



North Ayrshire Council

Comhairle Siorrachd Àir a Tuath

COMMITTEE MINUTES

28 June 2017

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Cabinet
23 May 2017

IRVINE, 23 May 2017 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Joe Cullinane, John Bell, Alex Gallagher, Jim Montgomerie and Robert Foster.

Also Present

Jimmy Miller, Donald L Reid and Ian Murdoch

In Attendance

E. Murray, Chief Executive; C. Hatton, Executive Director (Place); L. Friel, Executive Director, F. Walker, Interim Head of Service (People and Transformation), A. Young, HR Operations Manager and A. Lyndon Team Manager (Corporate Procurement) J. Walls, Team Manager (Health & Safety) (Finance and Corporate Support); S. Brown, Interim Director (Health and Social Care Partnership); K. Yeomans, Executive Director (Economy and Communities); J. Butcher, Executive Director (Education & Youth Employment); A. Fraser, Head of Democratic Services, A. Todd, Senior Policy & Performance Officer, M. Gilmour, Senior Communications Officer, S. Nicholls, Marketing and Events Officer and H. Clancy, Committee Services Support Officer (Chief Executive's Service).

Chair

Councillor Cullinane in the Chair.

Apologies for Absence

Councillor Louise McPhater

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. 2017 Directorate Plan Updates

Submitted report by the Chief Executive on the performance of all Directorates as at 30 September 2016 against the priorities in the 2015/18 Directorate Plans.

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

Finance & Corporate Support (FACS)

- the importance of healthy work life balance which aims to reduce absence and increase wellbeing; and
- a review of the FACS structure to ensure a fit with future service delivery models.

Education & Youth Employment

- raising attainment and achievement so that more of our young learners are securing positive and sustainable post-school destinations;
- schools being fully staffed with good quality teachers next term; and
- the partnership arrangements with Health & Social Care Partnership to help reduce inequalities and improve outcomes for vulnerable children and their targeted support.

Place

- energy efficiency advice to tenants and homeowners to help eradicate fuel poverty

Health and Social Care Partnership

- promotion of self-management to enable people to take control and better manage their own health, additional services to support people in avoiding hospital admission and increased opportunities for people to get involved in their local communities; and
- detailed annual performance report showing what has been achieved and the success within H&SCP.

The Cabinet agreed to (a) approve the 2017 updates on the 2015/18 Directorate Plans as set out at Appendices 1 - 5; (b) note the Health and Social Care Partnership's Strategic Plan at Appendix 6, (c) receive 6-monthly progress reports and (d) refer the report to the Audit and Scrutiny Committee for further scrutiny.

3. Creation of Champions

Submitted report by the Chief Executive on which Champion positions will be created for the Council.

The Cabinet agreed to appoint Councillor Larsen as Carers Champion; Councillor Macauley as Young People's Champion; the Provost as Veterans Champion; Councillor Sweeney as Mental Health Champion; and Councillor Miller as Older People's Champion.

4. Health and Safety Annual Performance Report for 2016

Submitted report by the Executive Director (Finance and Corporate Support) on the Health and Safety performance within Council Services over the 12 month period, 1st January 2016 to 31st December 2016.

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

- aggression and violence incidents that have increased significantly and that services continue to work with groups to examine causes, develop reduction strategies, particularly within Additional Support Needs establishments; and
- the new electronic system that has increased awareness and ease of reporting incidents which has resulted in an increase in the number of incidents recorded.

The Cabinet agreed to note the Annual Health and Safety Performance update as at end of December 2016.

5. Procurement of Canal Court Sheltered Housing project via the Hub South West

Submitted report by the Executive Director (Place) on the procurement exercise undertaken regarding the new Canal Court Sheltered Housing Unit, Saltcoats and details of the Chief Executives decision, using delegated powers to appoint Hub South West to deliver the new facility.

Members asked a question and were provided with clarification in relation to Hub South West Scotland's procurement process which follows strict European procurement rules and is designed to ensure a fair and transparent tender process. It also complied with Scottish Government recommendations introduced in November 2013 designed to exclude companies involved in blacklisting from public contracts.

The Cabinet agreed to note the use of delegated powers by the Chief Executive to appoint Hub South West (HubSW) to deliver the construction of the new sheltered housing complex at Canal Court, Saltcoats.

6. Award of Dynamic Purchasing System (DPS) for the Provision of Transport Services

Submitted report by the Executive Director (Finance and Corporate Support) on (a) the result of the tender exercise for a Dynamic Purchasing System for the Provision of Transport Services and (b) the award of the first round of contracts.

Members asked a question, and were provided with clarification in relation to the Dynamic Purchasing System being more flexible as new service providers can apply to join at any time during the life of the DPS.

The Cabinet agreed to approve the establishment of the Dynamic Purchasing System to the service providers noted and to award the first round of contracts.

7. Exclusion of the Public

Cabinet 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 Paragraphs 9 of Part 1 of Schedule 7A of the Act.

7.1 28 Mackintosh Place, South Newmoor, Irvine

Submitted report by the Executive Director (Finance and Corporate Support) on the on-going work to rationalise the operational depot estate at 28 Mackintosh Place, Irvine.

The Cabinet agreed to (a) approve the on-going work to rationalise the operational depot estate; and (b) approve the purchase of the Streetscene depot at 28 Mackintosh Place, Irvine as detailed in the report.

The meeting ended at 3.50 p.m.

Audit and Scrutiny Committee
30 May 2017

Irvine, 30 May 2017 - At a Meeting of the Audit and Scrutiny of North Ayrshire Council at 10.00 a.m.

Present

Marie Burns, Joy Brahim, Margaret George, Alan Hill (Items 1 - 4), Tom Marshall, Donald Reid and John Sweeney

In Attendance

E. Murray, Chief Executive; L. Friel, Executive Director, P. Doak, Senior Manager (Internal Audit, Risk and Performance) D.Forbes, Senior Manager (Financial Management), S. Humphries, Chief Benefits and Revenues Officer (Finance and Corporate Support); A. McClelland, Interim Head of Service (Learning and Improvement)(Education and Youth Employment); Y. Baulk, Head of Service (Physical Environment) (Place); S. Brown, Interim Director (Children, Families and Criminal Justice); C. McAuley, Head of Service (Economic Growth); A. Fraser, Head of Democratic Services, H. Clancy, Committee Services Support Officer, E. Gray, Committee Services Support Officer and A. Little, Committee Services Officer (Chief Executive's).

Also In Attendance

P. Kenny (Deloitte), H. Paton (Principal Petitioner), B. Calderwood (Arran Community Council), J. Howe (Pierhead Tavern), K. Forsyth (Petitioner) and Councillor Billings.

Chair

Councillor Burns in the Chair.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Order of Business

In terms of Standing Order 9.4, the Chair agreed to vary the order of business to allow consideration of Item 12 - Audit Scotland: A Review of Housing Benefit Fraud Investigation Liaison Arrangements in Scotland, following Item 4 on the agenda.

3. Petitions

3.1 Petition relating to the Closure of Arran Public Toilets

Submitted report by the Chief Executive on a petition of 10 signatures, supported by 2,000 online signatures, that had been received requesting that the Council reconsiders the closure of Arran Public Toilets. Appendix 1a to the report provided details of a letter from Pierhead Tavern, Lamlash, requesting that the decision be reconsidered. The letter was accompanied by a further 194 signatures.

Correspondence, posters and a further 100 signatures were attached at Appendix 1b to the report. Appendix 1c to the report outlined email correspondence from a constituent of Councillor Billings. The Executive Director (Place) provided a briefing note on the background to the closure of public toilets and this was appended at Appendix 2 to the report.

The principal spokesperson, Hilary Paton, asked the Committee to reverse the decision of the previous administration. She referred to her childhood holidays on the island and that she had worked and lived on Arran during school and university holidays. Mrs Paton, her husband who had been born and raised on Arran and their two young children are frequent visitors to Arran. The closure of the toilets will be an inconvenience to all visitors and residents on Arran, including families with young children, those who have medical conditions and elderly people. The decision to close the toilets will have a detrimental effect on the islands tourism and local businesses, the environment and public health

Ms Jane Howe, owner of Pierhead Tavern, Lamlash reported that since the toilets in Lamlash have closed, she has had up to 40 people a day using the facilities in her establishment. Other local establishments have now placed a restriction on the use of their facilities and whilst Ms Howe does not want to turn people away, her business is not a replacement for the public facilities that have been closed. She placed a petition within her establishment and received over 400 signatures in support of the toilets being reopened. She urged the Committee to rethink the decision that had been taken.

Bill Calderwood, Arran Community Council, referred to a number of meetings that had taken place that have resulted in the Asset Transfer of toilet facilities to the communities of Whiting Bay, Kilmory, Sandbraes and Glen Sannox. For a number of reasons, other Arran villages were not in a position to progress to an Asset Transfer and have requested further time to explore all available options. He referred to the dispersal of the £3.1m Community Investment Fund to the Locality Planning Partnerships that would allow officers to work with the community on alternative proposals and called for the Council to reverse its previous decision, as it had in respect of the toilets in Ardrossan and Saltcoats

Councillor Billings expressed the view that the toilets are a valued part of the infrastructure that are much appreciated by the large number of visitors to Arran. Lochranza is a main transport hub within the island and with no other toilet facilities for 11 miles, requires public toilets for departing and arriving ferry passengers. He referred to the Council Plan which states "We are hugely ambitious for North Ayrshire and its residents and are committed to making sure the areas reaches its fullest potential". He also referred to the Plan's priorities such as growing our economy, increasing employment and regenerating towns and to have sustainable island communities and asked that the Council work with the people and businesses of Arran to find an alternative to the closure of the toilet facilities.

The Head of Service (Physical Environment) referred to the written update that provided information on the closure of the public toilets in North Sannox, Blackwaterfoot, Lochranza, Lamblash and Brodick. The update also gave details of the progress of arrangements for the asset transfer of the public toilets at Cumbrae, Irvine Beachpark, West Kilbride, Whiting Bay, Kilmory, Sandbraes and Glen Sannox.

