



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

North Ayrshire Council Meeting

25 September 2019

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From 24 April 2019 – 10 September 2019

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AYRSHIRE REGIONAL ECONOMIC JOINT COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 24 APRIL 2019 AT 1330 HRS AT DUMFRIES HOUSE, CUMNOCK

PRESENT: Councillors Douglas Reid, Tom Cook and John McGhee, all East Ayrshire Council; Councillors Joe Culinane, Alex Gallagher and Shaun Macaulay, all North Ayrshire Council; Councillors Douglas Campbell and Brian Connelly, both South Ayrshire Council; Steve Dunlop, Scottish Enterprise; and Katie Hutton, Skills Development Scotland.

ATTENDING: Fiona Lees, Chief Executive; Alex McPhee, Depute Chief Executive and Chief Financial Officer: Economy and Skills; and Sharon Hodgson, Head of Ayrshire Growth Deal; all East Ayrshire Council; Karen Yeomans, Executive Director of Economy & Communities, North Ayrshire Council; Eileen Howat, Chief Executive; and Donald Gillies, Director - Place, both South Ayrshire Council; and Gillian Hamilton, Democratic Services Officer, East Ayrshire Council.

APOLOGY: Councillor Brian McGinley, South Ayrshire Council.

CHAIR: Councillor Douglas Reid, East Ayrshire Council (Chair).

WELCOME AND INTRODUCTIONS

1. Councillor Douglas Reid welcomed everyone to the meeting and invited introductions from around the table.

CONSTITUTION AND STANDING ORDERS

2. There was submitted a report (circulated) by the Depute Chief Executive and Chief Financial Officer: Economy and Skills, East Ayrshire Council which presented the governance arrangements relating to the operation of the Ayrshire Economic Joint Committee and sought approval of the Constitution and Standing Orders for both the Joint Committee and the Regional Partnership Board.

It was agreed:

- (i) to approve the remit and membership of the Ayrshire Economic Joint Committee as set out in Appendix A to the report;
- (ii) to approve the remit and membership of the Ayrshire Regional Economic Partnership as set out in Appendix B to the report;
- (iii) to approve the Constitution of each Group and the Standing Orders in relation to meetings as set out in Appendices A, B and C to the report; and
- (iv) otherwise to note the report.

PROPOSAL THAT EAST AYRSHIRE COUNCIL RETAIN THE CHAIR UNTIL SEPTEMBER 2020

3. It was agreed to approve the proposal that East Ayrshire Council would retain the Chair of the Ayrshire Economic Joint Committee up until September 2020.

APPOINTMENT OF BUSINESS REPRESENTATIVES TO THE AYRSHIRE REGIONAL ECONOMIC PARTNERSHIP

4. There was submitted a report (circulated) by the Depute Chief Executive and Chief Financial Officer: Economy and Skills, East Ayrshire Council which sought approval to appoint three business representatives and to co-opt two further representatives to the governance structures underpinning the delivery of the Growth Deal and the wider Regional Partnership approach being developed in Ayrshire.

It was agreed:

- (i) to appoint Alastair Dobson, Taste of Arran; Simon Foster, Spirit Aerospace; and Craig Hume, Utopia Computers; and to co-opt Hisashi Kuboyame, Federation of Small Businesses; and Val Russell, Ayrshire Chamber of Commerce to the Regional Partnership Board;
- (ii) to note that a proposal would come forward for the co-option of a 3rd Sector representative to the Regional Partnership Board; and
- (iii) otherwise to note the report.

SCHEDULE OF FUTURE MEETINGS

5. There was submitted a proposed meetings schedule for the Joint Committee and Regional Partnership Board (circulated).

It was agreed to approve the meetings schedule as shown below:-

MEETING	DATE	TIME	VENUE
Partnership Board	Thursday 6 June 2019	1000 hours	Council Chambers
Joint Committee	Wednesday 26 June 2019	1300 hours	Robert Burns Room
Partnership Board	Thursday 12 September 2019	1000 hours	Council Chambers
Joint Committee	Wednesday 25 September 2019	1300 hours	Robert Burns Room
Partnership Board	Thursday 5 December 2019	1000 hours	Council Chambers
Joint Committee	Wednesday 18 December 2019	1300 hours	Robert Burns Room
Partnership Board	Thursday 20 February 2020	1000 hours	Council Chambers
Partnership Board	Thursday 16 April 2020	1000 hours	Council Chambers

All meetings to be held at East Ayrshire Council Headquarters, London Road, Kilmarnock KA3 7BU.

PROGRAMME OF WORK

6. There was submitted a report (circulated) by the Depute Chief Executive and Chief Financial Officer: Economy and Skills, East Ayrshire Council which provided an update on work which would be undertaken in the next twelve months to progress both the Ayrshire Growth Deal and the wider Regional Economic Partnership.

It was agreed:

- (i) to support the continued work to conclude the Deal documents for the Ayrshire Growth Deal;
- (ii) to support the development of the Inclusive Growth Action Plan, the Skills Investment Plan and the Regional Transport Appraisal to support the economic growth ambitions of Ayrshire;

- (iii) that improved transport links were vitally important to connecting businesses to markets and enabling communities to access employment and training opportunities. The results of the Regional Transport Appraisal would give the benefit of a complete study, for the whole of Ayrshire, to found on. It was confirmed that Transport Scotland would be represented on the Partnership Board;
- (iv) to support the development of a new Ayrshire Economic Strategy;
- (v) to support the review of business support mechanisms and delivery across Ayrshire with a view to establishing a more uniform approach;
- (vi) to note that businesses were indicating positive support for the joint approach to working for one Ayrshire; and
- (vii) otherwise to note the report.

The meeting terminated at 1400 hours.

Post Meeting Note

The meetings schedule has been amended to that shown below:

MEETING	DATE	TIME	VENUE
Joint Committee	Tuesday 10 September 2019	1300 hrs	Robert Burns Room
Partnership Board	Tuesday 3 December 2019	0900 hrs	Council Chambers
Joint Committee	Monday 9 December 2019	1400 hrs	Council Chambers
Partnership Board	Thursday 20 February 2020	1000 hrs	Council Chambers
Partnership Board	Thursday 16 April 2020**	1000 hrs	Council Chambers

**This meeting will require to be rescheduled - new date to be confirmed



**North Ayrshire Health and Social Care Partnership
Minute of Integration Joint Board meeting held on
Thursday 16 May 2019
at 10.00 a.m., Council Chambers, Cunninghame House, Irvine**

Present

Bob Martin, NHS Ayrshire and Arran (Chair)
Councillor Robert Foster, North Ayrshire Council (Vice Chair)
Councillor Timothy Billings, North Ayrshire Council
Councillor Larsen, North Ayrshire Council
Jean Ford, NHS Ayrshire and Arran
Councillor John Sweeney, North Ayrshire Council

Stephen Brown, Director of Health and Social Care Partners
Caroline Whyte, Chief Finance and Transformation Officer
Dr. Paul Kerr, Clinical Director
Alistair Reid, Lead Allied Health Professional Adviser
David Thomson, Associate Nurse Director/IJB Lead Nurse
Dr. Louise Wilson, GP Representative

David Donaghey, Staff Representative (NHS Ayrshire and Arran)
Louise McDaid, Staff Representative (North Ayrshire Council)
Marie McWaters, Carers Representative
Graham Searle, Carers Representative (Depute for Marie McWaters)
Vicki Yuill, Third Sector Representative
Barbara Connor, Chair, Irvine Locality Forum

Also Present

Anthea Dickson, North Ayrshire Council

In Attendance

Thelma Bowers, Head of Service (Mental Health)
Darren Fullarton, Senior Nurse Mental Health (Community)
Scott Bryan, Team Manager (Planning)
Karen Andrews, Team Manager (Governance)
Euan Gray, Committee Services Officer

Apologies for Absence

Dr. Calum Morrison, Acute Services Representative
David Thompson, Associate Nurse Director/IJB Lead Nurse
Dr Louise Wilson, GP Representative
Fiona Thomson, Service User Representative
Nigel Wanless, Independent Sector Representative

1. Apologies

Apologies were noted.

1.1 Chairs Remarks

The Chair noted the retirement of Alistair McKie from the IJB and thanked him for his work with the Board. Jean Ford was welcomed as the new NHS Ayrshire and Arran representative, filling the vacancy left by Alistair.

2. Declarations of Interest

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

3. Minutes/Action Note

The accuracy of the Minute of the meeting held on 21 March 2019 was confirmed and the Minute signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3.1 Matters Arising

Veterans' First Point (V1P) Service – That an update report on the long-term sustainability plan be submitted to a future meeting of the IJB.

Thelma Bowers, Head of Service (Mental Health), informed the Board that the update report would be submitted to the meeting on 29 August 2019.

Community Care Occupational Therapy Report – That an update report on progress be submitted to a future meeting of the IJB.

Alistair Reid, Lead Allied Health Professional Adviser, informed the board that the update report would be submitted to the meeting on 24 October 2019.

4. Director's Report

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

The report highlighted the following:-

- 13 Reasons Animation, an award-winning animation commissioned by the Child Protection Committee and produced by group of young people from North Ayrshire which provided positive messages around mental health in response to increasing suicide rates locally;
- a visit to North Ayrshire by representatives from OzChild and Berry Street, two children's services organisations from Australia. The three visitors were introduced to a number of programs and services used to support children and young people in North Ayrshire;
- a digital resource which has been purchased and will be available to unpaid carers. The Carer's Representative suggested that data from this resource be shared with other IJB's across Scotland;

- the Scottish Government/HSCP engagement meeting which took place on 3 May 2019. A number of areas were mentioned which the NAC IJB is ahead of others; and
- the first attendance award which was won by Vivien McDevitt who is a Care at Home Assistant who has worked with the partnership since 1991. The next award winner will be announced in July 2019.

Noted.

5. Ministerial Strategic Group Review of Progress with integration of Health and Social Care: Self-Evaluation

Submitted a report by Caroline Whyte, Chief Finance and Transformation Officer, on the outcome of the self-evaluation undertaken to rate progress against the Scottish Government's Review of Progress into the integration of Health and Social Care. The self-evaluation was appended to the report.

The Ministerial Strategic Group identified a number of proposals for improvement with varying implementation timescales over the next six to 12 months. The Board were informed that areas identified for improvements would be monitored by the IJB Performance and Audit Committee and that the report on the self-evaluation would be submitted to the Council's Audit and Scrutiny for noting.

The Board agreed to (i) approve the completed self-evaluation and actions identified for improvement and remits this to the Scottish Government as required; (ii) monitor actions for improvement through the Performance and Audit Committee; and (iii) receive an overall progress update at a future meeting in 2019.

6. Workforce Development Strategy

Submitted a report by Caroline Whyte, Chief Finance and Transformation Officer, to provide an update on the progress of the development of a HSCP Workforce Development Strategy. The strategy and supporting action plan were appended to the report.

The Board were provided with a background to the strategy, which is a requirement set out in the Scheme of Integration, and discussed the challenges which have arisen through bringing together employees from different organisations resulting in differing terms and conditions.

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

- the third sector workforce and whether the strategy would take these employees into account;
- the importance of identifying and recognising the "stumbling blocks" in the strategy, specifically the differing terms and conditions for employees in similar roles, and the possibility of adding a paragraph highlighting this to the introduction; and
- whether the Thinking Differently event which will see all HSCP staff meeting in one place should be linked closely with the strategy.

The Board unanimously agreed to approve (i) the Workforce Development Strategy subject to the insertion of a paragraph in the introduction which mentions

the issues surrounding differing terms and conditions; and (ii) the supporting action plan.

7. Ayrshire Mental Health Conversations

Submitted a report by Thelma Bowers, Head of Service (Mental Health), on the Ayrshire Mental Health Conversation: Priorities and Outcomes report which aims to provide a consistent Ayrshire response to the Scottish Government Mental Health Strategy 2017-2027. The proposed Mental Health Conversation document was appended to the report.

Darren Fullarton, Senior Nurse Mental Health (Community) summarised the report and highlighted the seven priority areas identified.

The Board unanimously agreed to approve (i) the priorities and achievable outcomes set out in the report, (ii) the governance framework in which activity within Ayrshire is monitored, and (iii) the development of an Ayrshire implementation planning group.

8. Adaptations Policy

Submitted a report by Stuart Gaw, Senior Manager (Health and Community Care) on the development of an Adaptations Policy which provides guidelines on how adaptations will be supplied and fitted. The policy was appended to the report.

Alistair Reid, Lead Allied Health Professional Adviser, summarised the report and provided the Board with a background to the policy.

Discussion took place around the delays for service users receiving adaptations, the fact that assessment period can bottle neck the process, the possibility of providing more occupational therapists to alleviate this issue and the importance of ensuring that all users have been referred correctly.

The Board unanimously agreed to (i) note the continued development and performance of the Adaptations Service; (ii) note the development of the Adaptations Policy to provide clear guidelines into when and how adaptations will be supplied and fitted; and (iii) approve the Adaptations Policy and supporting Adaptations Procedures and Adaptations Criteria.

9. Equality Outcome and Mainstreaming Report 2018

Submitted a report by Scott Bryan, Team Manager (Planning), on the NAHSCP Equality Mainstreaming and Outcome Report and. Both documents were appended to the report.

The Board were provided with a background to both reports. The NAHSCP Equality Mainstreaming and Outcome Report provides information on how equalities have been mainstreamed into day-to-day practice. The Ayrshire Shared Quality Outcomes Progress report provides an update to the April 2017 report which set out the equality outcomes adopted across all three HSCPs in Ayrshire.

The Board unanimously agreed to note and approve for publication the content of (i) the NAHSCP Equality Mainstreaming and Outcome Report; and (ii) the Ayrshire Shared Quality Outcomes Progress report.

10. Integration Joint Board: Appointments

Submitted a report by Stephen Brown, Director of Health and Social Care Partners, on appointments which are required in relation to the Integration Joint Board, the IJB Performance and Audit Committee and the Strategic Planning Group.

The Integration Scheme and the IJB Standing Orders set out that appointments of Chairpersons and Vice Chairpersons shall be for two-year terms on a rotational basis between North Ayrshire Council and the NHS Board. The current two-year term was approaching its conclusion therefore nominations were sought for the Chair and Vice Chair of the Integration Joint Board, the IJB Performance and Audit Committee and the Strategic Planning Group.

The Scheme of Integration sets out that Councillor Foster, as the Cabinet member for Health and Social Care, will assume the role of IJB Chair.

One role as a member was available on the IJB and IJB PAC due to retirement and a change to the terms of reference respectively. NHS Ayrshire and Arran nominated Jean Ford to fill the vacancy on the IJB.

Accordingly, nominations were sought for a Vice-Chair of the Integration Joint Board, a Chair, Vice-Chair and member of the IJB Performance and Audit Committee and a Chair and Vice-Chair of the Strategic Planning Group.

Following discussion and the receipt of nominations, the Integration Joint Board unanimously agreed to make the following appointments:-

Integration Joint Board

Chair – Councillor Foster

Vice Chair – Robert Martin

Member – Jean Ford

Integration Joint Board Performance and Audit Committee

Chair – John Rainey

Vice Chair – Councillor Billings

Member – Jean Ford

Strategic Planning Group

Chair – Robert Martin

Vice Chair – Councillor Larsen

11. Strategic Planning Group Minutes

Submitted the minutes of the Strategic Planning Group meeting held on 6 March 2019.

Noted.

The Meeting ended at 11.10 a.m.

