities.

The Cabinet agreed (a) to approve (i) the draft Action Programme as detailed at Appendix 1 to the report, (ii) the Regeneration Delivery Plan funding proposals as detailed at Appendix 2 to the report and (iii) the granting of delegated authority to the Executive Director (Place) to agree changes to the funding allocations in consultation with the Portfolio Lead as required; and (b) otherwise to note the progress made on the implementation of the Regeneration Delivery Plan.

12. North Ayrshire Community Transport Pathfinder

Submitted a report by the Executive Director (Place) setting out initial proposals for a Community Transport Pathfinder project in North Ayrshire.

Members asked questions and were provided with further information in relation to:

- the positive impact day trips and excursions would have on people facing social isolation; and
- the support model being agreed with Coalfield Community Transport noted at section 2.13 to the report and an example of what this would look like.

The Cabinet agreed to approve the next steps for the Community Transport Pathfinder set out at sections 2.11 to 2.14 of the report.

13. Decarbonisation of the Council's Fleet

Submitted a report by the Executive Director (Place) on the decarbonisation journey to date and further proposals to decarbonise the Council's vehicle fleet.

The Cabinet welcomed the recommendation that the purchase of new passenger and light commercial vehicles would be zero emission only, resulting in phasing out the purchase of petrol and diesel vehicles 2 years earlier than required, and thanked the team for their proactive approach.

Members asked a question and were provided with further information in relation to the role green hydrogen was expected to have in addressing emissions and the anticipated timescale for this.

The Cabinet agreed to (a) approve the proposals and recommendations set out at section 2.31 of the report; and (b) otherwise to note the decarbonisation routemap work summarised within the report.

14. Ardrossan Harbour Redevelopment Procurement Agreement

Submitted a report by the Executive Director (Place) seeking agreement to enter a procurement agreement with Ardrossan Harbour Company Limited to allow the Ardrossan Harbour Redevelopment tender process to proceed.

The Cabinet agreed to enter into a procurement co-operation agreement with the Ardrossan Harbour Company Limited [AHCL] to enable Peel Ports Group to lead a procurement process to secure contractors to undertake the proposed redevelopment works at Ardrossan Harbour.

15. UK Shared Prosperity Fund – Communities and Place Fund

Submitted a report by the Executive Director (Place) on the UK Shared Prosperity Fund (SPF) and seeking approval of the proposed approach to the Communities and Place Grant Fund.

Members asked a question and were provided with further information in relation to engagement undertaken with locality partnerships and Elected Members.

The Cabinet agreed to approve the proposed approach to the Communities & Place Grant fund provided at Appendix 1 to the report.

The meeting ended at 4:35 p.m.

Special Licensing Committee
31 May 2023

IRVINE, 31 May 2023 - At a Special Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

Present

Eleanor Collier, Nairn McDonald, John Bell, Cameron Inglis, Christina Larsen, Jean McClung, Matthew McLean, Donald L. Reid, Ronnie Stalker and Angela Stephen.

In Attendance

D. Robertson, Enforcement Officer (Legal Services), W. O'Brien, Solicitor, C. Pollock Licensing Administration Officer (Licensing) and H. Clancy, Committee Services Officer (Democratic Services) (Chief Executive's Service).

Also in Attendance

Detective Inspector S. Kirkland, Sergeant S. Syme and D. Hastings (Police Scotland)

Chair

Councillor Collier in the Chair.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. Exclusion of the Public

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public, for Agenda Items 5 and 6 (Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters) on the grounds that they involved the likely disclosure of Exempt Information as defined in Section 50J of, and Schedule 7A to, the Local Government (Scotland) Act 1973.

The 'Exempt Information' concerned is information of the type described in one or more of Paragraphs 3, 6, 14 and 15 of Part 1 of Schedule 7A to the Act:

3. "Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority."
6. "Information relating to the financial or business affairs of any particular person (other than the authority)." C
14. "Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."

15. "The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance."

3. Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters

Submitted report by the Head of Democratic Services on hearings to be determined and applications for the grant or renewal of licences, consents and permits, on hearings and on other matters, under the Civic Government (Scotland) Act 1982 and other Licensing legislation.