Members asked questions and received information from the Petitioners on the following areas:-

- that the volume of users, the existing condition and the costs to upgrade the toilets in Brodick had resulted in a lack of interest in this facility;
- that one size does not fit all and some local communities require more time to work with the Council to find alternatives to the closure of toilets;
- that communities had examined a range of options in order to take over these facilities, including income streams and running costs; and
- the location of the toilet provision at Blackwaterfoot that requires to be explored further.

Members asked questions and were received information from officers on the following areas:-

- the high cost of Pay as You Go facilities that had discounted this scheme as a replacement for existing facilities;
- that seasonal opening of facilities could be examined as an option for some areas; and
- the budget saving that comprised mainly staff costs, including water, rates, utility and cleaning costs, but excluded building maintenance costs.

Councillor Hill, seconded by Councillor Marshall, moved that the Committee refer the petition to Cabinet for its consideration. There being no amendment, the motion was carried.

Accordingly, the Committee agreed to refer the petition to Cabinet for its consideration.

4. Directorate Plans 2017/18 Update

Submitted report by the Chief Executive on the Council's 2017 update on the 2015/18 Directorate Plans. Appendices 1-5 set out the Directorate Plan for Democratic Services, Finance and Corporate Support, Education and Youth Employment, Economy and Communities, and Place, respectively. The 2015/18 Strategic Plan for the Health and Social Care Partnership, which was approved in August 201, was attached at Appendix 6.

Members asked questions, and received further information, on the following:-

Democratic Services

- the retirement of the Communications and Members Services Manager and the interim appointment of two members of staff to the post of Acting Senior Communications Manager;

Finance and Corporate Support

- the development of a robust marketing campaign to encourage the take up of ebilling for Council Tax;
- work that will be done to address the sickness absence rate;
- the percentage of Council Tax and business rates collected in the year that is on target;
- the development of digital access channels, including the 'Report It' smartphone app;
- the ICT Security Policy framework that addresses cyber risk; and
- assistance that is provided to those who are unable to access services digitally.

Education and Youth Employment

- reducing the attainment gap for children from disadvantaged groups and information that can be broken down by Scottish Index of Multiple Deprivation (SIMD) areas; and
- the Modern Apprenticeship Programme that will provide 250 places over a 3 year period.

Councillor Hill left the meeting at this point.

Economy and Communities

- work that will be done to assist business start ups who are interested in securing properties the Council have marketed for sale;
- the national method of calculating tourism numbers that can result in fluctuations in statistics; and
- details of the proposals for the strategic outcomes that will be presented to a future meeting of Cabinet.

Place

- temporary accommodation that can be provided on a short term tenancy to tenants;
- the identification of specific homes as suitable for use as temporary accommodation;
- monitoring of temporary accommodation properties and reclassification of these properties if required; and
- information that will be provided to Members on the number of people assisted within North Ayrshire as part of the five programmes of resettlement for Refugees, Asylum Seekers and Unaccompanied Asylum seeking Children that the Home Office and COSLA asked the Council to assist with;

- changes to the housing allocation policy that would be reported to Cabinet;
- Housing Induction for Councillors on 30 June 2017, that will include information on sheltered housing; and
- a review of street cleaning that will be undertaken.

North Ayrshire Health and Social Care Partnership

- 'What Matters to You' day on 6 June 2017 that will encourage and support more meaningful conversations between people who provide health and social care and the people, families and carers who receive these services

The Committee agreed to (a) note the 2017 updates of the 2015/18 Directorate Plans at Appendices 1-5 that will be reported to Cabinet for approval on 23 May 2017, (b) receive 6-monthly progress reports and, (c) note the Health and Social Care Partnership's Strategic Plan at Appendix 6; and (d) note that information on the number of people assisted within North Ayrshire as part of the Refugees, Asylum Seekers and Unaccompanied Asylum Seeking Children will be provided to Members directly.

12. Audit Scotland: A review of Housing Benefit Fraud investigation liaison arrangements in Scotland

Submitted report by the Executive Director (Finance and Corporate Support) on (a) the findings of Audit Scotland's review of housing benefit fraud liaison arrangements in Scotland, as set out in Appendix 1 to the report; and (b) examples of good practice and recommendations alongside the Council's position, as set out in Appendix 2 to the report.

Members asked questions and were provided with further information in relation to existing regulations that do not require an application for Housing Benefit to be dependent on Landlord Registration for that particular property

Noted.

4. Annual Governance Statement 2016/17

Submitted report by the Executive Director (Finance and Corporate Support) on the Council's Annual Governance Statement for 2016/17 which was attached at Appendix 1 to the report. The Annual Governance Statement will be included in the Annual Accounts and outlined the governance framework in place and changes made to strengthen the framework during 2016/17.

The Committee agreed to approve the Annual Governance Statement, as outlined in Appendix 1 to the report.

5. Accounting Policies 2016/17

Submitted report by the Executive Director (Finance and Corporate Support) on the most significant changes to the Accounting Policies for 2016/17, outlined in Appendix 1 to the report, and the accounting policies which will be adopted in the preparation of the Council's annual accounts for the year to 31 March 2017, detailed in Appendix 2 to the report.

The Committee agreed to approve the accounting policies as detailed in Appendix 2 to the report.

6. Internal Audit Reports issued

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of Internal Audit work completed between 1 November 2016 and 30 April 2017. The findings from seven audit assignments were detailed at Appendix 1 to the report, together with their respective executive summary and action plans.

The Committee agreed to note the outcome from the Internal Audit work carried out during the period.

7. Internal Audit Annual Report 2016/17

Submitted report by the Executive Director (Finance and Corporate Support) on the Internal Audit Annual Report 2016/17 (Appendix 1) that outlined the performance and main findings of Internal Audit during 2016/17 and the governance, risk management and internal control environment of the Council.

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

- actions that have now been completed in respect of compliance with procurement regulations by the Health and Social Care Partnership;
- the publication of the annual Audit Plan, which outlines the service areas to be audited, the anticipated timescales for each audit and early completion of audits that frees up time to undertaken other work, including unplanned investigations

Noted

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

Submitted report by the Executive Director (Finance and Corporate Support) on the progress made by Council services in implementing the agreed actions from Internal Audit and Corporate Fraud reports as at 31 March 2017.

Members asked questions and were provided with further information in relation to an update that will be provided at the next meeting by the Executive Director (Education and Youth Employment) in respect of the outstanding action - Teaching staff with access to IT equipment should read and sign the Corporate Acceptable

Computer Use Policy.

Noted.

8. External Audit Plan 2016/17

Submitted report by the Executive Director (Finance and Corporate Support) on the External Audit plan for 2015/16, attached at Appendix 1, which summarised Deloitte LLP's assessment of the key risks and challenges facing the Council and the audit work proposed in the 2016/17 financial year.

Members asked questions and were provided with further information in relation to the current level of unallocated reserves that has not been considered as a significant risk.

Noted

9. External Audit Action Plans: Quarter 4 update

Submitted report by the Executive Director (Finance and Corporate Support) which provided (a) information on the progress made in implementing the agreed action plans arising from the external audit of the Council's 2014/15 and 2015/16 accounts; and (b) details of all the incomplete actions, along with the latest management comments (Appendix 1).

Noted.

10. Audit Scotland report: Local Government in Scotland: Performance and Challenges 2017

Submitted report by the Executive Director (Finance and Corporate Support) which highlighted the key messages and issues from the Audit Scotland national report 'Local Government in Scotland: Performance and Challenges 2017' which was attached at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to a range of briefing sessions that will be provided for Members to ensure they have the knowledge and skills to enable them to fulfil their role effectively.

Noted.

12. Corporate Fraud Annual Report 2016/17

Submitted report by the Executive Director (Finance and Corporate Support) on the work of the Corporate Fraud team during 2016/17, which included information on the internal and external investigations undertaken, an agreement with East Ayrshire Council to extend the reach of the Team to cover the East Ayrshire area and the success of the Team in winning the award for 'Team of the Year' at the Finance and Corporate Support Awards and details of future planned work during 2017/18.

Noted.

14. Strategic Risk Register 2017/18 and Risk Management Framework

Submitted report by the Executive Director (Finance and Corporate Support) which provided details of (a) a review of the Strategic Risk Register undertaken for 2017/18 and the addition of 3 new strategic risks, namely Health and Safety, Information and Brexit, that was attached at Appendix 1 to the report; and (b) a review of the Risk Management Framework, that revised the Policy and Strategy to enhance the role of the Corporate Risk Management Group in co-ordinating risk management activity and implementing a risk management and attached at Appendix 2 to the report.

Noted.

16. Exclusion of the Public

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 public for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A of the Act.

16.1 Investigation Reports issued

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of investigations completed by Internal Audit and the Corporate Fraud team between 1 February and 30 April 2017. Appendix 1 to the report provided an executive summary and action plan from each of the investigations concluded.

Members asked questions and were provided with further information in relation to management actions to address the issues outlined in the reports.

Noted.

The meeting ended at 12.45 p.m.

Police and Fire and Rescue Committee
30 May 2017

IRVINE, 30 May 2017 - At a Meeting of the Police and Fire and Rescue Committee of North Ayrshire Council at 2.00 p.m..

Present

Donald L Reid, Todd Ferguson, Davina McTiernan and Angela Stephen.

Also Present

Ian Murdoch.

In Attendance

A. Fraser, Head of Democratic Services, C. Andrew, Senior Manager Legal Services and M. Anderson, Committee Services Team Leader (Chief Executive's Service).

Also In Attendance

Temporary Superintendent T. Ross and Chief Inspector B. Shaw (Police Scotland); Area Manager J. Scott and Group Manager K. Hankinson (Scottish Fire and Rescue Service).

Chair

Councillor L. Reid

Apologies for Absence

Ellen McMaster and Louise McPhater

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Consultations

2.1 Presentation on North Ayrshire Draft Local Fire Rescue Plan 2017

The Committee received a presentation by the Area Manager Jim Scott of the Scottish Fire and Rescue Service on the draft Local Fire and Rescue Plan 2017.