AYRSHIRE ECONOMIC PARTNERSHIP BOARD

MINUTES OF MEETING HELD ON THURSDAY, 6 JUNE 2019 AT 1000 HRS IN COUNCIL CHAMBERS, EAST AYRSHIRE COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors Elena Whitham, Tom Cook and Neil McGhee, all East Ayrshire Council; Councillors Joe Cullinane, Alex Gallagher and Marie Burns, all North Ayrshire Council; Councillors Douglas Campbell, Brian McGinley and Alec Clark, all South Ayrshire Council; Fiona Lees, Chief Executive and Alex McPhee, Depute Chief Executive and Chief Financial Officer: Economy and Skills, both East Ayrshire Council; Craig Hatton, Chief Executive and Karen Yeomans, Executive Director of Economy and Communities, both North Ayrshire Council; Eileen Howat, Chief Executive and Donald Gillies, Director - Place, South Ayrshire Council; Anne Campbell, Ayrshire College; Marcus Ross, University of West of Scotland; Alan McGregor, University of Glasgow; Alastair Dobson, Taste of Arran; Simon Foster, Spirit Aerosystems; Craig Hume, Utopia Computers; Mark Newlands, Scottish Enterprise; and Douglas Cowan, Highlands and Islands Enterprise.

ATTENDING: Sharon Hodgson, Head of Ayrshire Growth Deal; and Gillian Hamilton, Democratic Services Officer, both East Ayrshire Council.

ALSO ATTENDING: Julie McLachlan, Senior Manager - Economic Policy; North Ayrshire Council; and Alasdair MacLeod, Scottish Government.

APOLOGIES: Councillors Douglas Reid and John McGhee, both East Ayrshire Council; Councillor Brian Connolly, South Ayrshire Council; Carol Turnbull, Ayrshire College; Craig Mahoney, University of West of Scotland; Adrian Gillespie, University of Strathclyde; Hisashi Kuboyama, Federation of Small Businesses; Val Russell, Ayrshire Chamber of Commerce; Alison Irvine, Transport Scotland; Malcolm Roughead, Visit Scotland; and Katie Hutton, Skills Development Scotland.

WELCOME, APPOINTMENT OF CHAIR AND INTRODUCTIONS

1. Fiona Lees, Chief Executive, East Ayrshire Council welcomed everyone to the first meeting of the Ayrshire Economic Partnership Board and, noting that the terms of the respective Constitutions for the Joint Committee and Partnership Board required the Chair of the Partnership Board to be approved by the Joint Committee, she invited nominations for a Chair for this meeting only. It was agreed unanimously to appoint Councillor Elena Whitham to the Chair. The Chair then invited introductions from around the table.

CO-OPTION OF A THIRD SECTOR REPRESENTATIVE TO THE AYRSHIRE ECONOMIC PARTNERSHIP BOARD

2. There was submitted a report (circulated) by the Depute Chief Executive and Chief Financial Officer, East Ayrshire Council, which sought the approval of the Partnership Board for the co-option of an additional member to the Board to represent the Third Sector in Ayrshire.

It was agreed:

- (i) to approve the co-option of Mr Ian Welsh to the Partnership Board; and
- (ii) otherwise to note the contents of the report.

AYRSHIRE GROWTH DEAL (AGD) UPDATE AND NEXT STEPS

3. An overview presentation was given by Sharon Hodgson on the AGD, vision and themes, inclusive growth, project commitments and the next steps.

During discussion and in response to particular matters highlighted, the Partnership Board noted:-

- That this was the first Regional Growth Deal in Scotland and uniquely it has inclusive growth at its heart;
- That the data cable landing at Irvine was a huge opportunity for Ayrshire and enquiries were already being received about the related i3 Project;
- That Roads and Transportation was not included in the AGD. However work was taking place with Transport Scotland on a Regional Transport Appraisal to consider transport improvements required to support the AGD projects in achieving maximum impact;
- Clarification regarding the Scottish and UK Governments' respective timescales for the AGD are 10 years and 15 years respectively which will need to be borne in mind as project timescales are planned;
- That detailed business cases were needed this year only for those projects that would be funded in 2020/21 ie Halo Kilmarnock, Prestwick Commercial Space and i3 Irvine Enterprise Area Advanced Manufacturing Space;
- The establishment of the Project Management Office (PMO) with responsibility for the AGD;
- The role of the Partnership Board in developing the Ayrshire Economic Strategy and overseeing delivery of its Action Plan; and supporting the AGD, its projects and the PMO;
- That discussion was taking place on retaining intellectual property rights for the National Energy Research Demonstrator Project (NERD);
- The importance of the Port of Cairnryan for the Ayrshire economy; and
- The challenge of "inclusive growth". The Partnership Board would be kept engaged in this aspect of the AGD.

It was agreed:-

- (i) that Sharon Hodgson, Head of AGD would share details of project profiling and phasing with a future meeting of the Partnership Board; and
- (ii) to note that a report would come forward to the next meeting of the Partnership Board on the key stages of the Regional Transport Appraisal, together with more information on the AGD projects for consideration and provision of support and/or challenge by the Partnership Board.

AYRSHIRE GROWTH DEAL - DEVELOPMENT OF PAN-AYRSHIRE PROJECTS

4. There was submitted a report (circulated) by the Head of Ayrshire Growth Deal which advised on the three pan-Ayrshire projects within the Heads of Terms for the Ayrshire Growth Deal - Digital, Skills and Inclusion, and Community Wealth Building - and sought approval for these projects to be taken forward by the three Councils and their Community Plan Partners with one Council acting as Project Lead for each of the proposals.

It was agreed:-

- (i) to continue with the current arrangements for the three pan-Ayrshire projects - South Ayrshire Council to lead on Digital and North Ayrshire Council to lead on Skills and Inclusion and Community Wealth Building;
- (ii) to delegate implementation of the above to the three Councils; and
- (iii) otherwise to note the contents of the report.

DRAFT REGIONAL ECONOMIC STRATEGY

5. There was submitted a report (circulated) by the Executive Director, Economy and Communities, North Ayrshire Council, which was designed to stimulate discussion on the form and content of an Ayrshire Regional Economic Strategy with a view to ensuring that the views of the Partnership Board were reflected in a draft strategy document to be presented to a future meeting.

A presentation was given by Julie McLachlan on the Ayrshire Regional Economic Strategy: Unlocking Our Potential (achieving inclusive growth across the Region).

Karen Yeomans then led a discussion centred on three questions, as summarised below:-

- (i) **Are we focusing on the right things so far? If not, what is missing?**

Points Raised During Discussion

- Mission-orientated is the right approach to take;
- Focus on key things to be delivered;
- Proactively engage the business community;
- People to be at the centre of the strategy;
- Celebrate getting here. Make the next part work;
- Meet the needs and aspirations of our people;
- Economy is not perfect and ever-changing. Strategy needs to work for everyone. May need alternative forms of organisation/delivery of services;
- Build on assets in community - "social capital" - add to Strategy;
- Consider economic strategy for rural Ayrshire;
- Consider thematic leads/sub-groups;
- Speak with one Ayrshire voice;
- Councils to reflect on how we organise to deliver this - development teams - common approach – consistency;
- This is about the future of Ayrshire for everyone who lives here. Engage communities. Link to localities;
- Start with "why?" to inform clear plan and communications;
- Emphasise communities - place-based approach;
- Devolve power - involve communities;
- Regulatory conditions should be aligned - keep it simple - can do attitude;
- Inclusion is critical (mining, rural, island communities); and
- consider the role of the Education Sector.

(ii) **Is the timescale sensible? How do we take the process forward in an inclusive and collaborative manner and how can your organisation contribute?**

Points Raised During Discussion

- Timeline;
- Consider how to engage eg one day event/use localities?;
- Business support would be better delivered on a consistent pan-Ayrshire basis;
- Reflect potential for growth in engineering sector;
- Needs to be developed with full involvement by the Board;
- Consider accountability;
- Individuals to take lead roles and involve others;
- Need to lead from the mission statement;
- Back to the Board with proposals - how to engage as many as possible in the process;
- Include an overarching message - communicate as a whole within Ayrshire, as well as engaging within individual areas (ie Ayrshire and localities);
- Structured engagement and feedback with business;
- Consider an event for all communities in Ayrshire to identify common themes;

(iii) **What might the journey look like: Sub-REP officer working group? Thematic workshops? Theme leads? Wider dialogue with business and communities**

Points Raised During Discussion

- Strategy needs to be owned and kept on track with focus and direction;
- Need to focus on wider vision rather than AGD project spend;
- Review what we have done during past 12 months;
- Consider sub groups, reporting back to the Partnership Board. Look at vision and engagement;
- Consider a strapline, eg "one voice";
- Strategy will only work with trust - communications are key;
- Use modern communication tools to keep people connected.

It was agreed:

- (a) to support the production of an Ayrshire Regional Economic Strategy taking account of the points made;
- (b) that the views of the Partnership Board should be reflected in a Draft Ayrshire Regional Economic Strategy document to be presented to a future meeting; and
- (c) otherwise to note the report.

The meeting terminated at 1203 hrs.

Audit and Scrutiny Committee
18 June 2019

IRVINE, 18 June 2019 - At a Meeting of the Audit and Scrutiny Committee of North Ayrshire Council at 10.00 a.m.

Present

Marie Burns, Joy Brahim, Tom Marshall, Donald Reid and John Sweeney.

In Attendance

C. Hatton, Chief Executive, L. Friel, Executive Director and P. Doak, Senior Manager (Internal Audit, Risk and Fraud) (Finance and Corporate Support); C. Whyte, Chief Finance and Transformation Officer (Health and Social Care Partnership); R. McCutcheon, Head of Service (Commercial) (Place); A. McClelland, Head of Service (Learning, Teaching and Curriculum) (Education and Youth Employment); C. Mcauley, Head of Service (Economic Growth) (Economy and Communities) and A. Fraser, Head of Democratic Services, N. Sugden, Policy and Performance Officer and A. Little, Committee Services Officer (Chief Executive's Service).

Also In Attendance

Pat Kenny (Deloitte).

Chair

Councillor Burns in the Chair.

Apologies

Margaret George.

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 Minutes of the meeting of the Audit and Scrutiny Committee held on 28 May 2019 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. External Audit Interim Report

Submitted report by the Executive Director (Finance and Corporate Support) on the findings from the External Audit Interim Report for 2018/19. Appendix 1 to the report detailed the audit findings and action plan from the report. A report on sector developments was attached at Appendix 2 to the report.

The Committee was provided with a revised page 21 of Appendix 1 to the report and advised that this would be uploaded to the Council's website.

The Committee agreed to note (i) the audit findings and action plan from the External Auditor's Interim report and (ii) the sector developments as outlined in the External Auditor's Sector Developments report.

4. Local Government in Scotland: Challenges and Performance 2019

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of the recent Audit Scotland national report, Local Government in Scotland: Challenges and Performance 2019. A summary of the key messages and recommendations was attached at Appendix 1 to the report.

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

- the Transformation Think Tank which has been established to develop a pipeline of initiatives to will help the council address its future funding challenge, share best practice and generate innovative ideas;
- work underway to streamline the governance for transformation projects across the Council ensuring that this is robust and accountable with regular reporting to the Chief Officer Leadership Team; and
- the roll out of "Consul" a new tool for community conversations and briefings for Members that can be provided by the Head of Service (Connected Communities).

Noted.

5. Performance End of Year 2018/19 Council Plan/Directorate Plan

Submitted report by the Chief Executive on the end of year 2018/19 Council Plan/Directorate Plan Performance reports. Appendix 1 to the report provided a status summary from April 2018 to March 2019 for each of the 31 performance measures. The Council Plan Exception Report for those measures adrift of target were outlined at Appendix 2. The Directorate performance reports were attached at Appendices 3 – 8 of the report and provided more narrative about the 2018/19 performance of Directorates to deliver the strategic priorities of the Council Plan.

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

Democratic Services

- a report on Brexit that will be presented to the Audit and Scrutiny Committee in September 2019;
- lessons learned from the European Elections;
- further details that will be provided to Members on the European electors issued with Poll Cards;
- 97.5% of invoices processed by Democratic Services and forwarded to Finance for payment that were paid within 30 days;

- ongoing work by Connected Communities that will assist in improving the percentage of respondents who agree that Locality Partnerships are helping to address local issues and local inequalities; and
- the low absence level within Democratic Service when compared to other services that can be partly attributed to the workforce being office-based and having facilities to work from home.

Finance and Corporate Support

- the migration of staff from Lotus Notes to O365 that will be completed in July 2019 and the phased migration of Elected Members to O365 that is underway;
- the Blue Wave of Change Leadership programme that challenges the current model of working, encourages collaborative working, a culture of innovation and creativity which in turn will support the Council's transformation agenda;
- the national Benefits system that is used across Scotland and work that will be undertaken to simplify the system for clients;
- issues with the Lagan system that will be investigated to ensure actions are not closed off until they have been completed; and
- continued work to encourage the take up of Ebilling.

Economy and Communities

- the range of supports provided to modern apprentices and the fact that approximately 70-80% move onto full time employment;
- the national trend of decreasing footfalls in town centres;
- further details of town centre footfalls and the location of the footfall trackers that will be provided to Members;
- the national tourism survey results which are compiled from returns completed by tourist operators;
- the COIG - progress with the route development and work on the marketing and app that is underway; and
- plans that are underway for the wind up of Better Off North Ayrshire in March 2020.

The Committee congratulated the Service for the success in securing the Ayrshire Growth Deal and additional funding for local communities.

Education and Youth Employment

- a range of supports for ASN pupils, including an Inclusion Group and a Strategy that is in place for schools;
- a review of the Quality Improvement Framework that is underway and will increase the focus on school empowerment; and
- an Early Years Update Report that will be presented to Committee in September.

Place

- unsightly gap sights that can be left following demolition of buildings;
- detailed plans and programmes that are in place for Council developments to minimise the length of time sites remain in an unsightly condition; and

- extensive consultation which takes place with the public and interested parties and which exceeds the recommended guidelines.

The Committee congratulated the Service for the prompt responses they provide to service requests.

Health and Social Care Partnership

- the repayment of £0.668m towards the £1.5m debit to the Council during 2018/19, with the remainder to be repaid in future years;
- continuing work to reduce the levels of delayed discharges; and
- a range of factors that can impact on the number of days people spend in hospital when they are ready to be discharged.

The Committee agreed (a) that the Executive Director (Economy and Communities) provide further details of town centre footfalls and the location of the footfall trackers to Members; (b) that the Head of Service (Learning, Teaching and Curriculum) provide an Early Years Update report to the Committee meeting in September 2019; and (c) to otherwise note the report.

The meeting ended at 12 noon

Planning Committee
19 June 2019

Irvine, 19 June 2019 - 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.

Also Present

Alan Hill and Ian Murdoch.

In Attendance

J. Miller, Senior Manager (Planning) (Economies and Communities); A. Craig, Senior Manager (Legal Services); and E. Gray, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Marshall in the Chair.

Apologies for Absence

None.

1. Declarations of Interest

Councillor Barr queried if his membership of the Hunterston Liaison Committee required him to declare an interest in respect of agenda item 3. Following the receipt of advice from the Senior Manager (Legal) he decided that it was not a material interest which required him to withdraw from proceedings.

Accordingly, subject to the above, 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 Minutes of the meeting of the Planning Committee held on 22 May 2019 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Hunterston Master Plan

Submitted a report by the Executive Director (Economy and Communities) on the proposed response to the consultation by Peel Ports Group on their draft Master Plan for the Hunterston Port and Resource Centre. The report recommended that both the Committee report and the consultation response, set out at Appendix 1 to the report, be submitted to Peel Ports Group following approval.

The Chair advised that he had accepted a request from Councillor Ian Murdoch to address the Committee in terms of his concerns around the Hunterston Master Plan. It was also noted that deputations have historically only been permitted in relation to planning applications; however, in this case, given the high level of public interest and, in the interest of transparency, the Chair agreed to make an exception.

Councillor Murdoch began by raising concerns around Peel Port's refusal to hold public consultation events in Largs and West Kilbride, the two highest populated towns in close proximity to the site, during the consultation period despite requests from residents. The Scottish Government's National Planning Framework 3 was referenced as well as the fact that Hunterston was not one of the three sites identified as potentially suitable for thermal energy generation. Councillor Murdoch then discussed the possible impacts of the proposed plans which had not been raised in the Master Plan including on tourism, HGV road use and future development of the site for other uses.