Appendix A: Hearings

3.1 Taxi Driver's Licence: TDL/02310 (Renewal): Nathan Smith

The applicant having been duly cited to attend was present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The applicant and applicant's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to grant the application subject to the Council's standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

3.2 Taxi Driver's Licence: TDL/02310: Nathan Smith

The licence holder having been duly cited to attend was present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The licence holder and licence holder's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to take no further action.

3.3 Taxi Driver's Licence: TDL/02283: Jamie Dorrans

The licence holder having been duly cited to attend was present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The licence holder and licence holder's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to take no further action.

3.4 Taxi Licence: TL/440: Jamie Dorrans

The licence holder having been duly cited to attend was present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The licence holder and licence holder's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to take no further action.

3.5 Taxi Driver's Licence: TDL/02303: Calvin Smith

The licence holder having been duly cited to attend was present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The licence holder and licence holder's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to take no further action.

3.6 Taxi Licence: TL/441: Calvin Smith

The licence holder having been duly cited to attend was present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The licence holder and licence holder's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to take no further action.

In terms of Standing Order 6.8, the Chair agreed that the meeting be adjourned at 12.30 p.m. for a short comfort break, reconvening at 1.05 p.m. with the same Members and officers present and in attendance.

3.7 Taxi Licence: TL/001: Hugh O'Neill, Calvin Smith, Jamie Dorrans, Desmond Quigley

The licence holder's having been duly cited to attend were present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The licence holders and licence holder's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to take no further action.

3.8 Taxi Licence: TL/034: Hugh O'Neill, Gordon Smith, Calvin Smith

The licence holder's having been duly cited to attend were present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The licence holders and licence holder's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to take no further action.

3.9 Taxi Licence: TL/436: Hugh O'Neill, Gordon Smith, Calvin Smith

The licence holder's having been duly cited to attend were present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The licence holders and licence holder's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to take no further action.

3.10 Taxi Licence: TL/073: Hugh O'Neill, Gordon Smith, Calvin Smith, Jamie Dorrans

The licence holder's having been duly cited to attend were present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The licence holders and licence holder's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to take no further action.

3.11 Taxi Licence: TL/431: Hugh O'Neill, Gordon Smith, Calvin Smith, Jamie Dorrans

The licence holder's having been duly cited to attend were present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The licence holders and licence holder's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to take no further action.

3.12 Taxi Licence: TL/435: Hugh O'Neill, Gordon Smith, Calvin Smith, Jamie Dorrans

The licence holder's having been duly cited to attend were present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The licence holders and licence holder's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to take no further action.

3.13 Taxi Licence: TL/155: Hugh O'Neill, Jamie Dorrans

The licence holder's having been duly cited to attend were present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The licence holders and licence holder's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to take no further action.

3.14 Taxi Licence: TL/443: Gordon Smith

The licence holder's having been duly cited to attend were present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The licence holders and licence holder's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to take no further action.

3.15 Taxi Licence: TL/443: Hugh O'Neill

The licence holder's having been duly cited to attend were present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The licence holders and licence holder's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to take no further action.

3.16 Booking Office Licence: BOL/023: Hugh O'Neill

The licence holder's having been duly cited to attend were present. Representatives from Police Scotland were also in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The licence holders and licence holder's legal representative then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed, Councillor Larsen dissenting, to take no further action.

The meeting ended at 3.15 p.m.

Licensing Committee

7 June 2023

At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine

Present (Physical Participation)

Eleanor Collier, Nairn McDonald, John Bell, Cameron Inglis, Christina Larsen, Matthew McLean, Donald L. Reid and Ronnie Stalker.

Present (Remote Participation)

H. Clancy, Committee Services Officer (Democratic Services) (Chief Executive's Service)

In Attendance

R. Lynch, Senior Manager (Legal Services); W. O'Brien, Solicitor, C. Pollock Licensing Administration Officer, A. Toal, Administration Assistant, S. Dalgoutte, Senior Clerical Assistant (Licensing) and S. Wilson and C. Stewart, Committee Services Officers (Democratic Services) (Chief Executive's Service).