The presentation highlighted the following:-

- the Local Fire Rescue Plan review in the context of the new national Strategic Plan;
- operational demand over the last three years and progress against priorities within the 2014-17 Local Plan;
- the six proposed priorities set out in the new draft Local Plan, namely Domestic Safety, Unintentional Harm and Injury, Deliberate Fire-Setting, Non-Domestic Fire Safety, Unwanted Fire Alarm Signals and Operational Resilience and Preparedness; and

- consultation on the new draft Local Plan, which ends on 2 July 2017.

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

- any practical measures which might reduce the number of attendances when the Service was not required;
- the age profile of casualties of accidental dwelling fires;
- the types of incidents which would be classified as "non-refuse fires";
- the definition of "relevant premises";
- the proportion of unwanted fire alarm signal calls which could be attributed to care homes;
- whether there was any cost to premises as a result of unwanted fire alarm signal calls;
- the provision of training which might help premises to avoid unnecessary call-outs;
- partnership work to address multiple issues for vulnerable service users; and
- the importance of retained fire crews across Ayrshire.

On behalf of the committee, the Chair extended his thanks to the Fire and Rescue Service for their work and, in particular, the work of its retained staff.

Noted.

2.2 Local Fire and Rescue Service Plan for North Ayrshire 2017 and review of North Ayrshire Local Fire and Rescue Service Plan 2014-2017

Submitted report by the Chief Executive on the North Ayrshire Local Fire and Rescue Service Plan Review 2014-17 and the proposed response to the consultation on the draft Local Fire and Rescue Service Plan for North Ayrshire 2017. The review document was attached at Appendix 1 to the report. The draft Local Fire and Rescue Service Plan and the Council's proposed response to the consultation were set out at Appendices 2 and 3, respectively.

Area Manager Jim Scott (Scottish Fire and Rescue Service) provided clarification on points highlighted in the proposed response, advising that:-

- the draft Plan covered a three-year period, albeit it could be subject to review within that period;

- the importance of seeking to align data with Localities was recognised and progress was being made towards achieving this; and
- nationally, there had been a move away from annual target-setting, but that data would still be presented in such a way as to show the direction of travel year on year and over longer periods.

The Committee agreed to (a) note the terms of the North Ayrshire Local Fire and Rescue Service Plan Review 2014-17; and (b) to approve the Council's response to the Consultation on the draft Local Fire and Rescue Service Plan for North Ayrshire 2017, as set out in Appendix 3 to the report, subject to minor amendment to take into account the matters highlighted by the Area Manager (Scottish Fire and Rescue Service).

2.3. HMICS Scrutiny Plan 2017-18

Submitted report by the Chief Executive on the outcome of Her Majesty's Inspectorate of Constabulary in Scotland consultation on its Annual Scrutiny Plan 2017/18. The Annual Scrutiny Plan was set out at Appendix 1 to the report.

That the Committee agrees to note the content of the HMICS Annual Scrutiny Plan 2017/18, as set out at Appendix 1 to the report.

2.4 Consultation - Draft 10 Year Strategy for Policing in Scotland

Submitted report by the Chief Executive on the proposed response to the Consultation Paper on the Draft 10 Year Strategy for Policing. The 10 Year Plan was attached at Appendix 1 to the report and the draft response to the consultation at Appendix 2.

The Senior Manager, Legal Services, made reference to a typographical error within the third last paragraph of the draft response and undertook to clarify the wording.

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

- the application of local empowerment in addressing the priorities of communities;
- the importance of partnership working; and
- the availability of data on a locality basis.

The Committee agreed to approve the draft response attached at Appendix 2 to the report, as amended, as the Council's response to the consultation.

3. Performance Reports

3.1 Scottish Fire and Rescue Service

Submitted report by the Scottish Fire and Rescue Service (SFRS) which provided an update on progress against the North Ayrshire Local Fire and Rescue Plan 2014-17 and gave other key Fire and Rescue updates. A copy of the North Ayrshire Performance report from 1 April 2016 to 31 March 2017 was set out in the appendix to the report.

The undernoted elements of the report were highlighted:-

- the reduction, when compared with the previous year, in the number of accidental dwelling fires, fire casualties and fatalities and non-fire emergency casualties;
- the increase in deliberate fire-setting incidents;
- the number of fire safety audits undertaken in the last year; and
- factors contributing to the significant increase in the number of unwanted fire alarm signals.

Noted.

3.2 Police Scotland

Submitted report by Police Scotland on performance in relation to the North Ayrshire Local Police Plan for the period from 1 April 2016 to 31 March 2017. A copy of the performance report was set out in the appendix to the report.

Temporary Superintendent Tim Ross extended an invitation to Members of the Committee to visit the Police Scotland Control Centre in Govan. He also referred to the availability of a presentation on serious and organised crime, and undertook to provide Members with any further information they may wish on crime figures.

The undernoted elements of the report were highlighted:-

- the North Ayrshire policing priorities for 2014-17 and Police Scotland's national priorities for the period 2017-18;
- the benefits of Police Scotland's use of social media and some examples of social media feeds;
- the reduction in violence and disorder and domestic abuse cases;
- factors influencing the detection rate in relation to sexual crimes, including the difficulties associated with investigating cases of historical sexual abuse;
- the background to the number of missing persons incidents and the circumstances surrounding multiple reporting for the same individual;

- the current level of threat nationally in terms of terrorism;
- the significant resources committed to tackling housebreaking; and
- the future management of the Police estate.

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

- the factors which contribute to the classification of an incident as a 'hate crime';
- factors affecting the detection rate for housebreaking offences; and
- the future of Largs Police Office

The Chair expressed his appreciation for the work of local Police Officers within his Ward, particularly Sergeant Murdoch and Inspector McMillan and, on behalf of the Committee, extended his thanks to Police Scotland for their work within North Ayrshire.

The Committee agreed (a) to note that Temporary Superintendent Ross would liaise with the Committee Services Team Leader regarding arrangements for Members to visit the Police Scotland Control Centre in Govan; and (b) otherwise, to note the content of the report.

The Meeting ended at 4.00 p.m.

Staffing and Recruitment Committee
6 June 2017

Irvine, 6 June 2017 - At a Meeting of the Staffing and Recruitment Committee of North Ayrshire Council at 11.30 a.m.

Present

Joe Cullinane, John Bell, Marie Burns and Alan Hill

In Attendance

E. Murray, Chief Executive, L. Friel, Executive Director (Finance and Corporate Support), J. Butcher, Executive Director (Education and Youth Employment) and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Cullinane in the Chair.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Exclusion of the Public and Press

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 that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A of the Act.

3. Reshaping the Workforce Update

Submitted report by the Executive Director (Finance and Corporate Support) on the financial implications of 'Reshaping the Workforce', which included information on the current position with budget savings, the costs of early release and other reviews during 2016/17.

Noted.

4. Chief Officer Appointments

Submitted report by the Executive Director (Finance and Corporate Support) on the current interim Head of Service arrangements and proposals for permanent appointments to these posts.

The Committee agreed to the permanent appointment of the Fiona Walker to the post of Head of Service (People and Transformation), Esther Gunn-Stewart to the post of Head of Service (Customer and Digital Services) and Andrew McClelland to the post of Head of Service (Learning, Teaching and Curriculum).

The meeting ended at 11.50 a.m.

Licensing Committee
7 June 2017

IRVINE , 7 June 2017 - At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m

Present

Ronnie McNicol, Robert Barr, Todd Ferguson, John Easdale, Scott Gallacher, Davina McTiernan, Jimmy Miller and Donald L. Reid.

Also Present

Jean McClung.

In Attendance

W. O'Brien, Solicitor (Licensing), K. Sharkey, Solicitor (Contracts and Licensing), C. Pollock, Licensing Administration Officer and A. Toal, Administrative Assistant; and H. Clancy and E. Gray, Committee Services Support Officers and M. Anderson, Committee Services Team Leader (Chief Executive's Service).

Also In Attendance

Inspector J. McMillan and Sergeant G. Griffiths (Police Scotland).

Chair

Councillor McNicol in the Chair.

Apologies for Absence

John Glover.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 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 the following items of business, 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 Act 1983. The 'Exempt Information' concerned is that described in Section 7A, Paragraph 6 ("Information relating to the financial business affairs of any particular person (other than the authority)") and Paragraph 14 ("Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime").

3. Order of Business

The Chair agreed, in terms of Standing Order 9.3, to vary the order of business to allow consideration of an Urgent Matter immediately following Agenda Item 2 (Civic Government (Scotland) Act: Licensing Matters).

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

Submitted report by the Chief Executive on Hearings to be determined and applications for the grant or renewal of licences and permits, all in terms of the Civic Government (Scotland) Act 1982.

Part A: Hearings

4.1 Taxi Driver's Licence: TDL/01780 - John Swindle

The licence holder, having been duly cited to attend, was present and accompanied by his partner. Representatives of Police Scotland were also in attendance.

The representatives of Police Scotland addressed the Committee on the terms of a letter which advised of potential grounds for suspension of the licence. Thereafter, the licence holder addressed the Committee on the issues raised and responded to questions.

The licence holder, his partner and representatives of Police Scotland then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

Councillor Easdale, seconded by Councillor Miller, moved that the Committee agree not to take any action in respect of an 'Ordinary Suspension' of the licence under Paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982.

As an amendment, Councillor Barr, seconded by Councillor Reid, moved to continue consideration of this matter pending the decision of the Procurator Fiscal as to whether or not proceedings should be taken against the licence holder and, if there are such proceedings, until those are concluded.

On a division, there voted for the amendment 5 and for the motion 3, and the amendment was declared carried.

Accordingly, the Committee agreed to continue consideration of this matter pending the outcome of a report to the Procurator Fiscal.

4.2 Second Hand Motor Vehicle Dealer : SHDL/190 (New) - Kristofer William Gibbs

The applicant, having been duly cited to attend, was not present but was represented by Mrs I. Gibbs, who produced a signed letter of authority to represent the applicant. Two objectors to the application were also in attendance.