Concerns were also raised by Councillor Murdoch around the impact on public and environmental safety which a Liquefied Natural Gas (LNG) site located so close to a populated area would have. The lack of consultation with the Office of Nuclear Regulation despite the site being located within the consultation zone and the risk to the SSSI site from oil rig recommissioning were highlighted. He also made reference to the consultation response from a local resident, who has specialist experience in this area, which highlighted numerous errors in the Master Plan.

Councillor Murdoch requested that a number of amendments be made to the response around engagement with local residents and elected members, clarification of the impact of an LNG station on Hunterston C Nuclear Power Station and a query around the headline figure for job creation. He summarised by requesting that the Committee treat this document as a consultation rather than a master plan and refuse to endorse it in its current form.

The Chair then referenced correspondence which had been submitted by Friends of the Clyde to members of the Committee prior to the meeting which highlighted their concerns around the draft Master Plan.

The Senior Manager (Planning) then highlighted that officers normally respond to consultations under delegated powers; however, due to the high level of public interest in Hunterston it was appropriate that this matter be considered by the Planning Committee. He went on to summarise the report and confirmed that the Committee was not being asked to endorse the draft Hunterston Master Plan but to approve a consultation response.

Councillor Foster circulated a document which quoted paragraph 11 of the consultation response (Appendix 1 to the report) with an additional sentence added in bold as set out below:

“A long-list of potential development and operational activities are introduced at paragraph 3.10, including: bulk handling facilities for importing, processing and distributing dry and bulk liquid cargoes, including liquified natural gas (LNG); offshore wind energy; construction for marine and offsite manufacturing; decommissioning vessels and oil and gas structures; materials management; heat and power generation, from LNG and renewable sources. The key concern for the Council as planning authority is whether these proposals conform with the Development Plan. While many of these uses are compliant with the direction and general strategic approach of LDP2 (and the existing LDP), we would require further detail to consider the merits of others, namely power generation, LNG storage, the decommissioning of vessels and, noted elsewhere within the Master Plan, land-based aquaculture. **However, at this early stage the Planning Committee wishes to outline our opposition to LNG storage and would encourage a renewable energy activity as a suitable replacement to accord with our commitment to a low-carbon circular economy.** In this regard, the Master Plan is a legitimate means of Peel promoting overarching strategic proposals and a means of discussing the future development of Hunterston, including with the Council; it should be noted, however, the Master Plan is not Council endorsed, at least in its current form.”

The Chair also made reference to a request from Councillor Hill to make grammatical adjustments to line eight of paragraph 11 in the consultation response to change the words “many” and “are” to “some” and “may be” respectively.

Councillor Marshall, seconded by Councillor Billings, moved that the Committee approve the response to Peel Ports Group on the Hunterston Master Plan Consultation Draft subject to (i) the grammatical changes at line 8 of paragraph 11 as mentioned above; and (ii) the addition of comments which reiterated that:

- a) North Ayrshire Council supports the re-development of Hunterston PARC, which is recognised as having the enabling capability to bring international levels of investment to Scotland and Ayrshire, via the Proposed Local Development Plan and Ayrshire Growth Deal;
- b) the Master Plan could be more concise, more engaging in its presentation and clearer in its message of the overarching strategy and opportunities for Hunterston PARC;
- c) concerns with the socio-economic study, which should be a more positive and aspirational about the potential that Hunterston possesses to transform the regional economy;
- d) at this early stage the Planning Committee wishes to outline our opposition to LNG storage and would encourage a renewable energy activity as a suitable replacement to accord with our commitment to a low-carbon circular economy; and
- e) the Committee strongly recommends robust community engagement and that any developments seek to enhance the environment where appropriate.

There being no amendment the motion was declared carried with Councillor Barr requesting that his dissent be recorded.

Councillor Larsen left the meeting at this point.

4. Planning Performance Framework

Submitted report by the Executive Director (Economy and Communities) on the draft 2018/19 Planning Performance Framework report which is due to be published on the Council's website and submitted to the Scottish Government. The draft framework was appended to the report.

The Senior Manager (Planning) summarised the report and framework, highlighting a number of points including the fact that North Ayrshire were finalists in the Local Authority Team of the Year category at the RTPI Awards for Planning Excellence; the proposed LDP2 which was approved, published for representations and submitted to Scottish Ministers in just five months; a reduction in determination times for householder planning applications; and their role in stimulating the housing market in North Ayrshire through collaboration with the housing building industry.

The Chair, on behalf of the Committee, thanked the Planning Team for their efforts throughout the previous year and commended the excellent standards which have been set.

The Committee unanimously agreed to approve (i) content of the latest Planning Performance Framework report, (ii) its submission to the Scottish Government; and (iii) its publication on the Council's website.

Councillor Reid left the meeting at this point.

5. 19/00164/PP: Glaxosmithkline, Shewalton Road, Riverside, Business Park, Irvine

GlaxoSmithKline Plc. have applied for planning permission for the erection of two wind turbines each measuring 86m to hub and 149m to blade tip, to include associated infrastructure. No letters of representations were received in respect of the application.

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

1. No turbine blade shall be fixed to either turbine until:
 - (i) The developer has agreed radar mitigation schemes with Glasgow Prestwick Airport and the National Air Traffic Services and those schemes have been approved in writing by North Ayrshire Council as Planning Authority; and
 - (ii) The approved mitigation measures have been implemented to the satisfaction of North Ayrshire Council as Planning Authority.

Thereafter, the development shall operate fully in accordance with the approved schemes and shall not operate should the radar mitigation measures not be achieved because the developer or the operator does not comply with the Scheme.

2. At wind speeds not exceeding 12ms⁻¹, as measured or calculated at a height of 10m above ground level at the wind turbine, the noise immission level at any noise sensitive premises, including those dwellings listed in Table 5 of the applicant's Noise Report 'Proposed extension to wind energy development - GSK Irvine, Noise Impact Assessment, KSG Acoustics, Prepared for Stephenson Halliday, 27 February 2019', shall comply with the following:
 - (i) During night hours, defined in The Assessment and Rating of Noise from Wind Farms, 1996 ETSU-R-97 as 23:00 to 07:00 on all days, the cumulative noise immission level of the two wind turbines associated with this permission and the two existing wind turbines (built under permissions 09/00878/PP and 12/00629/PP) shall not exceed 43dB LA_{90,10min} or the ETSU-R-97 derived night hours noise limit based on the measured LA_{90,10min} noise level plus 5dB(A), whichever is the greater. The night hours noise limits shall be taken from Table 5 of the applicant's noise report.
 - (ii) During Daytime Hours, defined as 07:00 to 23:00 on all days, the cumulative noise immission level of the two wind turbines associated with this permission and the two existing wind turbines (built under permissions 09/00878/PP and 12/00629/PP) shall not exceed 35dB LA_{90,10min} or the ETSU-R-97 derived quiet waking hours noise limit based on the measured LA_{90,10min} noise level plus 5dB(A), whichever is the greater. The quiet waking hours noise limits shall be taken from Table 5 of the applicant's noise report.
3. When assessed at any noise sensitive premises the operation of the wind turbine shall not result in any audible tones as defined in The Assessment and Rating of Noise from Wind Farms, 1996 (ETSU-R-97).
4. The presence of any significant unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Environmental Health Service of North Ayrshire Council. Thereafter, a suitable investigation strategy, agreed with the Environmental Health Service of North Ayrshire Council, shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site.
5. That the applicant shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to North Ayrshire Council as Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. A method statement for the watching brief will be submitted by the applicant, and agreed by the West of Scotland Archaeology Service, and approved in writing by north Ayrshire Council as Planning Authority prior to the commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to North Ayrshire Council as Planning Authority in writing not less than 14 days before the development commences.

6. That the applicant shall construct and operate the development in accordance with the Protected Species Survey Report (ref. SHA05.19.1833) and, where necessary, shall implement recommended mitigation measures contained in the Protected Species Survey Report to the satisfaction of North Ayrshire Council as Planning Authority.
7. By the end of a period of 25 years from the completion of the development, all of the above ground elements of the development hereby approved shall be removed within 24 weeks. Thereafter, the site shall be restored in accordance with an appropriate scheme of restoration to be approved in writing by North Ayrshire Council as Planning Authority.
8. If any turbine ceases to be operational for a continuous period of 6 months all of its above ground elements shall be removed within 24 weeks and the ground reinstated to the satisfaction of North Ayrshire Council as Planning Authority.
9. No development shall commence on the site until a Construction Method Statement, including details of all on-site construction works, detailed timescales for the various stages of site clearance, construction and commencement of operation and environmental mitigation measures has been submitted to, and agreed in writing by North Ayrshire Council as Planning Authority. The development shall then progress in accordance with the approved Construction Method Statement.
10. That prior to the commencement of the development hereby approved, the applicant shall complete all relevant Abnormal load movement application and notification forms and submit all relevant forms to North Ayrshire Structures Team. Unless otherwise agreed in writing by North Ayrshire Council as Planning Authority, all HGV traffic associated with the construction of the wind turbines shall enter and leave the site from the A78 trunk road via the Newhouse Interchange, the B7080 (moss Drive) and Oldhall Roundabout.

The Meeting ended at 2.55 p.m.

**Local Review Body
19 June 2019**

Irvine, 19 June 2019 - At a Meeting of the Local Review Body of North Ayrshire Council at 2.55 p.m.

Present

Tom Marshall, Timothy Billings, Robert Barr, Robert Foster, Shaun Macaulay, and Ronnie McNicol.

In Attendance

A. Hume, Planning Adviser to the LRB (Economy and Communities); A. Craig, Legal Adviser to the LRB (Legal Services); and E. Gray and H. Clancy, Committee Services Officers (Chief Executive's Service).

Chair

Councillor Marshall in the Chair.

Apologies for Absence

Ian Clarkson, Christina Larsen and Donald Reid.

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 Minutes of the meeting of the Local Review Body held on 22 May 2019 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Notice of Review:

Submitted a report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of an application for planning permission refused by officers under delegated powers for the conversion of redundant agricultural building to form dwelling-house at a site to the West of Pirogue, Whiting Bay, Isle of Arran.

The Notice of Review documentation, Planning Officer's Report of Handling, Planning decision notice, location plan, further representations by interested parties and the applicant's response to the further representations were provided as appendices to the report.

The Planning Adviser to the Local Review Body summarised the Notice of Review for the applicant and the Report of Handling for the appointed officer. Photographs and plans of the site were displayed.

The Local Review Body unanimously agreed that enough information had been provided to determine the review request.

Members asked questions and were provided with further information on:

- the surface material of the site access which was detailed in the application to be paving stones around the property and gravel on the access road and received no objection from the Council's Active Travel and Transportation team;
- similar cases of converted properties on Arran and whether these set a precedent; and
- the proposed design of the property, similar new build properties on the island and the setting of the proposed development.

Councillor Foster, seconded by Councillor McNicol, moved that the Local Review Body uphold the decision taken by the Planning Officer to refuse the application for planning permission for the reasons set out in the planning decision notice.

As an amendment, Councillor Barr, seconded by Councillor Billings, moved that the Local Review Body overturn the decision taken by the Planning Officer and grant planning permission on the grounds that the proposed design would not look out of place and would increase the visual amenity of the site.

On a division there voted for the amendment two and for the motion four, and the motion was declared carried.

Accordingly, the Local Review Body agreed to uphold the decision taken by the Planning Officer to refuse the application for planning permission on the following grounds:

1. That the proposed development would be contrary to criterion (a), (b) and (f) of policy ENV3 of the North Ayrshire Council Local Development Plan as: (a) the existing building is not in an acceptable location or of appropriate scale and character for conversion to a dwellinghouse; (b) the building does not possess sufficient architectural or historic interest to make a significant positive contribution to the visual amenity of the rural landscape; and (f) the proposals do not take cognisance of the Rural Design Guidance.
2. That the proposed development would be contrary to criteria (a) and (c) of the General Policy of the North Ayrshire Council Local Development Plan as: (a) the proposed siting does not have regard to the visual effects of the development on the surrounding landscape; and (c) the development would have a significant adverse impact on the landscape character of the area.

The Meeting ended at 3.20 p.m.



**North Ayrshire Health and Social Care Partnership
Minute of Integration Joint Board meeting held on
Thursday 20 June 2019
at 10.00 a.m., Council Chambers, Cunninghame House, Irvine**

Present

Councillor Robert Foster, North Ayrshire Council (Chair)
Bob Martin, NHS Ayrshire and Arran (Vice-Chair)
Councillor Timothy Billings, North Ayrshire Council
Jean Ford, NHS Ayrshire and Arran
Councillor Christina Larsen, North Ayrshire Council
Councillor John Sweeney, North Ayrshire Council

Stephen Brown, Director of Health and Social Care Partners
Caroline Whyte, Chief Finance and Transformation Officer
David MacRitchie, Chief Social Work Officer
David Thomson, Associate Nurse Director/IJB Lead Nurse
Dr. Louise Wilson, GP Representative

David Donaghey, Staff Representative (NHS Ayrshire and Arran)
Marie McWaters, Carers Representative
Graham Searle, Carers Representative (Depute for Marie McWaters)
Nigel Wanless, Independent Sector Representative
Barbara Connor, Chair, Irvine Locality Forum

Also Present

Councillor Anthea Dickson, North Ayrshire Council

In Attendance

Thelma Bowers, Head of Mental Health
Donna McKee, Head of Children, Families and Criminal Justice
Eleanor Currie, Principal Manager (Finance)
Kevin McGinn, Project Manager
Ruth Davie, Senior Manager
Ruth Betley, Senior Manager
Lauren Cameron, Policy Officer
Karen Andrews, Team Manager (Governance)
Vicki Campbell, NHS Ayrshire and Arran
Dr. Greg Hamill, NHS Ayrshire and Arran
Karlyn Watt, Deloitte
Susie Gamble, University of the West of Scotland
Hayley Clancy, Committee Services Officer

Apologies for Absence

John Rainey, NHS Ayrshire and Arran

Dr Janet McKay, NHS Ayrshire and Arran

Dr Paul Kerr, Clinical Director

Dr. Calum Morrison, Acute Services Representative

Louise McDaid, Staff Representative (North Ayrshire Council)

Fiona Thomson, Service User Representative

Vicki Yuill, Third Sector Representative

1. Apologies

Apologies were noted.

2. Declarations of Interest

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

3. Minutes/Action Note

The accuracy of the Minute of the meeting held on 16 May 2019 was confirmed and the Minute signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3.1 Matters Arising

Councillor Foster advised that the Action Note required to be updated and dates added to the status column.

Noted.

4. Director's Report

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

The report highlighted the following:-

- the 'What Matters To You? Day 2019';
- the visit by the NHS Scotland Chief Executive to Ayrshire and Arran;
- work by the Project Team on the staff experience for 'Thinking Different, Doing Better' and the walk through sessions scheduled to take place on 15 July; and
- the appointment of former Chief Superintendent Paul Main as independent Chair of the North Ayrshire Alcohol and Drug Partnership.

The Board noted the ongoing developments within the North Ayrshire Health and Social Care Partnership.

5. Joint Inspection (Adults) – The Effectiveness of Strategic Planning in North Ayrshire Partnership

Submitted report by Stephen Brown, Director (NAHSCP) on the key findings of the inspection report by Healthcare Improvement Scotland and the Care Inspectorate, as detailed in Appendix 1 to the report. Appendix 2 detailed an improvement plan which has been developed to address the issues highlighted through the joint inspection.

The Board agreed to (a) approve the improvement plan set out at Appendix 2 to the report; (b) direct North Ayrshire Council and NHS Ayrshire and Arran to implement the plan; and (c) otherwise to note the key findings within the report.

6. Webcasting of IJB Meetings

Submitted report by Stephen Brown, Director (NAHSCP) on a proposal to introduce the webcasting of all Integration Joint Board meetings.

Integration Joint Boards and Health and Social Care Partnerships have a duty to engage with people who use services and throughout their localities. The introduction of webcasting could expand the audience of meetings, increase engagement with local people and wider stakeholders, increase public knowledge of IJB/NAHSCP business, ensure transparency of decision making, increase accountability and address strategic priorities.