Also in Attendance

Sergeant D. Markin and E. Blackwood (Police Scotland)

Chair

Councillor Collier in the Chair.

Apologies

Jean McClung and Angela Stephen

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the Meeting held on 10 May 2023 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Exclusion of the Public

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public, for Agenda Items 5 and 6 (Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters) on the grounds that they involved the likely disclosure of Exempt Information as defined in Section 50J of, and Schedule 7A to, the Local Government (Scotland) Act 1973.

The 'Exempt Information' concerned is information of the type described in one or more of Paragraphs 3, 6, 14 and 15 of Part 1 of Schedule 7A to the Act:

3. "Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority."
 6. "Information relating to the financial or business affairs of any particular person (other than the authority)."
 14. "Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."
 15. "The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance."
- 4. Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters**

Submitted report by the Head of Democratic Services on hearings to be determined and applications for the grant or renewal of licences, consents and permits, on hearings and on other matters, under the Civic Government (Scotland) Act 1982 and other Licensing legislation.

Appendix A: Hearings

4.1 Taxi Driver's Licence: TDL/00298 (Renewal): John Phillips

At a previous meeting on 19 April 2023, the Committee agreed to continue consideration to allow the licence-holder to attend.

The licence holder, having been duly cited to attend, was not present.

Decision

The Committee agreed to refuse the application on the grounds that the licence holder is no longer a fit and proper person to hold the licence.

4.2 Public Charitable Collection: Ali Mundell (Hansel)

The applicant, having been duly cited to attend, was not present.

The Chair read out a letter submitted by the applicant to the Committee.

Decision

In relation to the request for a Public Charitable Collection Permission under Section 119 of the Civic Government (Scotland) Act 1982, the Committee agreed to the request to make an exception to the Committee's Policy under Sections 119(5) and (6)(a) (which provides that Street Collections are only permitted on Saturday, in the period from 9.00 a.m. to 6.00 p.m.) and granted the Permission requested subject to the Council's Standard Conditions as so modified.

4.3 Public Entertainment Licence: PEL/720 (Temporary): Kelburn Arts Ltd

The applicant, having been duly cited to attend, was present.

The applicant then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee unanimously agreed to grant the application subject to the Council's standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982

4.4 Taxi Licence: TL/409 (Renewal): Catherine Wilkie

The Committee was advised by the Solicitor (Licensing) that the application had been withdrawn.

Noted.

4.5 Taxi Licence: TL/445 (New): Kirsten Stahly and Piotr Stachowski

The applicants, having been duly cited to attend, were present.

The applicants then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed (a) the proposed vehicle should be treated in the circumstances of the case as justifying an exception to Paragraph 12 of the Council's Taxi and Private Hire Car Vehicle Approval Specification under Civic Government (Scotland) Act 1982, Sections 10(2) and 10(5) ("Wheelchair Accessible Vehicles"); and (b) to continue consideration of the application to allow the Clerk to consider whether or not Delegated Powers could be used to determine the application.

4.6 Taxi Licence: TL/446 (New): Alasdair Drummond and Russell Drummond

The applicants, having been duly cited to attend, were present.

The applicants then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed (a) the proposed vehicle should be treated in the circumstances of the case as justifying an exception to Paragraph 12 of the Council's Taxi and Private Hire Car Vehicle Approval Specification under Civic Government (Scotland) Act 1982, Sections 10(2) and 10(5) ("Wheelchair Accessible Vehicles"); and (b) to continue consideration of the application to allow the Clerk to consider whether or not Delegated Powers could be used to determine the application.

4.7 Taxi Licence: TL/447 (New): Alasdair Drummond and Russell Drummond

The applicants, having been duly cited to attend, were present.

The applicants then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed (a) the proposed vehicle should be treated in the circumstances of the case as justifying an exception to Paragraph 12 of the Council's Taxi and Private Hire Car Vehicle Approval Specification under Civic Government (Scotland) Act 1982, Sections 10(2) and 10(5) ("Wheelchair Accessible Vehicles"); and (b) to continue consideration of the application to allow the Clerk to consider whether or not Delegated Powers could be used to determine the application.