The applicant's representative addressed the Committee on the terms of two letters of objection received in connection with the application. One of the objectors present then addressed the Committee on the objections and the applicant's representative responded to the issues raised. Thereafter, both parties responded to questions.

The applicant's representative and the objectors then withdrew, together with representatives of Police Scotland, to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

Councillor Barr, seconded by Councillor Miller, moved that the application be refused in terms of Paragraph 5(1)(c) of Schedule 1 to the Civic Government (Scotland) Act 1982 on the grounds that the premises were not suitable or convenient for the conduct of the activity having regard to the location of the premises, the nature and extent of the proposed activity, and the possibility of undue public nuisance. There being no amendment, the motion was declared carried.

4.3 Taxi Driver's Licence : TDL/02016 (New) - Joanne Carol Harper

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

Inspector McMillan, the representative of the Chief Constable, addressed the Committee on a letter setting out an objection from the Chief Constable to the application. The letter indicated that, in addition to the material reported in that letter, the Chief Constable had other information relating to the applicant's "Spent or Protected Convictions".

The representative of the Chief Constable, under reference to Section 7(3) of the Rehabilitation of Offenders Act 1974, submitted that the Committee's proceedings were "Proceedings Before A Judicial Authority" and that the Committee was entitled to be satisfied, in the light of any considerations which appeared to it to be relevant (including any evidence which had been or may thereafter be put before it), that justice could not be done in the case except by admitting or requiring evidence relating to the applicant's "Spent or Protected Convictions" or to circumstances ancillary thereto.

The representative of the Chief Constable gave the Committee a summary of the age and general nature of those convictions, and submitted that those convictions would, if admitted, have a bearing on the Committee's decision. He invited the Committee to admit and require such evidence, and to take that evidence into account in determining the case before it.

The Chair invited the applicant to comment on the Police Scotland submissions. The Solicitor (Licensing) summarised Section 7(3) for the applicant and explained that she had copies of two letters, not one, from Police Scotland; that the first letter, which the representative of the Chief Constable had read out, had already been seen by the Committee Members, but the second letter had not been seen by them; and that the preliminary question for the Committee was whether or not the "justice cannot be done" test was satisfied.

Apart from pointing out that the second letter referred to the wrong surname, the applicant had no objection to the Committee looking at the second police letter. The applicant confirmed that, notwithstanding the wrong surname, the second Police Scotland letter did relate to her and was accurate.

The Committee unanimously agreed that justice could not be done in the case except by having regard to the applicant's "Spent or Protected Convictions".

Thereafter, the Solicitor (Licensing) distributed to the Committee copies of the second police letter, and the representative of the Chief Constable read it out.

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

The applicant and the representatives of Police Scotland then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

Councillor Miller, seconded by Councillor Reid, moved that the application be refused in terms of Paragraph 5(3)(a)(ii) of Schedule 1 to the Civic Government (Scotland) Act 1982 on the ground that the applicant was not a fit and proper person to be the holder of the licence. There being no amendment, the motion was declared carried.

Councillor Easdale left the meeting at this point.

4.4 Taxi Driver's Licence: TDL/O1469 - Charlene McIver

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

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant.

Decision

The Committee unanimously agreed that the application be refused (i) in terms of Paragraph 5(3)(a)(ii) of Schedule 1 to the Civic Government (Scotland) Act 1982 on the ground that the applicant was not a fit and proper person, having failed to respond to reasonable inquiries from the Licensing Authority intended to establish whether or not the application was capable of being granted, given that any applicant for a Taxi Driver's Licence or Private Hire Car Driver's Licence must produce

evidence to the Licensing Authority that he/she is not "disqualified by reason of the person's immigration status from driving a taxi or private hire car" (Civic Government (Scotland) Act 1982, Section 13(3A) (as added by the Immigration Act 2016, Section 37, and the Immigration Act 2016 (Commencement No. 2 and Transitional Provisions) Regulations 2016, No. 1037)); (ii) in terms of Paragraph 5(3)(d) of Schedule 1 to the Civic Government (Scotland) Act 1982 on the ground that there was another good reason for refusing the application, in that (a) the applicant had failed to respond to reasonable inquiries from the Licensing Authority intended to establish whether or not the she held a valid Driving Licence and (b) the application had been made on 31 January 2017, meaning that the six-month period which the Civic Government (Scotland) Act 1982, Section 3 allows for the determination of a licence application would have expired before the next scheduled meeting of the Committee.

4.5 Taxi Operator's Licence: TL/062 (Substitute Vehicle) - Samuel Burns Stephens

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

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the licence holder, advising that the substitute vehicle proposed did not meet the Specification set by Committee for a wheelchair accessible vehicle, in that it was not fitted with the listing mechanism referred to in Condition 2 of the Specification. Thereafter, the licence holder's representative addressed the Committee on the issues raised and responded to questions .

In terms of Standing Order 5.7, the Chair then adjourned the meeting to allow Members to inspect the vehicle. The meeting reconvened with the same Members, officers and licence holder's representative present and in attendance. Representatives of Police Scotland left the meeting at this point.

The applicant then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

The Committee unanimously agreed (a) that there were sufficient grounds to treat the case as an exception to the Vehicle Approval Specification; (b) to grant the application in terms of Section 10(5) of the Civic Government (Scotland) Act 1982 for a substitute vehicle under Taxi Licence number 062; and (c) that the Vehicle Approval Specification be the subject of future consideration by the Committee.

Part B: Applications for Grant/Renewal of Licences

4.6 Taxi Driver Licence: TDL/01611 - Charles Caven

The Committee unanimously agreed to grant the application in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982 for a period of three years.

4.7 Taxi Driver's Licence: TDL/02021 - Colin Joseph Campbell Thomson

The Committee unanimously agreed, on the basis of the information presented, to proceed to a Hearing in terms of Paragraph 4(2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

4.8 Taxi Driver's Licence & Private Hire Car Licence : TDL/02025 & PHCL/0349 - Russell Drummond

The Committee unanimously agreed to grant both applications in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982 for a period of one year.

4.9 Second Hand Motor Vehicle Dealer : SHDL/192 - Dennis Lawrence Greenberg

The Committee unanimously agreed, on the basis of the information presented, to proceed to a Hearing in terms of Paragraph 4(2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

5. Urgent Item

The Chair agreed that the following item of business be considered as a matter of urgency to allow the matter to be actioned without delay.

5.1 Taxi Driver's Licence TDL/64 and Taxi Licence TL/14 - Samuel Dean

The Committee was advised of a complaint from a member of the public.

The Solicitor (Licensing) set out the background to the complaint and the potential grounds for suspension of the licence.

The Committee unanimously agreed, on the basis of the information presented, to proceed to a Hearing in terms of Paragraph 11 (7) of Schedule 1 of the Civic Government (Scotland) Act 1982.

6. Booking Office Licences

Submit report by Chief Executive on the current licensing system and which proposed a new condition and Variation procedure.

The Committee unanimously agreed that a report on the proposed new condition and related Variation procedure in respect of Booking Office Licences be submitted to its next meeting, such report to include any relevant information on related Planning Service considerations.

The Meeting ended at 12.35 p.m.

Local Development Plan Committee
12 June 2017

Irvine, 12 June 2017 - At a Meeting of the Local Development Plan Committee of North Ayrshire Council at 2.00 p.m.

Present

Alex Gallagher, Robert Barr, John Bell, Timothy Billings, Marie Burns, Ian Clarkson, Joe Cullinane, Anthea Dickson, John Easdale, Todd Ferguson, Robert Foster, Scott Gallacher, John Glover, Alan Hill, Christina Larsen, Shaun Macaulay, Jean McClung, Ellen McMaster, Ronnie McNicol, Davina McTiernan, Tom Marshall, Jimmy Miller, Ian Murdoch, Donald Reid, Donald L Reid, John Sweeney

In Attendance

J. Miller, Senior Manager (Planning) and N. McIlvanney, Strategic Planning Manager (Economy and Communities), A. Craig, Team Manager (Litigation) (Legal Services) and A. Little, Committee Services Officer (Chief Executive's)

Chair

Councillor Gallagher in the Chair.

Apologies for Absence

Joy Brahim, Scott Davidson, Tony Gurney and Jim Montgomerie.

1. Declarations of Interest

There were no declarations of interest in terms of Standing Order 16 and Section 5 of the Councillors' Code of Conduct.

2. North Ayrshire Local Development Plan 2: Main Issues Report Consultation Feedback and Direction for Proposed Local Development Plan

Submitted report by the Executive Director (Economy and Communities) on the consultation responses to the North Ayrshire Main Issues Report. The Main Issues Report consultation was undertaken between 30 January 2017 and 24 March 2017 and attracted a total of 109 responses. Common themes emerged relating to opposition to, and support for LDP2 allocating new housing land and future development at Hunterston. None of the statutory agencies that responded objected to the Main Issues Report, but generally offered comment and support to the Council as part of the process of preparing its LDP2. A summary of all representations was provide in Appendix 1 to the report.

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

- a review of the affordable housing policy;
- previous house building levels of 800 units per year that had fallen to around 280 and work with developers to examine ways to increase these levels, including the identification of marketable sites;
- the examination of site suitability, including the modes of transport to and from the sites;
- poor levels of commercial housing building activity that have impacted on the performance of the Council in terms of house building;
- regeneration initiatives that will include encouraging the development of gap sites;
- timescales that will be set for the development of sites over a period of years;
- the site previously operated by Volvo that has been allocated for residential, commercial and industrial use;
- discussions that are still ongoing with the developer in respect of the legal agreement for housing at Ardeer;
- the inclusion of Ardeer Point in the Ayrshire Growth Deal and LDP;
- the development of a masterplan with the owners of Hunterston that will support and attract inward investment;
- feedback from the Saltcoats Charette that will be fed into the LDP.

The Committee was advised that a further meeting of the Local Development Plan Committee will take place following further engagement with the Locality Planning Partnership and Elected Members.