The Board agreed to the introduction of webcasting of IJB meetings as detailed in the report.

7. North Ayrshire Local Child Poverty Action Plan Report 2018/19

Submitted report by Lauren Cameron, Policy Officer on the Local Child Poverty Action Plan 2018/19. The Action Plan was detailed within Appendix 1 to the report.

The report was developed using a collaborative approach with internal and external partners and summarises the existing and planned activity intended to reduce the level of child poverty across North Ayrshire.

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

- six-monthly update reports on North Ayrshire Local Child Poverty Action Plan;
- Irvine South Ward figures not included in the data; and
- a further breakdown of data for Ardrossan and Arran wards.

The Board agreed to note the North Ayrshire Local Child Poverty Action Plan Report 2018/19.

8. Primary Care Improvement Plan

Submitted report by Vicki Campbell, NHS Ayrshire and Arran, on the review of Year 1 of the Primary Care Improvement Plan. The actions within the Primary Care Improvement Plan were set out at Appendix 1 to the report. Appendix 2 detailed the final year position for 2018/19 by IJB Budget and Appendix 3 to the report detailed the projected spend for 2019/20 based on actions and workforce plans.

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

- measuring the impact and success of the Improvement Plan;
- communicating the changes in GP Practices via a wide social media campaign;
- managing criticism on the contract for rural areas;
- the development of a Carers Policy; and
- training for GP Practice staff.

The report detailed the review of Year 1 of the Primary Care Improvement Plan (PCIP 2018-20) with an indicative plan for 2019-20, along with the proposed arrangements for 2020-22 to deliver on the commitments set out in the new General Medical Services (GMS) contract.

The Board agreed to (a) receive an update on the PCIP to date and be assured on the progress; (b) approve the actions set out for 2019/20; (c) note the Primary Care Improvement Fund 2018/19 end of year position and approve the 2019/20 projections; and (d) approve the proposal and timelines for developing PCIP 2020-2022 for sign off in December 2019.

9. Budget Monitoring: 2018/19 Year End Financial Performance

Submitted report by Caroline Whyte, Chief Finance and Transformation Officer on the IJB's financial performance for the year 2018/19. Appendix A provided a detailed financial overview of the Partnership budgetary position while Appendix B gave a detailed variance analysis. Appendix C presented full detail on savings, with Appendix D detailing progress against the approved recovery plan and Appendix E highlighting the movement in the overall budget position.

Members asked a question and were provided with clarification in relation to care home placements.

The Board agreed to (a) note the overall integrated financial performance report for the financial year 2018-19 and the overall reported year-end underspend of £0.945m; (b) approve the budget changes outlined at section 2.9 of the report; (c) approve the earmarking of £0.277m of reserves to reinstate specific ring-fenced Scottish Government funding and to allocate the remaining uncommitted surplus balance of £0.668m to commence repayment of the outstanding debt to North Ayrshire Council; and (d) note the positive improvement in the IJB financial position and the plans to improve the financial projections for social care services.

10. External Audit Report

Submitted report by Pat Kenny, Audit Director (Deloitte) on the Interim Report on the audit for the year ended 31 March 2019.

A verbal update was provided by the external auditor, Karlyn Watt, Deloitte.

Noted.

11. Strategic Planning Group Minutes

Submitted the minutes of the Strategic Planning Group meeting held on 17 April 2019.

Noted.

12. Exclusion of the Public

The Board resolved in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following item of business on the grounds indicated in terms of Paragraphs 1, 3 and 9 of Part 1 of Schedule 7A of the Act.

13. Residential and Respite Service Provision

Submitted report and received presentation by Kevin McGinn, Project Manager and Ruth Davie, Senior Manager.

The Board agreed to approve the recommendation as detailed within the report.

14. Arran Services Integrated Hub

Submitted report and received presentation by Ruth Betley, Senior Manager Arran Services and Dr Greg Hamill.

The Board agreed to approve the recommendation as detailed within the report.

The Meeting ended at 12.00 p.m.

Staffing and Recruitment Committee
21 June 2019

IRVINE, 21 June 2019 – At the Meeting of Staffing and Recruitment of North Ayrshire Council at 9.30 a.m

Present

Joe Cullinane, John Bell, Marie Burns, Alan Hill, Donald L Reid, Tom Marshall and Alex Gallagher.

In Attendance

C. Hatton, Chief Executive and F. Walker, Head of Service (People) (Finance and Corporate Support).

Apologies

Chair

Joe 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. Minutes

The accuracy of the Minutes of the meeting of the Staffing and Recruitment Committee held on 6 June 2019 was confirmed and the Minute and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Exclusion of the Public and Press

The Committee resolved, in terms of Section 50A(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 involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A of the Act.

4. Executive Director - Place Recruitment

The Committee interviewed five candidates for the post of Executive Director - Place having been successful at Assessment Centre Stage.

The Committee agreed to appoint Russell McCutcheon to the post.

The Meeting ended at 4.30 p.m.

Licensing Committee
24 June 2019

IRVINE, 24 June 2019 - At a Special Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

Present

Ronnie McNicol, Jean McClung, Davina McTiernan and Donald L. Reid.

In Attendance

W. O'Brien, Solicitor (Licensing), A Toal, Administrative Assistant (Legal Services) and A. Little, Committee Services Officer (Chief Executive's Service).

Chair

Councillor McNicol in the Chair.

Apologies

Robert Barr, Todd Ferguson, John Easdale, Scott Gallacher and Angela Stephen.

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 Agenda Item 5.2 – 6.1 (Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters) on the grounds that they involved the likely disclosure of Exempt Information as defined in Section 50J of, and Schedule 7A to, the Local Government (Scotland) Act 1973.

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

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

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

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

Appendix A: Hearings

3.1 Kelburn Arts Ltd - Public Entertainment Licence PEL/593 (Temp)

At its meeting on 5 June 2019, the Committee considered an application for a Public Entertainment Licence and was advised that an amendment to the application had been received for the period Thursday 4 July – Monday 8 July 2019, for the following times:-

Thursday - 6.00 p.m. until 1.00 a.m.
Friday - 9.00 a.m. until 3.00 a.m.
Saturday - 9.00 a.m. until 4.00 a.m.
Sunday - 9.00 a.m. until 3.00 a.m.

The Committee agreed that the application be continued to a future Special Meeting of the Committee, to allow a multi-agency meeting to be arranged to examine the areas discussed and to report to the Special Meeting on the arrangements that would be put in place for the event.

The applicant, having been duly cited, was present and accompanied by members of Kelburn Arts Ltd Management Team.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant and advised that the multi-agency meeting had taken place and all outstanding matters had been resolved.

Decision

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

In terms of Standing Order 5.7, the Chair adjourned the meeting for a short recess. The meeting reconvened with the same Members and officers present and in attendance.

3.2 Lamlash Events - Public Entertainment Licence PEL/585 (Temp) Market Operator's Licence MOL/117 (Temp)

The Committee was advised that the outstanding issues in respect of the temporary Public Entertainment and Market Operator licences could be dealt with by the Solicitor (Licensing) under delegated powers.

Noted.

3.3 Peter McNamara (Sounds on the Sands) - Public Entertainment Licence PEL/597 (Temp)

At its meeting on 5 June 2019, the Committee considered an application for a Public Entertainment Licence for Saturday 3 August 2019 (12.30 p.m. until 10.45 p.m.) and agreed to continue the application to a future Special Meeting to allow the applicant to attend and respond to questions.

The applicant, having been duly cited, was present.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant and advised that the multi-agency meeting had taken place and all outstanding matters had been resolved. The applicant addressed the Committee on the issues raised and responded to questions.

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

The meeting ended at 11.25 a.m.

Appeals Committee

25 June 2019

IRVINE, 25 June - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

Present

Councillors John Easdale, Joy Brahim and Louise McPhater.

In Attendance

J. Niven, Solicitor (Litigation) (Democratic Services) and J. Smillie, Senior Manager (Human Resources & Organisational Development) (Finance and Corporate Support).

Also In Attendance

T. Reaney, Senior Manager (Commercial Services) (Place); T. Bulloch, HR Adviser (Finance and Corporate Support); and the appellant.

Chair

Councillor John Easdale 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. Minutes

The accuracy of the Minutes of the meeting of the Cabinet held on 11 April was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Exclusion of the Public

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

4. Disciplinary Procedure: Appeal Against Dismissal

Submitted report by the Chief Executive on the background to an appeal against dismissal by a former employee within Place.

The service representative presented the grounds for dismissal as previously advised to the appellant in writing.

The appellant was given the opportunity to respond to the issues raised and to ask questions of the service representative. Members of the Committee were also given the opportunity to ask questions.

Thereafter the appellant presented the grounds of appeal. The service representative was given the opportunity to respond to the issues raised and to ask questions of the appellant. Members of the Committee were also given the opportunity to ask questions of the appellant.

After summing up their respective cases, the service representative and the appellant withdrew from the hearing to allow the Committee to deliberate.

Following deliberation, the Committee agreed (a) that the grounds of appeal had not been upheld; (b) to confirm the decision previously imposed on the appellant; and (c) that the appellant be so advised within 14 days.

The Meeting ended at 2.25 p.m.

Audit and Scrutiny Committee
27 June 2019

IRVINE, 27 June 2019 - At a Special Meeting of the Audit and Scrutiny Committee of North Ayrshire Council at 2.00 p.m.

Present

Marie Burns, Margaret George, Alan Hill, Tom Marshall, Donald Reid and John Sweeney.

Also Present

Joe Cullinane, Robert Barr, Timothy Billings, Anthony Gurney, Ellen McMaster, Ronnie McNicol and Davina McTiernan.

In Attendance

C. Hatton, Chief Executive; R. McCutcheon, Head of Service (Commercial Services), C. Dempster, Senior Manager, J. Godwin, Business Development Manager and L. Cree, Senior Manager (Physical Environment) (Place); C. Amos, Head of Service (Inclusion) (Education and Youth Employment) and A. Fraser, Head of Democratic Services, M. Sugden, Communications Officer and A. Little, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Burns in the Chair.

Apologies

Joy Brahim.

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. Call In: Ardrossan Community Hub - Proposed Development of new Education and Community Provision in Ardrossan

Submitted report by the Chief Executive on a Call In Request received in respect of the decision taken by Cabinet at its meeting on 11 June 2019 that the principle of a multiple facility community campus at Ardrossan North Shore be further developed as the preferred solution to secure a much-needed replacement for Ardrossan Academy and Winton Primary School. A copy of the Cabinet report was provided at Appendix 1 to the report and a briefing paper from the Services at attached at Appendix 2.

At its meeting on 11 June 2019, the Cabinet received a report by the Head of Service (Education and Youth Employment) on the pre-consultation engagement activities undertaken, early public feedback in respect of the proposal and a petition in respect of the proposed relocation of leisure facilities. The school pre-consultation responses and the wider community pre-consultation responses were set out as appendices to the report.

The Cabinet agreed that (a) the principle of a multiple facility community campus at Ardrossan North Shore be further developed as the preferred solution to secure a much needed long-term replacement for Ardrossan Academy and Winton Primary School; (b) the relocation of Auchenhavrie swimming pool to the proposed campus be subject to further community engagement during August to determine a definitive position for consideration at the September 2019 meeting of the Cabinet; (c) the consultation framework be co-produced with key stakeholders; and (d) subject to a clear indication of Scottish Government funding and completion of the formal business case for a community campus, statutory public consultation would commence in October 2019.

Subsequently, a Call In request was received from Councillors McNicol, Billings and Barr in the following terms:-

Reason for Call in

“No decision on the proposed site for the replacement of Ardrossan Academy and Winton Primary School at Ardrossan North Shore be considered until a full and final Risk Assessment for land contamination on the whole site has been completed and presented to the Full Council for consideration.”

Desired Outcome

“The decision on the preferred site for the replacement of Ardrossan Academy and Winton Primary School be referred to the Full Council for Determination.”

The Head of Democratic Services summarised the procedure for considering the Call In request and set out the circumstances surrounding the Cabinet decision.

Thereafter, the Members who had requested the Call In were invited to speak. Councillor McNicol addressed the Committee in support of the Call In request, referring to the issues around contaminated land and flooding risks at the site, as outlined in Appendix 2 to the Cabinet report.

He referred to the conditions of previous Planning Permission that required a study to be undertaken to assess the contamination of land prior to development and asked whether soil investigations had been completed.

Councillor Barr referred to the former use of the site as a petrochemical plant and known historic contamination issues. He expressed his concern regarding the seawall defence.

Councillor Billings also referred to Appendix 2 to the Cabinet report which highlighted that despite various site investigations having been carried out over a number of years to establish the nature and extent of contamination, further investigations were undertaken in May 2019 and more are planned. It was his view that it was not possible to provide assurances when the investigations were ongoing.

The Chair then invited Councillor Cullinane to address the meeting on behalf of Councillor Bell as the relevant Cabinet Member.

Councillor Cullinane made reference to the cross-service work that had been undertaken to identify a site for the replacement of Ardrossan Educational Campus. Contamination of the site is well-known and a number of site studies previously carried out, along with further investigations, will be used to assess the risk of any contaminants to the environment and users of the facility and inform the overall masterplan for the site.

Councillor Cullinane further advised that the North Shore location is closely aligned with the Council's Ayrshire Growth Deal proposals, including Ardrossan Harbour and the town centre proposals. The Scottish Government will announce a funding decision in August 2019, linked to the national school estate strategy and it is considered that the case for the replacement of Ardrossan Academy merits the early award of funding.

The Chief Executive provided an assurance that development of the site for Ardrossan Community Campus would only be progressed if the contamination could be appropriately addressed.

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

- the investigations and assessments undertaken to date that confirm the site is viable for development and ongoing contamination investigations that are taking place;
- other sites that are available but would not present the opportunity to replace Ardrossan Academy, deliver Ayrshire Growth Deal proposals and redevelop a vacant site that has blighted central Ardrossan for many years;
- further consultation which will take place on proposals for the swimming pool and fitness suite and which will be reported to Cabinet;
- that Members will be provided with the final contamination report; and
- the final decision on whether a new Ardrossan Academy and Winton Primary would be constructed on this site would be taken following the statutory consultation.

The Leader agreed to the final decision following the statutory consultation being presented to a Council meeting.

Councillor Hill, seconded by Councillor George, moved that, on the basis that the final decision on the location of Ardrossan Campus will be taken by a full meeting of the Council, the Call In be rejected. There being no amendment, the motion was declared carried.

3. Call In: Decriminalised Parking Enforcement and the Introduction of Car Parking Charges

Submitted report by the Chief Executive on a Call In Request received in respect of the decision taken by the Cabinet at its meeting on 11 June 2019 to decriminalise parking enforcement and introduce car parking charges. A copy of the Cabinet report was provided at Appendix 1 to the report and a briefing paper from the Services at attached at Appendix 2.

At its meeting on 11 June 2019, the Cabinet received a report by the Head of Service (Commercial Services) on the proposal to introduce decriminalised parking enforcement (DPE) in North Ayrshire and introduce car parking charges at identified short stay car parks in Irvine, Kilwinning, Saltcoats, Largs and charges for on street parking at Brodick, as detailed within the appendix to the report.

The Cabinet agreed (a) that an application seeking the introduction of Decriminalised Parking Enforcement across the North Ayrshire Council area be finalised and submitted to Scottish Government; (b) to the introduction of car parking charges at identified short stay car parks and identified on-street parking at Brodick as detailed in Appendix 1 to the report; (c) that a review of the current Town Centre Car Parking Strategy in support of proposals to introduce car parking charges be carried out; (d) to note the proposed recruitment of a Car Parking Manager to progress the introduction of car parking charges and application for Decriminalised Parking Enforcement; (e) to further engagement with local Ward members, to review existing parking restrictions, potential vehicle displacement and the introduction of resident parking permit schemes, as appropriate; (f) that officers proceed with the necessary Traffic Regulation Orders required to introduce parking charges in the designated car parks and on-street in Brodick; (g) to note the next steps as outlined in section 2.31 of the report; and (h) to receive progress update reports as appropriate.