4.8 Taxi Licence: TL/448 (New): Alasdair Drummond and Russell Drummond

The applicants, having been duly cited to attend, were present.

The applicants then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed (a) the proposed vehicle should be treated in the circumstances of the case as justifying an exception to Paragraph 12 of the Council's Taxi and Private Hire Car Vehicle Approval Specification under Civic Government (Scotland) Act 1982, Sections 10(2) and 10(5) ("Wheelchair Accessible Vehicles"); and (b) to continue consideration of the application to allow the Clerk to consider whether or not Delegated Powers could be used to determine the application.

4.9 Taxi Licence: TL/449 (New): Alasdair Drummond and Russell Drummond

The applicants, having been duly cited to attend, were present.

The applicants then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed (a) the proposed vehicle should be treated in the circumstances of the case as justifying an exception to Paragraph 12 of the Council's Taxi and Private Hire Car Vehicle Approval Specification under Civic Government (Scotland) Act 1982, Sections 10(2) and 10(5) ("Wheelchair Accessible Vehicles"); and (b) to continue consideration of the application to allow the Clerk to consider whether or not Delegated Powers could be used to determine the application.

4.10 Short Term Let Licence: NA00038N: James Heinemann

The applicant, having been duly cited to attend, was present.

The applicant then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed to grant the application under The Civic Government (Scotland) Act 1982 (Licensing of Short-Term Lets) Order 2022 No. 32 ("the STL Order") subject to the Mandatory Conditions set out in Schedule 3 to the STL Order and to the additional local condition set out as "The First Exception" in Paragraph 10(b) of the Committee's "Licensing Policy Statement on Short-Term Let Licensing".

4.11 Short Term Let Licence: NA00055P: Steve Greatrex

The applicant, having been duly cited to attend, was not present.

Objectors to the application were in attendance and their spokesperson addressed the Committee and responded to questions.

Decision

The Committee agreed to grant the application under The Civic Government (Scotland) Act 1982 (Licensing of Short-Term Lets) Order 2022 No. 32 ("the STL Order") subject to the Mandatory Conditions set out in Schedule 3 to the STL Order and to the additional local condition set out as "The First Exception" in Paragraph 10(b) of the Committee's "Licensing Policy Statement on Short-Term Let Licensing".

Councillor Bell left the meeting at this point.

In terms of Standing Order 6.8, the Chair agreed that the meeting be adjourned at 1.05 p.m. for a short comfort break, reconvening at 1.30 p.m. with the same Members and officers present and in attendance.

4.12 Short Term Let Licence: NA00098P: Kevin McKay

The applicant, having been duly cited to attend, was present as was an objector. The parties then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed to grant the application under The Civic Government (Scotland) Act 1982 (Licensing of Short-Term Lets) Order 2022 No. 32 ("the STL Order") subject to the Mandatory Conditions set out in Schedule 3 to the STL Order and to the additional local condition set out as "The First Exception" in Paragraph 10(b) of the Committee's "Licensing Policy Statement on Short-Term Let Licensing".

4.13 Short Term Let Licence: NA00099P: Kevin McKay

The applicant, having been duly cited to attend, was present as was an objector. The parties then addressed the Committee on the issues raised and responded to questions.

Decision

The Committee agreed to grant the application under The Civic Government (Scotland) Act 1982 (Licensing of Short-Term Lets) Order 2022 No. 32 ("the STL Order") subject to the Mandatory Conditions set out in Schedule 3 to the STL Order and to the additional local condition set out as "The First Exception" in Paragraph 10(b) of the Committee's "Licensing Policy Statement on Short-Term Let Licensing".

4.14 Short Term Let Licence: NA00092P: Josephine McKenna

The applicant, having been duly cited to attend, was not present.

Decision

The Committee agreed to defer consideration of this application to a future meeting to allow the applicant to attend.

The meeting ended at 3.10 p.m.