The Committee agreed (a) to note the content of the summary of consultation responses, as attached at Appendix 1 to the report; (b) the intended preparation of a proposed local development plan on the basis of the preferred options identified in the Main Issues Report; and (c) that further engagement will take place with Locality Planning Partnership and Elected Members on the site selection process and development contributions prior to the consideration of the proposed LDP by the Committee.

The meeting ended at 2.40 p.m.

Planning Committee
14 June 2017

Irvine, 14 June 2017 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

Tom Marshall, Timothy Billings, Robert Barr, Ian Clarkson, Robert Foster, Christina Larsen, Shaun Macaulay, Ellen McMaster, Ronnie McNicol and Donald Reid.

In Attendance

J. Miller, Senior Manager (Planning), Paul Brennan, Specialist Environmental Health Officer (Noise), (Economy and Communities); A. Craig, Team Manager (Litigation) (Legal Services), A. Little, Committee Services Officer (Chief Executive's).

Also In Attendance

Rita Holmes (Chair - Fairlie Community Council), Melvin Grosvenor and Dr. J Yelland (Fairlie Community Council), Ronald Gilchrist (Fairlie resident), Susan Crosthwaite (windsofchange), Denise Dunn and Pat Spence (local residents), Dr J Tomlison, Interim Director of Public Health and Hazel Henderson, Consultant in Public Health (Ayrshire and Arran Primary Care Trust), Mr Davidson (Arcus Consultancy Services Ltd), Mr Jackson (Spectrum Acoustics), and Mr McDougall, (SSE Generation Limited).

Chair

Councillor Marshall in the Chair.

1. Declarations of Interest

In terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors, Councillor Billings, as a local hotelier, declared an interest in Item 3 (N/17/00148/PP Kilmichael Country House Hotel, Brodick) and left the meeting for that item of business.

2.1 17/00034/PPM: Hunterston Construction Yard, Fairlie

SSE Generation Limited have applied for the variation of planning condition No. 1 of a Planning Permission (ref. 14/00164/PPM) to extend the operational time period of the National Offshore Wind Turbine Testing Facility until 14 October 2019.

On 14 February 2012, the Planning Committee granted conditional planning permission (ref.11/00679/PPM) for a test facility for up to three off-shore wind turbines with a maximum blade tip height of 198.5 metres at the Marine Construction Yard, Hunterston. On 23 April 2014, the Planning Committee agreed to a variation of this planning permission to (i) revise the wording of condition 7 to enable assessment of compliance with noise limits and condition 9 to revise the timescale for dealing with complaints about noise nuisance; and (ii) to revise condition 10 to identify measures to reduce turbine noise where agreed levels have been exceeded (ref. 14/00164/PPM).

To date one Siemens and one Mitsubishi wind turbine have been erected. Condition 1 was imposed in order to restrict the overall timescale in which the development could remain on site on the basis of the temporary consent for the test turbines. The applicant's original application proposed a five year time limit from the date of commissioning of the first turbine.

The application was considered at the meeting of the Planning Committee on 8 March 2017. Objectors addressed the Committee and outlined their objections to the application to extend the operational time period of the facility until 14 October 2019. The applicant, the applicant's agent and their acoustic consultant responded to the objectors comments and offered to remeasure background noise and re-evaluate noise limits as part of an up upcoming operational noise survey for the Mitsubishi turbine. The Committee agreed to continue the application to a future meeting to allow a further background noise survey to be carried out by the applicant.

The applicant has not been able to carry out the re-measurement of background noise, due to the original noise consultant not being available to conduct the work and a request by Fairlie Community Council to agree the location of measurement apparatus and procedures for monitoring. The applicant has now procured the services of a different consultant.

Fairlie Community Council have now retained a specialist on noise issues, who is assisting the Community Council in the assessment of the submission of any new noise data. The applicant, the Council and Fairlie Community Council have agreed the locations and measurement procedures for the new survey, which is due to begin in June 2017. It expected that the measurements and assessment of data would take up to 3 months, depending on obtaining the correct date of varying wind speeds and directions.

Dr. J Yelland, Ms Holmes and Mr Grosvenor (Fairlie Community Council), Ms Crosthwaite (windsofchange) and Ms Dunn, Fairlie resident, addressed the Committee in support of the objections.

Dr. Yelland referred to the difference between offshore and onshore wind turbines and that the two offshore turbines at Hunterston generate 7MW, compared to 2-3 MW generated by onshore turbines. SSE measured background noise before the turbines were built and after the smaller 6MW Siemens turbine had been built which showed that the application would exceed noise limits and SSE have commissioned a new background noise survey. Over 50 noise complaints have been made by residents relating to the serious adverse health effects cause by the harmful infrasound that the offshore turbines emit.

Ms Dunn detailed her personal health problems that have arisen since the testing began, including nausea, dizziness and drowsiness, which she believes is caused by the low frequency noise generated from the turbines. She added that these symptoms cease when the turbines stop.

Ms Crosthwaite read a statement from Ms Brody a resident of Cumbrae. Ms Brody has been unwell for over a year with dizziness, nausea, sleeplessness, poor co-ordination, the feeling of collapse and heart palpitations, which she believes are as a result of the low frequency noise produced by the two wind turbines. Her symptoms are greatly reduced, and some disappear, when she is off the island or when the turbines are switched off.

Ms Holmes referenced statements made by the applicant relating to future investment for the establishment of manufacturing facilities in Scotland. No manufacturing facility has been established at Hunterston or anywhere else in Scotland, with no significant or sustainable energy related manufacturing employment in North Ayrshire or Scotland. Concerns were raised between the levels of low frequency noise which are emitted from the Mitsubishi turbine and the links to adverse impacts on the health of local residents. Further concerns were expressed about the fact that the turbines sited at Hunterston are designed to sit off shore and are three times larger and more powerful than turbines designed to be situated close to residential areas. Finally, Ms Holmes stated that the original planning permission was for a temporary period of five years and allowed for the testing of three turbines, which would be moved off-site as quickly as possible.

Mr Davidson, Arcus Consultancy Services Ltd, Mr Jackson, Spectrum Acoustics, and Mr McDougall, SSE Generation Limited, then addressed the Committee in response to the objectors.

Mr Davidson provided an overview of the development and explained that the extension of the operational period was required to allow complete testing of the existing turbines. There would be no physical changes to the approved development as outlined and an updated Environmental Impact Assessment had been provided with the application. He outlined the socio-economic benefits, such as £4.1m for the local economy, support for 55 jobs and local suppliers, the provision of training on site with over 60 technicians trained to date, links for North Ayrshire College and Largs Academy and funds of £238,000 that have been provided to 102 local community projects. An independent consultant has commenced an operational noise survey for the purpose of verifying compliance with planning consent conditions. A procedure for the survey has been agreed with Environmental Health and discussed with Fairlie Community Council and the Independent Noise Working Group (INWG). Details of the low frequency noise investigations and measurements undertaken by Environmental Health have been included in the report to Committee

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

- planning permission for a maximum of three off-shore turbines but that the third turbine had not been taken forward;
- other sites in Scotland where testing of similar turbines is undertaken;
- the provision of training at the site and links with the College that will continue for a further 2 years;

- compliance with planning conditions in respect of the noise levels generated by the turbines and that these will be revised following the completion of the new noise survey;
- lessons learned from the testing at Hunterston that will inform future development and the requirement to complete the testing;
- the socio-economic benefit information that had been provided by an independent source.

Members asked questions of the objectors and were provided with further information in relation to anecdotal evidence of people suffering similar health issues at the other sites in Scotland

Members asked questions of the Public Health representatives and were provided with further information in relation to:-

- two further independent opinions that were sought (outwith the public health department), including the independent Advisory Group on Non-Ionizing Radiation (AGNIR), who reported that there is no consistent evidence of any psychological or behavioural effects of acute exposure to infrasound in humans;
- some evidence that a small percentage of the population may be more sensitive to infrasound and exposure can cause annoyance in some of these individuals;
- analysis of 8 years of general practice data for the local area that did not show increases in the number of people reporting symptoms of dizziness to their GP; and
- correspondence with Fairlie Community Council since October 2016 to reassure residents regarding the lack of a causal link between turbines and ill health, and requesting that people with ongoing ill health see their GP as there may be another underlying cause of their ill health. This assessment of risk to public health was shared with the local press on three occasions during the last year, in response to several press enquiries.

At the request of the Chair, Dr Yelland provided an overview of infrasound, which is sound that is lower in frequency than 20 Hz (the normal limit of human hearing). The blade path frequency and amplitude modulation are contributing factors to the generation of local frequency noise. This noise can resonate in body cavities and has been linked to health issues.

At the request of the Chair, Mr Jackson was asked for comments on Dr Yelland's views on infrasound and he confirmed that he broadly agreed with his comments on what infrasound was.

The Senior Manager (Planning) informed the Committee of further objections to the application from local Councillors Murdoch, Hill and Gallagher and Cumbræ Community Council. He then outlined the terms of the planning report and Members had the opportunity to ask further questions and received clarification on the following:-

- national guides which set the limit for noise levels; and
- the timescale for completion of the noise survey that would be dependent on a range of factors such as wind speeds and the operation of the turbines.

Councillor McNicol, seconded by Councillor Clarkson moved to continue the application to a future meeting to allow the noise survey to be carried out by the applicant.

Councillor Barr, seconded by Councillor Marshall, moved to refuse the application.

On a division, there voted for the amendment 3 and for the motion 7 and the motion was declared carried.

Accordingly, the Committee agreed to continue the application to the meeting on 20 September 2017 to allow a further background noise survey to be carried out by the applicant.

The Committee adjourned for a short comfort break at 3.25 p.m., reconvening at 3.35 p.m. with the same Elected Members present.

2.2 17/00100/MS: Site To North West Of Chapelton Mains, Seamill

Hope Homes (Scotland) Ltd have applied for approval of matters specified in the conditions 1-9 of Planning Consent N/16/00561/PPM and submission of detailed housing proposals for Phase 1 of development at the site to the north west of Chapelton Mains, Seamill. Seven letters of objection were received and detailed in the report.