Subsequently, a Call In request was received from Councillors Billings, McMaster and Gurney in the following terms:-

Reason for Call In

“This Call In relates to section 2.23 of the Cabinet report and the map of Brodick contained within Appendix 1.”

Brodick Car Parking

“This call in relates to the proposed introduction of car parking charges to Brodick. This paper will show that the Brodick parking proposals are contrary to the Council’s agreed Car Parking Strategy and will not achieve the supposed benefits of introducing parking charges as set out in the proposal.

As a reminder, the stated aims of the Car Parking Strategy are:

- Enhance and support local economies
- Improve traffic flows and reduce congestion
- Manage parking spaces to ensure adequate availability

The stated benefits of introducing parking charges are:

- Safer traffic conditions
- Improved safety for pedestrians and vulnerable groups
- Short stay is for shoppers, and long stay is for business community
- Reduced competition for road spaces
- Community will benefit from improved parking that will support the local economy

Brodick currently has a clear separation of parking, with the majority of the long stay parking happening close to the ferry, where people leave cars when visiting the mainland, and the majority of short stay parking is further along the shore road for people using the village facilities.

Parking is available at the ferry terminal, however, long stay overnight parking at the terminal is in the process of being stamped out as there are not enough parking spaces for the volume of traffic/parking required for day long journeys to the mainland. Consequently, Arran residents long stay parking is carried out predominantly along the sea front as this is the nearest available area. Free long stay parking is necessary for Island residents when using the ferry to access mainland based medical services, retail centres, onward travel destinations for trains and flights; as due to our Island geography there is often no choice but to travel to the mainland to gain access to services which most mainlanders take for granted.

With this geographical restriction on access to services in mind it is important to note that according to the Scottish Index of Multiple Deprivation (SIMD) approximately 44% of Arran's population live in data zones that are in the top 15% most access deprived in Scotland. Access being defined by SIMD as the measure of private vehicle and public transport drive times to GP surgeries, Post Offices, retail centres, schools and petrol stations and that's before we attempt to access services on the mainland!

This SIMD information and the Council's Fair for All strategy was to the forefront during the development of the Locality Priorities for Arran and consequently the priorities which emerged from community engagement are; transport, social isolation and housing. Lack of good public transport to service connections between all Arran's villages and the main town of Brodick being a major cause for concern due to lack of accessibility to basic services and a cause of social isolation for many islanders. Hence many islander's reliance on the use of private vehicles and the need for free and accessible car parking as a requisite to quality of life on the island. The introduction of parking charges would impose an unnecessary extra layer of inequality on the islanders. Using public transport is not an option for many journeys and making parking more difficult within the main commercial centre on Arran will further deprive residents access to services. Isolation is one of the priority issues to address on Arran and making it harder to park will make this even worse.

In addition to the parking already mentioned, owners of businesses can park in areas behind their businesses, leaving on-street parking for customers. Lastly, on-road parking is supplemented with specific parking for the large Co-op, Arran Active, and the car park behind the small co-op.

There is an adequate supply of these different types of parking, that naturally separate themselves out because the ferry is at one end and the village facilities towards the other end, or businesses have their own customer parking.

The system works well with minimal issues of inappropriate parking, disruptions to traffic flow and people can get easily to where they want to go. This encourages people to park and stay within Brodick, supporting the shops and businesses along the front with no pressures about how long they are allowed to stay or fear of 'getting a ticket'.

The Isle of Arran is a place that people come to live and visit because it has a fundamentally different feel to the mainland. It is relaxed, easy-going with a holiday feel. This is what makes Arran special.

The introduction of parking charges will disrupt this status quo and has the potential for significant disruption to traffic flow, increased congestion, poor management of parking spaces, and will cause inconvenience to both residents and visitors, and will be detrimental to the economy making it harder to people to visit shops and other village facilities.

With free parking continuing to exist in close proximity to the charged parking spaces, parking behaviour will change leading to displacement parking. Affected areas will be the Douglas Hotel, large Co-op, Arran Active, Brodick medical centre, and in parking bays outside the row of small shops further along the front. In addition, the narrow roads behind the main street will see an increase in parking, and these roads don't have pavements.

The easy-going approach to life on Arran will be lost, and that feeling Arran has of being 'different' will be eroded.

There is no local support to these proposals, and it is clear that the proposals were written without any understanding of how the existing car parking is used, what effects the introduction of parking charges will have on peoples parking behaviour, and what the consequences of these changes will be on residents, businesses or visitors. The report makes sweeping assumptions about the benefits of parking charges whilst providing no evidence to back them up.

In the case of Arran, the Cabinet has made a mistake as this proposal is clearly in opposition to the stated and agreed aims of the Council. Therefore, the Audit and Scrutiny Committee should recommend that parking charges are not introduced on Arran, and that Arran is excluded from the Decriminalised Parking Enforcement proposals.

Discussion on Specific Benefits and Policy Aims

Disruption of the Status Quo – as has already been said, there is a natural distribution of longer and shorter-term parking that meets the needs of residents and visitors. Any introduction of parking charges will change people's behaviour displacing cars to where parking is free. This will lead to:

- Long term parking in front of shops and services
- Longer parking in free car parks, such as the Co-op, Arran Active and the public car park, leading to poorer turnover of parking, thereby making it harder for customers to park and use these facilities.
- Increased on-street parking along the opposite side of the shore road, where it will remain free, leading to congestion and disruption to traffic flow
- Increased on-street parking in rear residential streets, making it more difficult for traffic to navigate, and creating a hazard for pedestrians where there is no footpath on either side of the road.

It has been suggested that resident permits can be used, however, not every resident will get a permit for their car, some will not be able to afford it, some will make do with remaining free parking arrangements. Also, visitors looking for longer term parking will not be able to park along the front, moving them to spaces currently used as short-term parking.

Disruption to Traffic Flow – it has already been stated that currently there are limited occasions where traffic is disrupted due to inappropriate parking. With an increase in parking in areas that will continue to be free will:

- prevent residents from parking in their streets,
- create bottle necks along roads where having two-way traffic past parked cars is challenging,
- increase in cars going along side roads looking for free parking.

Poor Management of Parking Spaces – there is currently a good management of parking spaces. Introducing charging for one area of the front will move long stay parking towards what should be short stay parking, and short stay parking on to deregulated areas or private ground. Even if exemptions are allowed for some residents, there will be sufficient other drivers who will be affected by these changes.

Disruption to the Economy – Brodick is an important hub for trade, and is used by residents and visitors for shopping, attractions, restaurants and banking services. The current parking arrangements support all these commercial activities by providing free and accessible parking close to where people want to go. There is a good turnover of cars in front of shops, with longer term parking taking place along the front where there are more visitor attractions, and resident long-term parking at the ferry end.

Disruption to the current parking patterns that will displace parked cars will mean that people will no longer have easy access to where they want to go, thereby making visiting village facilities less attractive by clogging up parking spaces.

Decreased Community Benefits – Brodick currently has good availability of parking spaces located in areas that support the surrounding businesses and activities. This proposal will not increase the numbers of parking spaces and will force car drivers in to areas away from where they would naturally want to park. Almost half Arran's population already live in the most access deprived areas of Scotland. Using public transport for many trips is not an option, so making it harder to park in Brodick will increase the island's transport deprivation.

People want to come to live and visit Arran because, like other Scottish islands, there is a perception that they are places of refuge away from the hustle of the mainland. Creating parking restrictions and the subsequent chaos will chip away at that special feeling that Arran has, making it less attractive as a place to stay and visit. Once that specialness is lost it cannot be recovered, and people will go elsewhere. There are national policies encouraging people to living in the more remote areas of Scotland, so the introduction of parking charges is working against that policy.

Decreased Pedestrian Safety – all along Brodick's sea front road there are parking bays marked. Parking takes place within those bays. It is very uncommon to have parking on that road outside of a marked bay. However, there are other areas that could be used for parking, such as the other side of the road from the bays, but it just does not happen at the moment.

The roads running back from the sea front will have a few cars parked along them, mostly residents parking outside their homes. Many of these roads don't have any pavements and are only wide enough for one line of traffic, but with the minimal number of parked cars, and the roads normally used by residents there is little traffic along the roads.

When cars are displaced from the sea front parking in to alternative free parking spaces, there will be an increase in cars being parked on both sides of the shore road, and cars parked along residential streets. This will make it harder for pedestrians to cross the main road due to reduced sight lines, and along residential streets not only will there be more traffic, pedestrians will have to walk in the road to avoid the cars.

Reduced Enforcement of Parking Across the Island – the proposal is that North Ayrshire Council will take over control of all parking issues across Arran, not just in Brodick. Around the island there are car parks and parking areas that have controls in place. Currently, the police are able to act if there is a specific parking issue. They are resident on the island, and they have additional staff employed to cover the busier summer period.

A parking attendant whilst they may be able to come over to Arran from time to time will not be available on the island and will not be able to respond to specific issues as they arise. This will lead to a decrease in enforcement of parking issues at a time when they are likely to increase due to the new parking regulations being put in place.

Mitigation Actions

The proposal does include suggestions that are aimed to mitigate the adverse effects that will be seen from the introduction of parking charges. These include:

- Island resident parking permits
- All day charges for the 'short term' parking area (shown in green on the map)

These mitigating actions may reduce the impact of some elements of the proposal for some people. However, the majority of the adverse effects will not change, and will not prevent the significant changes to parking behaviour that will be seen.

Resident Parking Permits – it is suggested that they could be available so that residents could park for the longer term in the short-term parking. The proposal is silent on the possible cost of the permit or the cost of the longer-term parking. However, this will be a regressive tax on island living. Islanders don't have a choice when leaving the island; they have to use the ferry. If travelling as a foot passenger one can use the bus, however, they don't connect to all the ferries, are often very busy and not suitable for carrying large luggage, and for the majority of the island run every 3 hours or so, which does not allow passengers returning to the island to pop in to the Co-op on the way home. Therefore, there are a large number of islanders who park their cars, sometimes for days at a time, when visiting the mainland. Residents with cars will have no option but to purchase 'a resident parking permit if they want to be able to park within reasonable walking distance of the ferry terminal. This will hit those less able to pay most hard, such as those on low incomes and the elderly. If they cannot afford a parking permit, then those least able to walk the extra distance will be the ones having to park at the far end of the street. Hardly 'Fair for All' and would further increase the island's already high levels of access deprivation.

Long term parking in the short-term parking areas – if one does not have a resident parking permit, allowing people to park longer term all along the front does offer a solution that would enable everybody to park in that area. However, common sense would suggest that rather than pay say £5 for all day parking, one could walk another 100 meters and park for free in front of the shops, or in the Co-op or Arran Active's car park. This is not a viable solution as people will change behaviour if a free option is available close by.

Conclusion

It is clear that the parking proposals are not appropriate for introduction to Brodick, and the suggested mitigating factors will not address the adverse consequences of this proposal. The proposals work against the stated aims of the Council's Parking Policy, are contrary to the Council's priorities for Arran, will reduce fairness, and not only will the benefits suggested in the report not be achieved, the traffic situation will actually get worse.

Therefore, the Audit and Scrutiny Committee should recommend to the Cabinet that it is not appropriate to charge for parking in Brodick, and that the current system of parking and parking control for Arran should be retained."

Desired Outcome

"Parking charges should not be introduced to Brodick; and Enforcement of parking on Arran should remain under the control of the Police."

The Head of Democratic Services summarised the procedure for considering the Call In request and set out the circumstances surrounding the Cabinet decision.

Thereafter, the Members who had requested the Call In were invited to speak. Councillor McMaster addressed the Committee in support of the Call In request, advising that Arran does not have the same parking issues as the rest of North Ayrshire. Brodick has a clear separation of parking, with the majority of the long stay parking happening close to the ferry and the majority of short stay parking further along the Shore Road for people using the village facilities. Approximately 44% of Arran's population live in SIMD data zones that are in the top 15% of the most access deprived in Scotland. There is a lack of good public transport to service connections between all Arran's villages, the main town of Brodick and the ferry. Free long stay parking is necessary for Island residents when using the ferry to access mainland based services.

Councillor Billings, as a signatory to the Call In, referred to a map that had been circulated which illustrated the existing parking areas in Brodick and the proposed chargeable areas. This showed that there is an adequate supply of different types of parking, with ferry parking at one end and village parking at the other. The system works well with minimal issues of inappropriate parking.

The Chair then invited Councillor Cullinane to address the meeting on behalf of Councillor Montgomerie, as the relevant Cabinet Member.

Councillor Cullinane made reference to involvement of Members in the budget process that had included decriminalised parking enforcement and the introduction of car parking charges. Concerns had been raised by local Arran Members at the Policy Advisory Panel relating to Lamlash and had these had been accommodated. He advised that local Members would play a key role in co-designing and co-development arrangements to help address local needs such as reviewing current on street restrictions, long and short stay parking, potential vehicle displacement and island parking permit schemes.

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

- the findings of a business case, that DPE would not be financially viable without the support of the introduction of car parking charges; and
- that officers will work with ward members to develop local controls.

Councillor Hill, seconded by Councillor George, moved to accept the Call In on the basis that the removal of Brodick from the proposal would be cost neutral.

As an amendment, Councillor Reid, seconded by Councillor Sweeney, moved that the Call In be rejected in order to prevent any further delay to the process.

On a division, there voted for the amendment 3 and for the motion 3, and on the casting vote of the Chair, the motion was declared carried. Accordingly, the Committee agreed that the terms of the Call In be referred to the Cabinet for further consideration.

4. Call In: Maximising Opportunities from Advertising on North Ayrshire Land Assets

Submitted report by the Chief Executive on a Call In Request received in respect of the decision taken by the Cabinet at its meeting on 11 June 2019 to maximise opportunities from advertising on North Ayrshire land assets. A copy of the Cabinet report was provided at Appendix 1 to the report and a briefing paper from the services at attached at Appendix 2.

At its meeting on 11 June 2019, the Cabinet received a report by the Head of Service (Commercial Services) on the proposed pilot approach to maximising resources from the sale of advertising opportunities on Council land assets.

The Cabinet agreed (a) to approve the proposed approach to testing the market for maximising opportunities from advertising on Council land assets (roundabouts); (b) to delegate authority to the Head of Service (Commercial) to progress with the pilot as outlined; and (c) note the advertising principles detailed within the report to protect the Council's interests and reputation.

Subsequently, a Call In request was received from Councillors Brahim, Gurney and Larsen in the following terms:-

Reason for Call In

"Information provided does not satisfy concerns regarding traffic safety, landscape impact, potential future expansion of advertising into other public assets such as schools, justification of use of resources and staff for such relatively small and long-term potential income gain at this particular point in time."

Desired Outcome

"That the decision is called in and referred to Full Council for a decision."

The Head of Democratic Services summarised the procedure for considering the Call In request and set out the circumstances surrounding the Cabinet decision

Thereafter, the Members who had requested the Call In were invited to speak. Councillor Gurney addressed the Committee in support of the Call In request. He clarified that if Audit and Scrutiny and Cabinet agreed to the call-in, there was no need to refer to Council for a decision. It was his view that that advertising on roundabouts would be detrimental to road safety. He referred to a previous decision where a local farmer was instructed to remove advertising from his land on the grounds that the advert would be distracting to drivers. He advised that any revenue generated would be impacted by the costs of procuring a third party supplier with advertising skills and experience and officers' time in ensuring all necessary permissions were obtained.

The Chair then invited Councillor Cullinane to address the meeting on behalf of Councillor Montgomerie as the relevant Cabinet Member. Councillor Cullinane made reference to the involvement of Members in the budget process that had included the generation of a potential income of £20,000 through advertising. The proposal was considered at the Policy Advisory Panel, where Members' views were sought, and concerns relating to road safety were discussed. It was confirmed at Cabinet that there was no evidence to suggest any increase in road safety incidents associated with advertising on roundabouts by other Councils who run similar schemes and to progress the pilot to test the market for maximising opportunities from advertising on Council land assets (roundabouts).

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

- the Council's policy on fly posting and its previous decision to ban political posters;
- short term promotion of community events that can be arranged via Streetscene;
- statutory consultation that will require to take place in terms of road safety; and
- the Policy Advisory Panel that allows Members to debate policies.

Councillor Hill, seconded by Councillor Burns, moved to accept the Call In on the basis of road safety and limited financial return.

As an amendment, Councillor Reid, seconded by Councillor Sweeney, moved that the Call In be rejected in order to prevent any further delay to the process.

On a division, there voted for the amendment 4 and for the motion 2, and the amendment was declared carried.

The meeting ended at 3.35 p.m.

Licensing Committee
21 August 2019

IRVINE, 21 August 2019 - At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

Present

Ronnie McNicol, Robert Barr, Scott Gallacher, Jean McClung, Davina McTiernan and Angela Stephen.

In Attendance

W. O'Brien, Solicitor (Licensing) and A. Toal, Administrative Assistant (Licensing) (Legal Services) and D. McCaw, Committee Services Officer (Chief Executive's Service).

Also in Attendance

Inspector Colin Convery and Sergeant David Dougan (Police Scotland).

Chair

Councillor McNicol in the Chair.

Apologies

John Easdale, Todd Ferguson and Donald L. Reid.

1. Chair Remarks

The Chair welcomed Inspector Convery to the meeting and wished him well in his new post. On behalf of the Committee, he also expressed best wishes to Councillor Donald L. Reid for his recovery.

2. 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.

3. Minutes

The Minutes of the Ordinary Meeting held on 5 June 2019 and the Special Meeting held on 24 June 2019 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4. Licensing of Sexual Entertainment Venues – Civic Government (Scotland) Act 1982

Submitted report by the Head of Democratic Services on the results of a public consultation in respect of the Licensing of Sexual Entertainment Venues and inviting the Committee to make a resolution to enable practical arrangements to be put in place with effect from Friday 21 August 2020 for the regulation of sexual entertainment venues as set out in section 3.1 of the report.

The Committee agreed (a) to note the results of the public consultation; and (b) to resolve that from and after Friday 21 August 2020, Schedule 2 of the Civic Government (Scotland) Act 1982 (as modified by Section 76 of the Air Weapons and Licensing (Scotland) Act 2015) is to have effect in the Council area in relation to Sexual Entertainment Venues.

5. Exclusion of the Public

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public, for Agenda Items 5.1 – 6.1 (Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters) on the grounds that they involved the likely disclosure of Exempt Information as defined in Section 50J of, and Schedule 7A to, the Local Government (Scotland) Act 1973.

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

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

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

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

Appendix A: Hearings

6.1 Window Cleaner's Licence: WCL/089 (New): David Clarkson

The Committee at its meeting held on 5 June 2019 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.

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

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant. The representatives from Police Scotland then addressed the Committee on the terms of a letter setting out their representation in respect of the application.

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

Decision

Councillor Gallagher, seconded by Councillor McTiernan, moved that the Committee grant the application, subject to the Council's standard conditions in terms of Paragraph 5 (1) (a) of Schedule 1 of the Civic Government (Scotland) Act 1982 for a period of three years. There being no amendment, the motion was declared carried.

6.2 Taxi Driver's Licence: TDL/00675: William Hamilton

The Committee at its meeting held on 5 June 2019, agreed, on the basis of information presented, to proceed to a suspension hearing in terms of Paragraph 11(7) of Schedule 1 of the Civic Government (Scotland) Act 1982.

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

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

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

Decision

The Committee unanimously agreed to take no action to suspend the licence in terms of Paragraph 11 (1) of Schedule 1 of the Civic Government (Scotland) Act 1982.

6.3 Taxi Driver's Licence: TDL/01998: Paul Fleming

The Solicitor (Licensing) advised the Committee of a request from Police Scotland for a suspension in terms of Paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982.

The licence-holder, having been duly cited, was not present or represented. Representatives from Police Scotland were in attendance.

The Solicitor (Licensing) set out the background to the emergency suspension as previously intimated in writing to the applicant. The representatives from Police Scotland then addressed the Committee on a letter setting out the representations in respect of the emergency suspension.

Decision

The Committee unanimously agreed that the grounds stated in Paragraph 11 (2) (a) and (c) of Schedule 1 to the Civic Government (Scotland) Act 1982 were established (that the holder of the Licence is no longer a fit and proper person to hold the Licence; and that the carrying on of the activity to which the Licence relates has caused and is likely to cause a threat to public order or public safety), and accordingly

- (a) suspended the Licence,
- (b) ordered that the period of Suspension of a Licence shall be the unexpired portion of the duration of the Licence (under Paragraph 11(11)), and
- (c) considering that the circumstances of the case justified Immediate Suspension, ordered that the Licence shall be Suspended immediately (under Paragraph 11(10)).

Representatives from Police Scotland left the meeting at this point.

6.4 Taxi Driver's Licence: TDL/00657 (Renewal): Ronald McCulloch

The Committee at its meeting held on 5 June 2019, 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.

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

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant. Thereafter the applicant addressed the Committee on the issues raised and responded to questions.

Decision

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

6.5 Public Charitable Collection: PCC: Homeless Veterans Project

The applicant, having been duly cited to attend was not present but was represented by Donna Armstrong, a Trustee of the Charity.

The Solicitor (Licensing) set out the background to the application for a Public Charitable Collection permission on 31 August and 7 and 8 September 2019, in Largs.

Members asked questions and received clarification from the Trustee in respect of the areas for the collection being mainly the Square, the vicinity of Costa Coffee and Main Street areas of Largs.

Decision

The Committee unanimously agreed to grant the application for a Public Charitable Collection on 31 August and 7 and 8 September 2019 in Largs in terms of Section 119(5) of the Civic Government (Scotland) Act 1982 subject to the Council's standard conditions.

6.6 Public Entertainment Licence PEL/614 (Temp): Martyn Henderson (Kelburn Estate)

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.

Police Scotland had indicated they had received the event management plan and had no objection to the event.

Decision

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

Appendix B: Applications for Licences/Renewal of Licences

6.7 PCC (New): Kilwinning Friends of Ayrshire Hospice

The Committee unanimously agreed to grant the application in terms of Section 119(5) of the Civic Government (Scotland) Act 1982, subject to the Council's standard conditions.

6.8 TDL/00792 (Renewal): George Williams

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.

6.9 TDL/002183 (New): David Keggan

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.

6.10 TDL/02179 (New): Phyllis Middleton

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.

Appendix C: Preliminary consideration of Revocation or Suspension complaints (Civic Government (Scotland) Act 1982, Schedule 1, Paragraph 11)

6.11 TDL/00695: Andrew David Johnston

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.

6.12 TDL/01962: Stephen Reid

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.

7. Landlord Registration under the Antisocial Behaviour etc (Scotland) Act 2004, Part 8

The Committee was advised that there were no Landlord Registration cases to be considered at this time.

The meeting ended at 11.15 a.m.

Cabinet
27 August 2019

IRVINE, 27 August 2019 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Joe Cullinane, John Bell, Robert Foster, Alex Gallagher, Louise McPhater and Jim Montgomerie; and Babs Mowat (Church Representative) (Agenda Items 3).

Also Present

Timothy Billings and Jean McClung.

In Attendance

C. Hatton, Chief Executive; L. Friel, Executive Director, and M. Boyd, Head of Service (Financial and Customer Services) (Finance and Corporate Support); R. McCutcheon, Executive Director, D. Hammond, Head of Service (Commercial), M. Strachan, Senior Business Manager, N. McIlvanney, Strategic Planning Manager, S. Macfadyen, Team Manager (Commercial Services), and A. Johnston, Team Manager (Physical Environment) (Place); A. McClelland, Head of Service (Education) and R. Arthur, Head of Service (Connected Communities) (Communities); and A. Fraser, Head of Democratic Services, J. Hutchison, Senior Communications Officer (Media and Internal Communications) and E. Gray and H. Clancy, Committee Services Officers (Chief Executive's Service).

Chair

Joe Cullinane in the Chair.

Apologies

Elizabeth Higton.

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 of the Cabinet held on 11 June 2019 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Education Authority Annual Plan 2019-20

Submitted a report by the Executive Director (Communities) on the publication of the Education Authority Annual Plan for 2019-20 which was set out at Appendix 1 to the report.

The Cabinet agreed to (a) note the content of the Annual Plan for 2019-20; and (b) approve (i) the publication of the plan; and (ii) its subsequent submission to Scottish Ministers.

4. Decriminalised Parking Enforcement and the Introduction of Car Parking Charges

Submitted a report by the Chief Executive on the recommendations of the Audit and Scrutiny Committee following a Call-In Request relating to decriminalised parking enforcement and the introduction of car parking charges for Brodick. The Minute of the Audit and Scrutiny Committee meeting which took place on 27 June 2019 was set out at Appendix 1 and supplementary information provided by the Interim Head of Service (Commercial Services) following the Audit and Scrutiny Committee meeting was set out at Appendix 2 to the report.

The Cabinet considered the request by the Audit and Scrutiny Committee to reconsider its earlier decision to include Arran in the Council's DPE application. Members expressed the view that Arran should be included, but that plans to introduce parking charges in Brodick should not be progressed at this time and that officers should work with local ward Members to review parking issues across the island, including consideration of appropriate traffic restrictions.

Accordingly, the Cabinet (a) agreed not to accept the recommendation of the Audit and Scrutiny Committee to reconsider its earlier decision to include Arran in the Council's DPE application; and (b) noted that, in terms of Standing Order 24.7, the matter be referred to the next meeting of the Council for determination.

5. Expansion of Webcasting

Submitted a report by the Chief Executive on the proposed expansion of the Council's webcasting arrangements to include meetings of the Cabinet.

Members asked questions, and received clarification, in respect of:

- the capacity of the current webcasting contract; and
- whether there were any plans to expand the provision further.

The Cabinet agreed to approve the introduction of webcasting of meetings of the Cabinet.

6. Street Naming and Numbering Guidance

Submitted a report by the Executive Director (Place) on the proposed update to the guidance for the naming and numbering of streets and properties. The updated Street Naming and Numbering Guidance was set out at Appendix 1 to the report.

The Cabinet agreed to approve the proposed update to the Street Naming and Numbering Guidance set out at Appendix 1 to the report.

7. Syrian Resettlement Programme

Submitted a report by the Executive Director (Place) on the progress made since the Council's humanitarian commitment to participate in the Syrian Resettlement Programme in 2015 and to seek approval to extend this commitment for a second time.

The Cabinet agreed to (a) note the progress made on the Syrian Resettlement Programme to date; and (b) further extend the Council's initial commitment and provide safe haven to a further 40 refugees with a deadline of March 2020, increasing the Council's overall commitment to a final total of 200 refugees.

8. Proposals for Community Investment Fund (CIF) Expenditure

Submitted a report by the Executive Director (Communities) on applications by Locality Partnerships to allocate CIF funding to proposed projects. The application from Millport Town Hall was set out at Appendix 1 and from West Kilbride Community Initiative Limited (WKCIL) was set out at Appendix 2 to the report.

Members initially discussed the application from Millport Town Hall, noting that while the amount requested exceeded the £100,000 ceiling for CIF funding it would potentially allow for £2.8M of funding from other sources to be sought.

Discussing the application from WKCIL, Members asked questions and were provided with further information on the measures which would be taken to ensure the sustainability of the project.

The Cabinet agreed to award (a) £200,000 from the North Coast's allocation of the CIF to Millport Town Hall for the restoration of the building subject to (i) the award being set aside for 12 months to allow for the full cost of the project to be funded; and (ii) a proportional reduction in the award should the overall cost of the project reduce; and (b) £14,892.40 from the North Coast's allocation of the CIF to West Kilbride Community Initiative Limited for the Sing Your Song project.

9. i3 Digital Manufacturing and Demonstrator Hub

Submitted a report by the Director (Growth and Investment) on a partnership funding bid to the Advancing Manufacturing Challenge Fund to create a Digital Manufacturing and Demonstrator Hub and be the catalyst for the i3 Ayrshire Growth Deal project.

Members asked questions and were provided with further information on the role of the Ayrshire Economic Joint Committee in terms of approving funding.

The Cabinet agreed (a) to approve the allocation of £1m towards the funding proposal from the Council's Ayrshire Growth Deal (AGD) budget for i3; (b) to the Council being project lead for the proposal and; (c) that, if the project was successful in securing external funding, the detailed proposals would be submitted to Cabinet for final approval.

10. Award of contract for Adult Community Support Services

Submitted a report by the Executive Director (Finance and Corporate Support) on the outcome of the procurement exercise for the delivery of Adult Community Support services.

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

- the payment of the real living wage by all successful bidders;
- the impact on the workforce of an ongoing dispute between Cornerstone and Unison; and
- provision for Council to continually assess contracts through the Contracts Management Framework.

The Cabinet agreed to approve the award of framework contracts to Key Housing Association Ltd.; The Richmond Fellowship Scotland Ltd., Cornerstone Community Care (trading as Cornerstone), Affinity Trust, Hansel Alliance, Quarriers, Enable Scotland (Leading the way) and North Ayrshire Forum on Disability/Access Ability.

11. Note of Award of Contract during Recess –Nursery Extension to St Peter's Primary School, Ardrossan

Submitted a report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the Nursery Extension to St Peter's Primary School, Ardrossan.

The Cabinet agreed to note the award of the contract to W.H. Kirkwood Limited during recess.

12. Note of Award of Contract during Recess – Internal and External Alterations to Friars Lawn Sheltered Housing Unit, Kilwinning (Lot 1) and Garrier Court Sheltered Housing Unit, Springside (Lot 2)

Submitted a report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the Internal and External Alterations to Friars Lawn Sheltered Housing Unit, Kilwinning (Lot 1) and Garrier Court Sheltered Housing Unit, Springside (Lot 2).

The Cabinet agreed to note the award of the contract to McTear Contracts Ltd (Lot 1) and D. McLaughlin & Sons Ltd T/A McLaughlin Construction (Lot 2) during recess.

13. 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 item of business on the grounds indicated in terms of Paragraph 9 of Part 1 of Schedule 7A of the Act.

14. Disposal of Unit 65, Third Avenue, Irvine

Submitted report by the Executive Director (Place) on the disposal of Unit 65, Third Avenue, Irvine.

The Cabinet agreed to approve the recommendation as detailed in the report.

The Meeting ended at 3.20 p.m.

**Police and Fire and Rescue Committee
3 September 2019**

IRVINE, 3 September 2019 - At a Meeting of the Police and Fire and Rescue Committee of North Ayrshire Council at 2.00 p.m.

Present

John Glover, Todd Ferguson, Ellen McMaster, Davina McTiernan, Jimmy Miller and Angela Stephen.

In Attendance

A. Craig, Senior Manager (Legal Services) and A. Little, Committee Services Officer (Chief Executive's Service).

Also In Attendance

Chief Superintendent M. Hargreaves and Chief Inspector B. Shaw (Police Scotland); Area Manager I. McMeekin and Station Manager Steven Corrigan (Scottish Fire and Rescue Service).

Chair

Councillor Glover in the Chair.

Apologies

Donald L. Reid.

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 of the Committee held on 21 May 2019 was confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Welcome and Introductions

The Chair welcomed everyone to the meeting. He advised that as a result of ill-health Councillor D. L. Reid had resigned as Chair of the Committee. Once fully recovered, Councillor Reid would return as a Member of the Committee

The Committee took the opportunity to thank Councillor D. L. Reid for his work as Chair of the Committee, wishing him a speedy recovery and return to good health.