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

1. That prior to the commencement of Phase 1 the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details regarding the proposed drainage of surface water, routing of drainage into the Firth of Clyde, details of proposed connections to the public sewerage system and details regarding the proposed treatment of contamination or pollution contained with surface water prior to its discharge into the Firth of Clyde. Thereafter, the scheme as may be approved shall be implemented during the course of development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.
2. That the flood management measures recommended in the Flood Risk Assessment by Kaya Consulting Limited dated December 2016 shall be fully implemented and no development shall take place until information has been submitted for the written approval of North Ayrshire Council as Planning Authority in relation to flood risk, specifically:

- (i) Details of remediation works and arrangement of ground levels to ensure that surface water runoff reaching the site is intercepted along the eastern boundary and routed around the site and provide an overland flow pathway should the interception measures block during an extreme event;
 - (ii) Proposals for an appropriate inspection and management regime to be put in place with regard to the proposed cut of drain;
 - (iii) Details of an emergency flow pathway through the site in the event of blockage of the site drainage system, or rainfall events in excess of design conditions. The flow pathways should route surface water through the site without flooding properties or increasing flood risk to neighbouring properties;
 - (iv) A programme for the implementation of the flood management measures, all to the satisfaction of North Ayrshire Council as Planning Authority.
3. Prior to the commencement of development details regarding the design of the proposed footpaths, street lighting and the access onto the A78 shall be submitted for the written approval of North Ayrshire Council as Planning Authority. For the avoidance of doubt the proposed access shall join the trunk road at a new junction which shall be constructed by the applicant to a standard as described in the Department of Transport Advice Note TD 41/95 (Vehicular Access to All-Purpose Trunk Roads) (as amended in Scotland). This design shall comply with required design standards, as set out in the Department for Transport Advice Notes TD 9/93(Highway Link Design) and TD 42/95 (Geometric Design of Major/Minor Priority Junctions), considering the design speed of the A78 trunk road in the vicinity of the new junction. The access shall be completed in accordance with the approved details prior to the occupation of the first dwellinghouse.
4. That prior to the occupation of the first dwellinghouse the developer shall provide for the written approval of North Ayrshire Council as Planning Authority, details of the draft design and layout of the affordable housing units, as agreed with the North Ayrshire Council Housing Department, a timetable for submission of relevant planning applications and dates for completion. For the avoidance of doubt the affordable housing units shall be delivered no later than 31 March 2020, unless otherwise agreed in writing.

3. 17/00148/PP: Kilmichael Country House Hotel, Brodick

Mr Geoffrey Botterill, Kilmichael Country House Hotel, Brodick, Isle Of Arran has applied for a change of use to residential buildings to be changed include a hotel, self catering apartments and removal of condition 7 to allow Cottages 1, 3 and 4 to be permanent dwellinghouses at Kilmichael Country House Hotel, Brodick. One representation was received and was detailed in the report.

The Committee agreed to grant the application.

4. 17/00389/PPPM: Site to the east of 7-9 Beith Road, Glengarnock, Beith

Hallam Land Management Ltd., Suite A, 39 Cadogan Street, Glasgow has applied for the renewal of planning permission in principle N/13/00501/PPPM for the erection of a residential development at the site to the east of 7-9 Beith Road, Glengarnock, Beith. No representations were received.

The Committee agreed to (a) issue a direction under section 59(5)(a) of the Town and Country Planning (Scotland) Act 1997, as amended, to substitute the 3 year period for making an application for requisite approval to 5 years, and (b) to grant subject to the following conditions: -

1. Prior to the commencement of development on site, a further application(s) for the approval of the matters specified in this condition must be submitted to and approved by North Ayrshire Council as Planning Authority. These matters are as follows:
 - (a) the layout of the site, including all roads, footways, shared paths, car parking areas, and open spaces;
 - (b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials;
 - (c) a detailed flood risk assessment, including cross-sections of existing and proposed ground levels, details of underbuilding and finished floor levels in relation to a fixed datum, preferably ordnance datum, and detailing how flood issues are addressed.
 - (d) the means of drainage and surface water strategy and methodology for sewage disposal, including Sustainable Urban Drainage Systems (SUDS), all set out in a comprehensive Drainage Assessment, including maintenance. Such SUDS shall be self-certified by a suitably qualified person;
 - (e) the means of access to the site including an updated Transport Strategy;
 - (f) the design and location of all boundary treatments including walls and fences;
 - (g) the landscaping and associated maintenance proposals for the site, including details of existing trees, hedgerows and other planting to be retained and tree protection measures together with proposals for new planting specifying number, size and species of all trees and shrubs and a woodland management implementation programme;
 - (h) details of the phasing of development (covering all relevant aspects of development detailed in (a) above);
 - (i) a design and access statement with the design issues addressed in the formulation of the proposals, set out in line with the relevant supplementary design guidance approved by North Ayrshire Council.

2. The proposed development shall be designed in accordance with the principles of the Scottish Government's "Designing Streets" and "Designing Places" policy documents and North Ayrshire Council's Neighbourhood Design Guidance to the satisfaction of North Ayrshire Council as Planning Authority.
3. That prior to the commencement of the development, hereby approved, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority, a Strategy for Open Space which shall include proposals for (i) the provision of open space and play provision, in accordance with the North Ayrshire Council policy "Provision and Maintenance of Landscaping, Open Space and Play Areas in New Housing Developments" together with proposals for the management and maintenance thereof.
4. That no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant in consultation with the West of Scotland Archaeology Service and approved by North Ayrshire Council as Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of North Ayrshire Council as Planning Authority.
5. A 3m wide footway/cycleway shall be provided along the frontage of the site and 2m wide footway shall be provided along the frontage of the residential dwellings of 3 to 10 Beith Road to the satisfaction of North Ayrshire Council as Planning Authority.
6. That a minimum carriageway width of between 6 to 7.3m shall be retained along the length of the B777 (Beith Road) fronting the site to the satisfaction of North Ayrshire Council as Planning Authority.
7. That a physical gateway measure in the form of islands and countdown markings shall be installed at the 30mph speed limit to the satisfaction of North Ayrshire Council as Planning Authority.
8. That the existing street lighting shall be upgraded to accommodate the proposed junction arrangements and footways. For the avoidance of doubt, full details and timescales of works shall be submitted for the consideration and approval in writing by North Ayrshire Council as Planning Authority prior to the commencement of development.
9. That the recommendations within the Phase 1 Habitat Survey submitted in support of the application, shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority. Details shall be submitted demonstrating of the undertaking and/or programming of these recommendations implementations.

10. That prior to the commencement of the development, hereby approved, the applicant shall undertake a desk study of the application site, (including the review of any previous site investigations) to assess the likelihood of contamination and assist in the design of an appropriate site investigation and subsequent suitable quantitative risk assessment as advocated in BS10175: 2011. Remediation proposals shall also be presented in relation to any significant findings. All documentation shall be verified by a suitably qualified Environmental Consultant and submitted to North Ayrshire Council as Planning Authority. Any required remediation measures shall be undertaken, prior to the commencement of the development to the satisfaction of North Ayrshire Council as Planning Authority. Thereafter the presence of any significant unsuspected contamination, which becomes evident during the development of the site, shall be reported to North Ayrshire Council and treated in accordance with an agreed remediation scheme. On completion of the proposed works written verification, detailing what was done by way of any remediation, shall also be submitted to the North Ayrshire Council as Planning Authority.

5. 17/00378/ALO: Site to south east of Pet Crematorium, Murdoch Place, Irvine

Irvine Energy Recovery Ltd, 25 Farringdon Street, London have applied for a discharge of section 75 obligation relating to unimplemented and expired planning permission 07/00072/PP in respect of the site to the south east of the Pet Crematorium, Murdoch Place, Irvine.

The Committee agreed to (i) discharge the Section 75 Obligation and (ii) refer the decision to Legal Services to conclude the process as per Appendix 1 to the report.

6. Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997: Site to South of 56 Boglemart Street, Stevenston

Submit report by the Executive Director (Economy and Communities) seeking authority to serve a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring cessation of the use of the land for storage and the removal of the storage container sited upon it at Site to South of 56 Boglemart Street, Stevenston.

The site is situated within an area predominantly residential in character and is sited and to the rear of existing residential properties. The site shares an access from Boglemart Street (the B780) with the residential properties. It is considered that a storage use of the land is inappropriate for the location and would have the potential for adverse impacts on residential amenity. The storage container is out of character with the area, and harms the visual amenity of the area. The owner of the land had been contacted and requested to remove the container but an inspection of the property on 17 May 2017 revealed the container remained in situ.

The Committee agreed, in the interest of the visual and residential amenity of the area and potential impacts on access and the classified road, to approve the service of a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 to require the cessation of the use of the land for storage and removal of the container sited on the land.

7. Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997: 148 Main Street, Largs

Submit report by the Executive Director (Economy and Communities) seeking authority to serve a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring the removal of a flagpole from the front elevation of a property at first floor level, 148 Main Street, Largs.

The owners of the flatted properties on the first and second floor have been advised that the flagpole is unauthorised and were requested to make an application or alternatively remove the flagpole. To date an application has not been made and the flagpole remains in situ. The owners have been advised that the Council is considering the issue of a formal enforcement notice and have not responded to take responsibility for the flagpole. It is considered that the flagpole harms the visual amenity of the area by way of its high level siting, its prominence in the streetscene and its incongruous appearance on the host building. The flagpole is therefore held to be contrary to criterion (a) Siting, Design and External Appearance of the General Policy of the LDP.

Councillor McMaster, seconded by Councillor Reid, moved to approve the service of the Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 to require the removal of the flagpole from first floor level of the building.

As an amendment, Councillor Barr, seconded by Councillor McNicol, moved to take no further action.

On a division, there voted for the amendment 4 and the motion 6 and the motion was declared carried.

Accordingly, the Committee agreed to approve the service of a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 to require the removal of the flagpole from first floor level of the building.

8. Proposed Section 11 Exemption Order under the Land Reform (Scotland) Act 2003 for the Aberdeen Asset Management Ladies Scottish Open

Submit report by the Executive Director (Economy and Communities) which provided information on an application from the organiser of the Aberdeen Asset Management Ladies Scottish Open Championship to be held at Dundonald Links between 27 - 30 July 2017, set out in Appendix 1 to the report. The Section 11 Exemption Order would exempt the Dundonald Links golf course from the access rights between 26 and 30 July 2017, and enable a charge to be made for admission and provide for public safety and security prior to, during and after the event. Appendix 2 to the report illustrated the area which the exclusion of access rights would apply.

The Committee agreed to (a) approve a Section 11 Exemption Order for the event; and b) the issue of a public notice confirming the Order.

9. Enforcement Charter: Town and Country Planning (Scotland) Act 1997, as Amended by the Planning Etc. (Scotland) Act 2006

Submitted report by Executive Director (Economy and Communities) on the Council's Planning Enforcement Charter, which requires to be reviewed and republished by the Council every two years, under the terms of Section 158A of the Town and Country Planning (Scotland) Act 1997, as amended.

The Council approved and adopted the existing Planning Enforcement Charter in 2007. The Charter has been revised since first adopted to incorporate a number of updates and additions in respect of advertisement and treework controls. The Charter takes account of Scottish Government guidance on the form and content of Enforcement Charters. The main changes from 2015 are the updating of links to the Council's website and contact details. Appendix 1 to the report contained the proposed Charter.

The Committee agreed to adopt the Enforcement Charter as outlined in Appendix 1 to the report.

10. Urgent Item

10.1 N/17/00478/PPM: Site to the South West of Glengarnock Technology Centre, Lochshore Industrial Estate, Glengarnock

J & D Pierce Contracts Ltd, Glengarnock Technology Centre, Caledonian Road, Glengarnock has applied for planning permission for the erection of two freestanding industrial units and extension to Class 5 production facilities with associated ancillary uses, parking, landscaping and miscellaneous infrastructure work at the site to the south west of Glengarnock Technology Centre, Lochshore Industrial Estate, Glengarnock. One representation was received and detailed in the report.

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

1. That the rated noise levels (as defined in BS 4142:2014) from the production facility hereby approved, taken with the noise levels generated by the existing facility, shall not exceed the existing background noise level by 5dB(A) or more at the curtilage of nearby noise sensitive premises.
2. That prior to the commencement of the development, hereby approved, details of a scheme to treat the surface water arising from the site in accordance with the principles and practices contained in 'The SuDS Manual' (CIRIA report C753, published November 2015), shall be submitted to and approved in writing by North Ayrshire Council as Planning Authority. Thereafter any scheme that may be approved shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

3. That prior to the commencement of the development, hereby approved, the applicant shall undertake a desk study of the application site, (including the review of any previous site investigations) to assess the likelihood of contamination and assist in the design of an appropriate site investigation and subsequent suitable quantitative risk assessment as advocated in BS10175: 2011. Remediation proposals shall also be presented in relation to any significant findings. All documentation shall be verified by a suitably qualified Environmental Consultant and submitted to North Ayrshire Council as Planning Authority. Any required remediation measures shall be undertaken, prior to the commencement of the development to the satisfaction of North Ayrshire Council as Planning Authority. Thereafter the presence of any significant unsuspected contamination, which becomes evident during the development of the site, shall be reported to North Ayrshire Council and treated in accordance with an agreed remediation scheme.

On completion of the proposed works written verification, detailing what was done by way of any remediation, shall also be submitted to the North Ayrshire Council as Planning Authority.

4. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority a scheme of landscaping, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.
5. That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

The meeting ended at 4.15 p.m.

Local Review Body
14 June 2017

Irvine, 14 June 2017 - At a Meeting of the Local Review Body of North Ayrshire Council at 4.15 p.m.

Present

Tom Marshall, Timothy Billings, Robert Barr, Ian Clarkson, Robert Foster, Christina Larsen, Shaun Macaulay, Ronnie McNicol and Donald Reid.

In Attendance

R. Middleton, Planning Adviser to the Local Review Body (Economy and Communities); A. Craig, Team Manager (Litigation) (Legal Services) and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Marshall in the Chair.

Apologies for Absence

Ellen McMaster.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Notice of Review: N/16/00712/PP - Site to the north of Woodlea Cottage, Whiting Bay, Arran

Submitted report by the Chief Executive on a Notice of Review in respect of Condition 1 of planning permission granted by officers under delegated powers.

The Committee was advised that the Notice of Review had been withdrawn.

Noted.

3. Notice of Review: N/16/01126/PP - Jameston Moss, Dalry

Submitted report by the Chief Executive on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers for the erection of a wind turbine (36m to hub and 47m to blade tip) and formation of an access track and associated infrastructure.

The Notice of Review documentation, the Planning Officer's Report of Handling, a copy of the Decision Notice and further representations were provided as appendices to the report.

The Planning Adviser to the Local Review Body introduced the matter under review, confirming that the Notice of Review had been submitted timeously by the applicant. He also advised of a request by the applicant for a site visit.

The Local Review Body agreed to (a) proceed to a site familiarisation visit; (b) advise the applicant and interested parties accordingly; and (c) note that only those Members of the LRB who attended the site visit would be eligible to participate in the determination of the review request.

The meeting ended at 4.20 p.m.

Cabinet
20 June 2017

IRVINE, 20 June 2017 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Joe Cullinane, John Bell, Alex Gallagher, Louise McPhater, Jim Montgomerie, Robert Foster, Very Reverend Matthew Canon McManus, (Church Representative), Elizabeth Higon (Church Representative), Gordon Smith (Teaching Representative), Arran McDonald and David Dunlop (Youth Representatives).

Also Present

Councillors Christina Larsen and Timothy Billings

In Attendance

E. Murray, Chief Executive; J. Butcher, Executive Director (Education and Youth Employment) C. Hatton, Executive Director, Y. Baulk, Head of Service (Physical Environment), R. McCutcheon, Head of Service (Commercial) D.Hammond, Senior Manager (Place); L. Friel, Executive Director, F. Walker, Head of Service (People and Transformation), J. Hamilton, Employment Services Manager and M. McTeague, Team Manager (Finance and Corporate Support); K. Yeomans, Executive Director, C. McAuley, Head of Service (Economic Growth), A. Sutton, Head of Connected Communities, L. Kirk, Active Travel and Transport Manager, E. Troup, Regeneration Manager and J. Adam, Regeneration Manager (Economy and Communities); S. Brown, Interim Director (Health and Social Care Partnership); A. Fraser, Head of Democratic Services, A.Todd, Senior Policy & Performance Officer, M. Sudgen, Communications Officer, E. Gray, Committee Services Support Officer and H. Clancy, Committee Services Support Officer (Chief Executive's Service).

Also In Attendance

B. Calderwood (Arran Community Council)

Chair

Councillor Cullinane in the Chair.

Please note that the decisions contained in the Minutes are subject to call-in by Elected Members until 12.00 noon on Tuesday 27 June 2017. No action can be taken meantime.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The accuracy of the Minutes of the meeting held on 23 May 2017 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Lay Representatives on Cabinet (Education) (Page)

Submitted report by the Chief Executive on the progress in terms of lay representative appointments to serve on the Cabinet when it meets to consider Education Authority business.

The Cabinet agreed to (i) approve, with immediate effect, the nomination of Gordon Smith by the Local Negotiating Committee for Teachers as its non-voting teacher representative on the Cabinet when it considers Education Authority business; (ii) note that the Executive Director (Education and Youth Employment) will identify two young people (one male, one female) on a meeting-by-meeting basis, to serve as non-voting pupil representatives on the Cabinet when it considers Education Authority business; and (iii) note that a public notice has been published seeking nominations from local denominational groups to fill the third Church representative position, with such nominations to be reported to the Cabinet for consideration at its next meeting.

4. INSIGHT School Leavers' Attainment Results 2016

Submitted report and received presentation by the Executive Director (Education and Youth Employment) on the overall performance of the 2016 North Ayrshire Council school leavers as highlighted in the INSIGHT benchmarking tool.

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

- school leavers in SIMD decile 10 performing lower than the national average; and
- the calculation of the average total tariff score.

The Cabinet agreed to (i) note the content of the report and the achievements of school leavers in last year's SQA examinations; and (ii) approve the measures being taken to make further improvements to the attainment and achievement of future school leavers.

5. Cross Boundary Agreement for Early Learning and Childcare Places

Submitted report by Executive Director (Education and Youth Employment) on the proposed protocol for cross boundary early learning and childcare places.

Members asked a question and were provided with clarification on early learning and childcare funding being provided from a local authority where a child does not reside. This does not automatically entitle the child to attend primary education in that area and a placement request would be required.

The Cabinet agreed to approve the protocol for cross boundary early learning and childcare places.

6. Initial Destinations of Senior Phase School Leavers 2015/2016

Submitted report by the Executive Director (Education and Youth Employment) on the latest statistical information about North Ayrshire school leavers from the School Leaver Destination Return.

Members asked a question and were provided with further information in relation to Skills Development Scotland link in with higher and further education establishments and The Department for Work and Pensions to track school leavers after they have left school.

The Executive Director (Education and Youth Employment) undertook to provide Members with a breakdown of care leavers.

The Cabinet agreed to (i) note the information set out in the School Leaver Destination Report; (ii) note the continued development of the Data Hub, its related statistical information (Annual Participation Measure) and (iii) to agree to the ongoing development work to enhance outcomes for young people that will result in initial positive destinations being sustained.

7. Urgent Item - Educational Governance Review

The Executive Director (Education and Youth Employment) gave a verbal update on the Educational Governance Review. The reforms will be set out in a statutory charter for head teachers and will include responsibility for raising attainment and closing the poverty related gap in schools, recruitment of staff and choosing the school management structure, deciding the curriculum content, within a broad national framework and direct control over more school funding, with a consultation on fair funding being launched. Local Authorities will keep responsibility for Additional Support Needs and Early Learning.