4. Presentation

The Committee received a presentation by Niven Rennie, Director, on the work of the Scottish Violence Reduction Unit (SVRU), a national centre of expertise in tackling violence. Working in partnership with Police Scotland and the Scottish Government, the SVRU aims to prevent violence wherever it's found from the streets, to our classrooms, homes and workplaces. The Unit was founded in 2005 by Strathclyde Police with the aim to make Scotland the safest country in the world by taking a public health approach which treats violence as a disease;

The presentation provided information on the work of the SVRU and highlighted a range of programmes and initiatives including:

- The Navigator project that works in emergency departments in Glasgow, Edinburgh and Ayrshire that aims to stop the revolving door of violent injury in hospitals by connecting with patients affected by violence;
- The Street&Arrow project, a social enterprise which serves up second chances to people with convictions;
- Scotland's largest anti-violence schools programme - Mentors in Violence;
- Ask Support Care (ASC) training programme which aims to give everyone from vets to hairdressers the skills to reach out to those who have become victims of domestic abuse;
- Adverse childhood experiences (ACEs) that can affect a person's whole life – trauma, suicide, alcohol abuse, homelessness, violence;
- The role that alcohol plays in violence and the need to get to the root of Scotland's relationship with alcohol;
- Looked after children and the high rates of homelessness; and
- Young people carrying knives for protection.

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

- Navigator projects that are located in the Glasgow Royal Infirmary, Edinburgh Royal Infirmary, Queen Elizabeth University Hospital in Glasgow and the University Hospital Crosshouse, Kilmarnock;
- The aim to expand the Street&Arrow project across Scotland; and
- Funding streams for projects and work that is being done to move projects to be self-funded.

The Committee thanked the Director for his informative and interesting presentation.

Noted.

5. Chair and Vice Chair Verbal Updates

The Committee noted that there were no verbal updates.

6.1 Performance Report: Scottish Fire and Rescue Service

Submitted report by the Scottish Fire and Rescue Service (SFRS) which provided an update on the progress against the North Ayrshire Local Fire and Rescue Plan and gave other key updates. A copy of the North Ayrshire Performance report from 1 April 2018 to 30 June 2019 was set out in Appendix 1 to the report.

The report identified an 7% increase in activity levels across North Ayrshire compared to the previous year. Attendance at fire related incidents accounted for 42% of all activity within North Ayrshire, with false alarms and special service incidents accounting for 48% and 10% respectively.

Progress against the six agreed performance indicators noted that three indicators had seen a reduction in their respective 3-year average, whilst the other three indicators had seen an increase in activity.

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

- deliberate fire setting in the Stevenston area that involved wheelie bins and areas of open land and prevention work by the Fire and Rescue Service to clear some of the land and access areas ;
- awareness raising work that is being done to prevent fire raising; and
- The detection of a youth for the fire raising in Kilwinning and hopes to include him on the Fire Reach Programme.

The Committee agreed (a) that the Fire and Rescue Service provide a report to the next meeting on deliberate fire raising in the Kilwinning and Stevenston areas; and (b) to otherwise note the report.

6.2 Performance Report: Police Scotland

Submitted report by Police Scotland on performance in relation to the North Ayrshire Local Police Plan for the period from 1 April 2019 to 31 July 2019.

The report provided details of North Ayrshire's performance including a 4.2% rise in the total number of crimes. Contextual information was provided in respect of:-

- a slight decrease in domestic abuse incidents;
- a reduction in the reporting of hate crime;
- no change in the rates of violence and antisocial behaviour but a reduction in disorder complaints;
- an increase in serious organised crime detections relating to drug supply and possession;
- the remaining terrorism and domestic extremism threat level of Severe;
- an increase in protecting people at risk from harm which includes crimes of a sexual nature;
- road safety and road crime which saw a reduction in road traffic casualties and increase in speeding enforcement;
- a reduction in housebreaking crimes; and
- data on public confidence complaints and user satisfaction.

Members asked questions and received further information in relation to:-

- partnership links to education in schools through the campus cops and the locality policing teams;
- links between poverty and crime;
- vandalism of public play areas in Kilwinning;
- The detection of two youths responsible for the vandalism of a number of vehicles in the Stevenston area;
- Road engineering works completed at Burnhouse and Gateside that will assist in the reduction of speeding at these locations;
- Continuation of the rural speeding initiative;
- Information that will be relayed to the public to alert them to the demolition, by explosion, of a test off shore wind turbine at the Peel Port site at Hunterston; and
- local engagement that will be arranged with Neighbourhood Watch Groups.

Noted.

7. Scottish Fire and Rescue Service Consultation on the 3 Year Strategic Plan

Submitted report by the Senior Manager, Legal Services on the response submitted to the Scottish Fire and Rescue Service on the 3 Year Strategic Plan, set out at Appendix 1 to the report.

The Committee noted the response submitted to Scottish Fire and Rescue Service.

8. Scottish Police Authority Annual Review of Policing Consultation

Submitted report by the Senior Manager, Legal Services on the response to the submitted to Scottish Police Authority on the Annual Review of Policing, set out at Appendix 1 to the report.

The Committee noted the response submitted to Scottish Police Authority.

9. Scottish Government Consultation on the Review of Strategic Priorities

Submitted report by the Senior Manager, Legal Services on the Scottish Government's consultation paper on draft strategic Police Priorities for Scotland, which sought responses by 4 October 2019. The consultation paper was attached at Appendix 1 and the draft response was detailed at Appendix 2 to the report.

The Committee agreed the draft response, detailed at Appendix 2 to the report, be submitted to the Scottish Government by 4 October 2019.

The meeting ended at 3.50 p.m.

Planning Committee 4 September 2019

Irvine, 4 September 2019 - 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, Ronnie McNicol and Donald Reid.

Also Present

In Attendance

J. Miller, Senior Manager (Planning), M. Henry, Team Leader (Roads) (Place); J. Law, Solicitor (Legal Services); and H. Clancy, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Marshall in the Chair.

Apologies for Absence

Shaun Macaulay and 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. Minutes

The Minutes of the meeting of the Planning Committee held on 19 June 2019 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3.1 19/00532/PP: Homebase Ltd 6 Riverway Riverway Retail Park Irvine

TJ Morris Ltd have applied to remove condition 2 of planning permission 01/97/0133 to enable the sale of all types of retail goods. No objections were received.

Planning permission 01/97/0133 relates to the development of the second phase of Riverway Retail Park and has a condition which states:

"That Units 1 - 8 shall be occupied by businesses selling comparison goods only."

The Committee unanimously agreed to grant the application.

3.2 19/00533/PP: 3 Ladyburn Court Lawthorn Irvine

Robert and Joan Corrance have applied for change of use of an open space to incorporate into a garden area including erection of 1.8-metre-high fence. No objections were received.

Planning permission had previously been refused in 2005 by the then Planning Committee, for the change of use of a larger area of open ground, measuring 34.7sqm, to private garden ground and the relocation of an existing fence (ref. 05/00102/PP) at the same property.

The Committee unanimously agreed to grant the application.

4.1 19/00573/ALO: Clauchlands Cottage No 3 Clauchlands Road Lamlash Brodick Isle Of Arran

A & A Reid have applied for the removal of Section 75 obligation attached to planning permission (ref. 08/00918/PP) to remove occupancy restriction. No objections were received.

Planning permission was issued on 14 January 2010 for the erection of a detached dwellinghouse following the signing of a legal agreement which stipulated that the house must be occupied only by a person either currently or last employed locally in agriculture, or in forestry, or their dependants, or a widow or widower of such a person.

The Committee unanimously agreed to grant the application with no conditions.

5.1 19/00351/PPPM: Site To South Of 128-130 Meadowfoot Road West Kilbride

Gladman Developments Ltd have applied for planning permission in principle for a residential development. 27 objections were received and summarised in the report.

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

1. That the approval of North Ayrshire Council as Planning Authority with regard to the siting, design and external appearance of, landscaping, means of access to the proposed development and affordable housing contribution, shall be obtained before the development is commenced.
2. That further application(s) for approval under the terms of Condition 1 shall be accompanied by a written scheme of investigation for a programme of archaeological works. Any scheme as may be approved by the Council, as Planning Authority.
3. That further application(s) for approval under the terms of Condition 1 shall include a report of an appropriate site investigation and subsequent suitable quantitative risk assessment, taking cognisance of the Conclusions and Recommendation on Development contained within Section 6 of the Phase 1 Geo-Environmental Desk Study Report, submitted in support of this application,

Project Reference No P17/378, by Mason Evans and dated May 2019. Any submitted report shall have been verified by a suitably qualified Environmental Consultant and submitted to the satisfaction of North Ayrshire Council as Planning Authority.

4. That further application(s) for approval under the terms of Condition 1 shall include details of access, road layout and parking provision. For the avoidance of doubt access for residential properties shall be from Ardrossan High Road only. Details of road widening and footways for Ardrossan High Road shall be provided. Any access shall have a visibility splay of 2.5m by 70m. Internal layouts shall be designed in accordance with Designing Streets principles
5. That further application(s) for approval under the terms of Condition 1 shall include details of drainage which have been designed for exceedance i.e. 200-year critical storm event + climate change. Details of overland flow-paths, 'additional' attenuation measures, control devices etc and demonstration that access/egress will be maintained must be provided. A Drainage Impact Assessment must be provided including a land drainage strategy and details of implementation and maintenance.
6. That further application(s) for approval under the terms of Condition 1 shall include a dated Protected Species Survey updating the survey by EnviroCentre dated 24th April 2019 and submitted as part of this application.

5.2 19/00506/PP: Site To East Of Castlepark Gardens Fairlie Largs

Dawn Homes Ltd have applied to vary planning condition number 4 of 18/00659/PP, to provide a temporary shared-use path adjacent to plots 38,39 & 46, in lieu of the permanent path proposed adjacent to plots 35, 36 & 37. Two objections were received and summarised in the report.

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

1. That, within one month of the date of consent, the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority:
 - i) Details of a scheme to intercept surface water runoff from the higher ground to the east and routing into the drainage system;
 - ii) Details of a cut off drain along the western boundary of the application site;
 - iii) Details of proposed watercourse crossings which ensure that crossings have a better or neutral effect on flood risk and do not result in the elevation of land within the functional floodplain;
 - iv) Details of proposed landscaping and safety of the SuDs pond as well as a programme for its completion/operation;
 - v) Maintenance of existing water channels which enter and are contained within the site; and
 - vi) The proposed programme for the installation of those flooding measures contained within this condition, and those approved with the application, as well as details of maintenance and factoring.

Such details as may be approved shall be completed in compliance with the proposed programme of implementation, agreed under (vi) above, and maintained permanently thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

2. That within one month of the date of consent, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a scheme of hard and soft landscaping. The submitted scheme should include:
 - i) details of proposed hard surfacing, including paths, roads, shared spaces, driveways and boundary treatments;
 - ii) details of species and planting densities;
 - iii) details of potential biodiversity, including habitat, improvements;
 - iv) a programme of proposed implementation of the scheme; and
 - v) proposed maintenance programmes and factoring.

The soft landscaping details, which may be approved, 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.

3. That, within one month of the date of approval full details of proposed tree protection measures for the development shall be submitted for the written approval of North Ayrshire Council as Planning Authority. The details shall comply with the principles and practices contained in "BS 5837:2012 - Trees in relation to design, demolition and construction - Recommendations." Detailed plans indicating tree protection fencing to be erected, an Arboricultural Impact Assessment and an Arboricultural Method Statement shall be submitted for written approval. For the avoidance of doubt:
 - i) that there shall be no treeworks undertaken within the Tree Preservation Order area, unless otherwise agreed in writing;
 - ii) all tree protection measures to be erected shall be maintained in a satisfactory condition for the duration of all engineering and construction operations, until the completion of the development.The development shall be implemented only in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.
4. The temporary footpath link through the primary school grounds, as shown on approved drawing 3494 AL(0)119, shall be removed and the primary school grounds restored to their former condition on the completion of the proposed shared use path to Castlepark Gardens located between plots 35, 36 and 37. The shared use path shall be completed prior to the occupation of the dwellings on plots 35, 36 or 37 or no later than 12 months from the date of this permission.
5. That prior to the commencement of development on plots 26, 27, 28, 29, 34, 35, 36, 45 and 46, as illustrated in approved plan AL(0)114, details of proposed

finished ground levels and finished floor levels, retaining walls, any raised terracing, garden slopes, boundary treatments shall be submitted on plans and section drawings for the written approval of North Ayrshire Council as Planning Authority. Such details as may be approved shall be completed to the satisfaction of North Ayrshire Council as Planning Authority, unless otherwise agreed in writing.

6. That the measures identified within the Ecological Assessment 2017 by Nigel Rudd, approved under the original planning permission 17/00584/PPM shall be fully implemented within phase 2, to the satisfaction of North Ayrshire Council as Planning Authority.
7. That within one month of the date of approval details of the proposed equipped play area, which shall include the provision of at least 5 different types of play equipment, seating and unequipped play areas shall be submitted for the written approval of North Ayrshire Council as Planning Authority. The details shall include the proposed location of the play area, site levels, programme of installation, any means of enclosure, including gated points of access/exit, surface finish, litter bin provision, maintenance and management arrangements. Unless otherwise agreed in writing the approved play area facilities should be installed and operational no later than, or prior to, the occupation of plots 25 or 26 as outlined within approved plan AL(0)114. The approved play area should be completed to the satisfaction of North Ayrshire Council as Planning Authority and maintained in perpetuity.
8. That the presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of Environmental Health. Thereafter a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.

5.3 19/00554/PP: 48 Gallowgate Street, Largs

Mr Stephen McDonald has applied for the modification of condition 2 of 18/00518/PP to allow furniture to be stored in Gallowgate Square, Largs. One objection was received.

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

1. That the seating area shall at all times be enclosed by a suitably designed removable barrier, full details of which shall be submitted for the written approval of North Ayrshire Council as Planning Authority. For the avoidance of doubt no artificial lighting or individually sited heating systems shall be provided within the outdoor seating area.
2. That the maximum permitted hours of operation of the outdoor seating area shall be between 1100 and 2100 hours on any day unless otherwise agreed in writing by North Ayrshire Council, as Planning Authority. The seating together with any

tables, umbrellas, associated posts and barriers shall be removed from the approved seating area and stored against the wall of 48 Gallowgate Street, as shown on the approved location plan marked 'Seating Area - Option B,' outwith these hours and at all times when the premises are closed to customers. When stored against the wall, the seating etc. will be secured by a chain attached to the wall of 48 Gallowgate Street.

6. Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: former Seafield School, Eglinton Road, Ardrossan

Submitted report by Executive Director (Place) to serve a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 requiring proposed maintenance of the land for the abatement of the adverse impact on the local area.

The Senior Manager (Planning) provided the Committee with information on the site and advised that both the House and the Stables have been subject to vandalism and unauthorised entry. The owners have been instructed by the North Ayrshire Council to board any smashed window, secure the buildings and make them wind and water tight. They were also instructed to demolish modern extensions which had been built onto Seafield House. These extensions were demolished in the summer of 2017 with the rubble left on site. Seafield House, was the subject of a fire in 2017. This fire was largely contained in the eastern wing of the building. However, the roof of that section of the building has collapsed.

Members asked questions and were provided with further information on:-

- the robustness of the exterior grade plywood recommended for boarding all openings, which it was also noted was being pursued by the Council in terms of the Building (Scotland) Acts; and
- the steps which would be taken if enforcement notice was served and no further action was taken as well as issues around reclaiming costs from owners.

The Committee unanimously agreed to grant authority for the service of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 to abate the adverse impact on the land on the local area at the former Seafield School, Eglinton Road, Ardrossan.

7. Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: Site of Former St Peter's Primary School, 24 South Crescent Road, Ardrossan

Submitted report by Executive Director (Place) to serve a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 requiring proposed maintenance of the land for the abatement of the adverse impact on the local area.

The Senior Manager (Planning) provided the Committee with information on the site and advised a fence had been erected on the southern frontage of the site. The fence is in a dilapidated condition and has collapsed entirely at its eastern end. The interior of the site is overgrown and there remains demolition rubble on site. The condition of the land, due to the dilapidated condition of the fence, and view to the overgrown

rubble strewn interior which it provides has a significant adverse impact on the amenity of the local area.