Members asked a question and were provided with further information in relation to the possibility of increased salary due to the increased responsibilities for head teachers.

Noted.

8. Chartered Institute of Public Finance and Accountancy (CIPFA) Report Recommendations

Submitted report by the Executive Director (Education and Youth Employment) on the CIPFA Report Recommendations.

The Cabinet agreed to approve that CIPFA should be further contracted to assist North Ayrshire Council in the pursuance of potential savings that may exist within the North Ayrshire Schools PPP Contract.

9. Petition: Arran Toilets

Submitted report by the Chief Executive on the outcome of consideration by the Audit and Scrutiny Committee of a petition in relation to Arran toilets.

Bill Calderwood, Arran Community Council, expressed the view that the toilets are a valued part of the infrastructure that are much appreciated by the large number of visitors to Arran and the strength of feeling has been well reflected in the petition which has approx 4000 signatures. He advised that not every community will have income generating opportunities, premises or other funding sources to cover the costs associated in providing these facilities where recognising the budget restrictions which the council has to deal with, he submitted that the council should recognise a basic need in locations with high visitor demands. He referred to Lamlash and Brodick being key visitor destinations with Brodick carrying the highest day tripper numbers but that neither of these villages have funds to complete the repairs required to make these facilities useable and therefore declined the offer from NAC in January. He advised that if there are now funds available for repairs NAC could review the budget allocation to allow further negotiations to be concluded to arrive at a sustainable approach to maintaining these key services and a small reduction off the top line from the Community Investment Fund could be allocated to cover these ongoing annual costs and still leave £3m available as intended for the Participatory Budget allocation for each locality partnership.

Bill Calderwood asked the Committee to (i) reopen the facilities in advance of the major visitor influx; (ii) pro-actively work with the communities to develop a sustainable operating model; and (iii) create an ongoing strategy/policy document which helps NAC deliver on their stated aim of "focussing on what our customers and communities need and delivering that effectively, efficiently and creatively.

The Head of Service (Physical Environment) provided information on the closure of the public toilets referred to the progress of arrangements for the asset transfer with six out of the nine toilets on Arran.

The Cabinet agreed to make no change to the decision of Council on 17 February 2016 and to support the continued work between Facilities Management, Connected Communities and the local community groups on Arran.

10. End of year 2016/17 Progress Reports - Council Plan/Directorate Plans

Submitted report by the Chief Executive on the progress of the Council Plan 2015/20 and Directorate Plans 2015/18 as at 31 March 2017.

The Cabinet agreed to (a) approve the progress made in implementing the Council Plan 2015/20, (b) approve the revised set of Council measures for 2017/18, (c) approve the performance of all Directorates as at 31 March 2017 against the priorities in the 2015/18 Directorate Plans; and (d) refer the Council Plan and Directorate Plan Performance Reports for the consideration of the Audit and Scrutiny Committee on the 22 August 2017.

11. Maximising Attendance Performance – 2016/17 year end summary

Submitted report by the Executive Director (Finance and Corporate Support) on the year end summary of sickness absence for 2016/17.

Members asked a question and were provided with clarification on the 5,473 occurrences of sickness absence that took place during 2016/2017, 1,055 (19.3%) of which were long term while 4,418 (80.7%) were short term.

Noted.

12. Active Travel and Transport External Funding 2017/18

Submitted report by the Executive Director (Economy and Communities) on the acceptance of grant offers to allow the implementation of projects to improve active travel and transport.

The Cabinet agreed to (a) approve the acceptance and expenditure of the grant offers as detailed at Appendix 2; (b) approve the acceptance and expenditure of the outstanding grant offer if successful; and (c) receive a further report on the proposed projects and associated funding applications for 2018/19.

13. Planning Performance Framework

Submitted report by the Executive Director (Economy and Communities) on the Planning Performance Framework 6 for publication and submission to Scottish Government.

The Cabinet agreed to approve the content of the Planning Performance Framework 6 (Appendix 1); its submission to Scottish Government and its publication as a PDF on the Council website.

14. Ayrshire Growth Deal

Submitted report by the Executive Director (Economy and Communities) on the development of the Ayrshire Growth Deal and seek approval for funding the Programme Management Office and related projects.

The Cabinet agreed to approve the allocation of £200k to support the continued development of an Ayrshire Growth Deal.

15. Tax Incremental Finance

Submitted report by the Executive Director (Economy and Communities) on the outcome of a bid to the Scottish Government for Tax Incremental Finance pilot project status for investment in Irvine Enterprise Area.

The Cabinet agreed to (a) note the successful bid to Scottish Government for Tax Incremental Finance Pilot Project status for investment in Irvine Enterprise Area; and, (b) the further development of a detailed business case for approval by Cabinet prior to its submission to Scottish Government by 31st August 2017.

16. Community Asset Transfer Application: Garnock Rugby Club

Submitted report by the Executive Director (Economy and Communities) on an application by Garnock Rugby Club to seek ownership or a long lease of the grounds currently leased to them at Kilbirnie Lochshore.

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

- if ownership or long lease would be the better option for Garnock Rugby Club; and
- the subsidence issues encountered by the previous club and reassurance that the appropriate ground work is carried out.

The Cabinet agreed to approve in principle the transfer or long lease of ground at Garnock Rugby Club, as delineated in the appended map, subject to the satisfactory conclusion of Stage 4 of the North Ayrshire Council asset transfer process to agree the terms and conditions of lease or prospective purchase.

17. Community Asset Transfer Application: Skelmorlie Community Sports Club (SCIO)

Submitted report by the Executive Director (Economy and Communities) on the application by Skelmorlie Community Sports Club to secure a long lease of the grounds adjacent to Skelmorlie Primary School, Innes Park Road, Skelmorlie.

The Cabinet agreed to approve the transfer of the ground to the Skelmorlie Community Sports Club (SCIO), within the terms of a long lease, as delineated in the appended map (Appendix 1), and within the terms of the North Ayrshire Council Asset Transfer Policy.

18. Revised Public Realm Improvements Associated with Largs Masterplan

Submitted report by the Executive Director (Economy and Communities) on the outcome of a public consultation on the Largs Public Realm Project.

The Cabinet agreed to approve a revised proposal for expenditure that reflects the comments received through the public consultation.

19. Largs Promenade Sea Wall Repairs

Submitted report by the Executive Director (Place) on the sea wall repairs required at Largs promenade.

Members asked a question and were provided with clarification that the £100k expenditure for 17/18 financial year will come from the capital fund.

The Cabinet agreed to (a) note the requirement to carry out extensive sea wall repairs at the Largs sea front promenade and (b) agree that the allocation of required capital funds will be considered as part of the development of the Council's capital investment programme.

20. Housing Revenue Account Rent Structure Review

Submitted report by the Executive Director (Place) on the Housing Revenue Account rent structure.

The Cabinet agreed that the Executive Director (Place) will develop revised rent structure options and undertake a formal consultation process with tenants, with a further report to Cabinet summarising the options and consultation feedback in Autumn 2017.

21. Scottish Government Consultation: Energy Efficiency and Condition Standards in Private Rented Housing

Submit report by the Executive Director (Place) on North Ayrshire Council's response to the Scottish Government Consultation on Energy Efficiency and Condition Standards in Private Rented Housing.

The Cabinet agreed to approve the draft consultation response at Appendix 2 for submission to the Scottish Government.

22. District Heating Proposals for Irvine

Submitted report by the Executive Director (Place) on the results of a feasibility study considering the establishment of a core district heating network in Irvine, and to seek approval to proceed with the planned next steps for the project.

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

- costs associated with installing a sprinkler system in the high-rise properties in North Ayrshire;
- energy generated will be supplied back to Cunninghame House to reduce what is taken from the grid.

The Cabinet agreed to the outcomes of the feasibility study being developed into a detailed investment grade business case.

23. Award of Contract - Overcladding and Re-roofing, Auchenhavie Academy, Saltcoats

Submit report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the Design & Build Contract for Overcladding and Re-roofing, Auchenhavie Academy, Saltcoats.

Members asked a question and were provided with clarification that the cladding used will be of the appropriate quality standard.

The Cabinet agreed to approve the award of the contract to D&B Facades UK Limited.

24. Urgent Item - North Ayrshire High-Rise Properties

The Executive Director (Place) gave a verbal update on the high-rise properties in North Ayrshire that were all immediately checked after the Grenfell Tower tragedy. The key differences between Grenfell Tower and our high rise properties are they do not share the same type of cladding, and there is no gas supply to any of our high rise properties.

Scottish Fire and Rescue Service conduct quarterly inspections of all our residential high rise building and this is in addition to our own maintenance and inspection regimes which include fire alarms, fire-fighting equipment and electrical circuits. The fire and smoke alarms of our high rise properties are monitored by a 24 hour a day, 365 day a year concierge service. All communal areas are covered by this system and if any alarm is triggered in a individual property this is also relayed to the concierge who will call the emergency services if there is no response from the dwelling.

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

- possibility of a sprinkler system being installed at the same time as the heating system change;
- building standards that North Ayrshire Council adhere to with all residential and commercial buildings; and
- cladding of our properties was carried out in accordance with the applicable building standards.

Noted.

EXEMPT INFORMATION

25. Exclusion of the Public

Cabinet 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 Paragraphs 9 and 3 of Part 1 of Schedule 7A of the Act.

25.1 Strategic Property Acquisition, Irvine

Submitted report by the Executive Director (Economy and Communities) on an update on Irvine Town Centre

The Cabinet agreed to the Strategic Property proposal as detailed in the report.

25.2 Social Work Complaints Review Committee - Mr G

Submitted report by the Chief Executive on the findings and recommendations arising from the Social Work Complaints Review Committee meeting of 16 May 2017

The Cabinet agreed the recommendations of the Social Work Complaints Review Committee in relation to the complaint.

24.3 Social Work Complaints Review Committee - Mr F

Submitted report by the Chief Executive on the findings and recommendations arising from the Social Work Complaints Review Committee meeting of 29 May 2017

The Cabinet agreed not uphold any part of the complaint.

The meeting ended at 5.15 p.m.