The Committee unanimously agreed to grant authority for the service of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 to abate the adverse impact on the land on the local area at the former St Peter's Primary School, 24 South Crescent Road, Ardrossan.

8. Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997: Construction access track on a designated area of Wild Land and Special Protection Area within Clyde Muirshiel Regional Park

Submitted report by Executive Director (Place) to serve a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 in relation to a construction access track on a designated area of Wild Land and Special Protection Area within Clyde Muirshiel Regional Park.

The Senior Manager (Planning) provided the Committee with information on the site and advised the route of the construction track through the Wild Land Area had been agreed beforehand as a condition of the planning permission for the turbine house. A complaint was received from Scottish Natural Heritage in February 2019 which alleged that the track as formed differed to that illustrated in the documents associated with the planning permission. A site inspection has confirmed that the alignment of the track is significantly different to that which had been previously identified by the developer, with some 700 metres having been constructed within the Special Protection Area. The developer was contacted in February 2019 and no action has been taken to either reinstate the land to its former condition, or submit an application seeking consent to retain the track.

Members asked questions and were provided with further information on:-

- whether a permanent track would constitute an adverse impact on the area, being located within both a Special Protection Area and Wild Land Area;
- the 18-month timescale given to the owner to restore the land to its previous wild hillside condition; and
- the steps which would be taken if enforcement notice was served and no further action was taken as well as issues around reclaiming costs from owners were the Council to undertake the restorative works.

Councillor Foster, seconded by Councillor McNicol, moved that the Committee serve a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 to remove the construction track north of the former Pundeavon Reservoir, including the removal of any associated, culverts and bridge structures; and the restoration of the land and any associated borrow pits to its previous wild hillside condition.

As an amendment, Councillor Barr, moved that, the access road be kept as a public path. There being no seconder, the amendment fell.

Accordingly, the Committee agreed to grant authority for the service of a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring the

reinstatement of the construction access track to wild land following the construction of pipework to serve a hydro electric power generating plant near Holehouse Farm, Kilbirnie.

9. Notification by Clydeport Operations Ltd (Peel Ports Group) to broaden the scope of the Liaison Committee for Hunterston Marine Yard

Submitted report by the Executive Director (Place) on the intentions of Clydeport Operations Ltd (Peel Ports Group) to broaden the scope of the Liaison Committee for Hunterston Marine Yard.

The Senior Manager (Planning) provided the Committee with information on Clydeport Operations Ltd (Peel Ports Group) intention to extend the scope of the liaison committee. They intend to widen the scope of the liaison committee to cover the whole of Clydeport Operations Ltd's interests at the site, Hunterston PARC, in addition to the decommissioning of marine structures.

Noted.

10. The Planning (Scotland) Act 2019

Submitted report by the Executive Director (Place) on a new statutory basis for the operation of the planning system has been passed and to highlight the main changes to the overall framework under which the system operates.

The Senior Manager (Planning) provided the Committee with information on the Act which includes provisions for regulations to be made relating to a wide range of issues, including development planning, development management, performance and fees. The regulations will set out the detail of how new provisions introduced by the Act will work in practice. Additionally, there are new requirements for statutory guidance relating to matters including regional planning, engagement and the role of a Chief Planning Officer.

Noted.

11. Control of Advertisements Planning Guidance

Submitted report by the Executive Director (Place) on the current planning guidelines on advertisements.

Members asked questions and were provided with further information on:-

- advertising on roundabouts and election advertising; and
- the decision taken by other Local Authorities on advertisements.

The Committee unanimously agreed to (a) grant delegated powers to the Head of Economic Development and Regeneration to adopt the proposed Control of Advertisements Planning Guidance, subject to confirmation that a strategic environmental assessment is not required; and (b) approve the deletion of the current

Control of Advertisements Planning Guidance at the point of adoption of the reviewed guidance.

The Meeting ended at 3.15 p.m.

Local Review Body 5 September 2019

Irvine, 4 September 2019 - At a Meeting of the Local Review Body of North Ayrshire Council at 3.25 p.m.

Present

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

In Attendance

A. Hume, Planning Adviser to the LRB, I. Davies, Planning Adviser to the LRB (Place); J. Law, Legal Adviser to the LRB (Legal Services); and H. Clancy, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Marshall in the Chair.

Apologies for Absence

Christina Larsen, Shaun Macaulay and 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. Minutes

The Minutes of the meeting of the Local Review Body held on 19 June 2019 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Notice of Review: 19/00159/PP – 32 Eglinton Street, Beith, KA15 1AQ

Submitted a report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of a planning application refused by officers under delegated powers for the change of use of a vacant bank to form a hot food takeaway with a small seating area and the erection of a flue to the rear of the building at 32 Eglinton Street, Beith.

The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan, Planning decision notice, further representations by interested parties and the applicant's response to the further representations were provided as appendices to the report.

The Planning Adviser to the Local Review Body summarised the Notice of Review for the applicant and the Report of Handling for the appointed officer. Photographs and plans of the site were displayed. The Planning Adviser referred to the applicant's request for a hearing and site visit.

The Local Review Body unanimously agreed that enough information had been provided to determine the review request without a hearing or a site visit.

The Local Review Body unanimously agreed to uphold the decision taken by the Planning Officer to refuse the application for planning permission on the following grounds:

1. The proposal would be contrary to the provisions of the North Ayrshire Council Local Development Plan Policy TC 1 and General Policy criterion (b) Amenity, by reason of the resulting concentration of hot food uses in close proximity to one another resulting in adverse impacts on amenity, including additional noise, disturbance, potential odour nuisance and adverse impacts on the character of Beith town centre.
4. **Notice of Review: 18/01123/PP – Site to North of Standingstone Hill, Kilbirnie**

Submitted a report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of a planning application refused by officers under delegated powers for the erection of a 2.5MW wind turbine measuring 110m to blade tip and 65m to hub, to include associated earthworks and infrastructure at the site to the north of Standingstone Hill, Kilbirnie.

The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan, Planning decision notice, further representations by interested parties and the applicant's response to the further representations were provided as appendices to the report. The applicant's request for a hearing and site visit was noted.

The Chair asked if the Local Review Body felt enough information had been provided to determine the appeal without a hearing or site visit.

Councillor McNicol, seconded by Councillor Barr, moved that a site visit and a hearing should be undertaken before the review request is determined.

As an amendment, Councillor Foster, seconded by Councillor Reid, moved that only a hearing should be undertaken before the review request is determined.

On a division there voted for the amendment three and for the motion four, and the motion was declared carried.

Accordingly, the Local Review Body agreed (a) to continue consideration of the Notice of Review to a future meeting for a hearing to be conducted in terms of the Hearing Session Rules set out in Schedule 1 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013, to consider the application for review and hear from the parties on specified matters; (b) that the following parties are invited to attend and address the hearing, after submission of a hearing statement, on the following specified matters (i) material considerations - the applicant/applicant's representative, any interested parties who made representations, and officers of the Council's Planning Service (ii) location of application site in regional park and wild land assessment - the applicant/applicant's representative, any

interested parties who made representations, and officers of the Council's Planning Service (iii) air traffic control matters – the applicant/applicant's representative, Glasgow Airport, and officers of the Council's Planning Service (c) to undertake a site visit before the review hearing is considered; and (d) undertake all necessary notifications and any further procedure in terms of the said Rules.

5. Notice of Review: 19/00135/PP – Westbourne Caravan Park, West Bay Road, Millport, Isle of Cumbrae KA28 0HA

Submitted a report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of a planning application refused by officers under delegated powers for the extension to an existing caravan park to provide a further 18 stances together with alterations to the existing internal driveway, provision of a bin store and visitor car parking at Westbourne Caravan Park, West Bay Road, Millport, Isle of Cumbrae.

The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan, Planning decision notice, further representations by interested parties and the applicant's response to the further representations were provided as appendices to the report.

The Planning Adviser to the Local Review Body summarised the Notice of Review for the applicant and the Report of Handling for the appointed officer. Photographs and plans of the site were displayed. The Planning Adviser referred to the applicant's request for a site visit.

The Local Review Body unanimously agreed that enough information had been provided to determine the review request without a site visit.

Members asked questions and were provided with further information on:

- ownership of land of the proposed extension to the caravan park; and
- impact on the local economy.

Councillor Foster, seconded by Councillor Marshall, moved that the Local Review Body uphold the decision taken by the Planning Officer to refuse the application for planning permission for the reasons set out in the planning decision notice.

As an amendment, Councillor Barr, seconded by Councillor McNicol, moved that the Local Review Body overturn the decision taken by the Planning Officer and grant planning permission.

On a division there voted for the amendment five and for the motion two, and the amendment was declared carried.

Accordingly, having considered all the information, the Local Review Body agreed to uphold the appeal and grant planning permission with no conditions.

The Meeting ended at 4.10 p.m.

Education Appeal Committee
6 September 2019

IRVINE, 6 September 2019 - At a Meeting of the Education Appeal Committee at 2.20 p.m.

Present

Ian Clarkson (North Ayrshire Council); and Karen Wallace and Val Gibson (Lay Members).

In Attendance

P. Gosnay and F. Hopkins, Senior Managers and D. Faulds, Head Teacher (Education); and N. Shearer, Clerk to the Education Appeal Committee.

Also in Attendance

Appellant and her representatives.

Chair

Councillor Clarkson 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. Minutes

The Minutes of the meeting of the Committee held on 30 November 2018 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. 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 involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 7A of the Act.

4. Appeal Against the Education Authority's Decision to Exclude a Pupil from School

Submitted report by the Chief Executive on an appeal against the Education Authority's decision to exclude a pupil from school.

The appellant, having been invited to attend, was present and accompanied by a friend and an advocate for her child. Two Senior Managers and a Head Teacher (Education) were also in attendance.

Those present were introduced and their role in the proceedings explained. The Chair then outlined the procedure to be followed by the Committee and advised on how the decision of the Committee would be intimated to the appellant and the Education Authority, before inviting the Education representatives to make their case. The appellant and her representatives and Committee Members were afforded the opportunity to question the Education representative.

The appellant and her representatives were then invited to present their case. The Education representatives and Committee Members then had an opportunity to question the appellant and her representatives.

The Education representatives and the appellant and her representatives summed up their cases. Thereafter, both parties withdrew to allow the Committee to deliberate.

Decision

The Committee agreed to (a) uphold the appeal; and (b) annul the Education Authority's decision to exclude the pupil from school on the occasions referred to within the appellant's submission.

The reason and the material considerations for the decision were that the Appeal Committee considered that discussion and review, in a constructive and supportive manner, would have been preferable to exclusion in the particular circumstances of the case, so that the school and the pupil and parent could work together to maintain positive behaviour and safety in school. These exclusions would therefore be removed from the pupil's records.

The Appeal Committee also had regard to North Ayrshire Council's Standard Circular A8 Exclusion from School (August 2017) in its consideration of the written and verbal facts and circumstances surrounding the case.

The meeting ended at 5.25 p.m.

Audit and Scrutiny Committee
10 September 2019

IRVINE, 10 September 2019 - At a Meeting of the Audit and Scrutiny Committee of North Ayrshire Council at 10.00 a.m.

Present

Marie Burns, Joy Brahim, Alan Hill, Tom Marshall, Donald Reid and John Sweeney.

In Attendance

L. Friel, Executive Director and P. Doak, Senior Manager (Internal Audit, Risk and Fraud) (Finance and Corporate Support); S. Brown, Director and C. Whyte, Chief Finance and Transformation Officer (Health and Social Care Partnership); A. McClelland, Head of Service (Learning, Teaching and Curriculum) (Communities), J. Miller, Senior Manager, Planning and J. Cameron, Senior Manager, Physical Environment (Place); and A. Fraser, Head of Democratic Services and D. McCaw, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Burns in the Chair.

Apologies

Margaret George.

1. Declarations of Interest

In terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors, John Sweeney declared a non-pecuniary interest in Agenda Item 4 – Early Learning and Childcare Update on the basis that a close relative worked in early years and took no part in the discussion thereon.

2. Minutes

The Minutes of the Ordinary Meeting of the Audit and Scrutiny Committee held on 18 June 2019 and the Special Meeting held on 27 June 2019 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Health and Social Care Partnership (HSCP) Budget Monitoring

Submitted report by Caroline Whyte, Chief Finance and Transformation Officer on the HSCP projected financial outturn for the financial year as at June 2019. The budget monitoring report and Appendices which were presented to the IJB on 29 August 2019 were attached as an Appendix to the report.

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

- the breakdown of numbers waiting for a care at home package or an increase in the scope of their current package;
- the review of care at home packages on a regular basis;

- the challenges faced across Arran and the North Coast in relation to recruitment of care staff;
- financial resourcing being a factor in delaying care at home packages or reducing the quality of packages;
- the balancing act of delivering services within spending limits while monitoring waiting list timescales and numbers;
- recruitment and vacancy underspend comparisons with the same period last year;
- difficulties with recruitment to mental health and psychology services, including turnover rates;
- assumptions and projections in relation to care services;
- the position in relation to reviewing the model used to determine overnight support requirements;
- the challenging savings target for 2019/2020 which will be reflected in the financial recovery plan for the IJB;
- managing risk in relation to ensuring services are delivered to those in most need;
- the revised opening date for the Trindlemoss Project due to building construction delay; and
- penalty notices and potential return of funding arising from the construction delay.

Councillor Hill joined the meeting at this point.

The Committee agreed to (a) note the financial position with regard to the Health and Social Care Partnership; and (b) continue to receive regular update reports throughout financial year 2019/2020.

4. Early Learning and Childcare Update

Submitted report by the Interim Executive Director (Communities) providing an update on progress with the expansion programme for Early Learning and Childcare across North Ayrshire and outlining key areas of focus for the next six months identified in the Education and Youth Employment Quarter 4 Performance Report.

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

- start times and working hours available in connection with the programme;
- current feedback from parents which indicates that they appreciate the greater flexibility now provided, compared with the pilot model;
- the specific information requested by the Committee and the potential for any additional information required by Members being provided through a North Ayrshire News article; and
- any loss of partner providers in connection with the roll-out of the expansion programme.

Noted.

5. School and Early Learning and Childcare Inspections Annual Report 2018/19

Submitted report by the Interim Executive Director (Communities) on the performance of North Ayrshire schools and early learning and childcare settings in external inspections published during session 2018/19. Appendix 1 to the report summarised the inspection outcomes for all establishments, while Appendices 2 and 3 detailed the full Education Scotland and Care Inspectorate reports, respectively. Appendices 4 and 5 provided information in relation to Education Scotland's six-point scale used to report on performance and the July 2018 report on the North Ayrshire Council Education Authority.

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

- changes and planned improvements within the quality improvement framework;
- more school-focussed emphasis following a review with Head Teachers; and
- development of a full action plan to support Loudoun Montgomery Primary School and Early Years class to make improvements in the key areas identified.

The Committee agreed to (a) note the content of the report; (b) commend the performance of North Ayrshire schools in inspections led by Education Scotland and the Care Inspectorate; and (c) receive an update report from the Interim Executive Director (Communities) after the follow-through inspection of Loudoun Montgomery Primary School and Early Years Class.

6. Seafield House, Ardrossan

Submitted report by the Executive Director (Place) on the actions taken by Planning Services to date in respect of Seafield House, Ardrossan.

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

- a potential Compulsory Purchase Order (CPO) which would require an initial Listed Building Repair Notice to be served;
- costs and property value associated with any CPO;
- no approach having been made to the Council in terms of any back-to-back transfer and uncertainty over the costs which would be involved;
- concern that the developer has not progressed actions identified through the Committee petition process;
- ongoing dialogue between the Planning Services Manager and the owner;
- the action taken by the Planning Committee on 4 September in respect of an 'Amenity Notice';
- a progress report being provided to Committee in 6 months; and
- actions to be considered should no progress be made in the intervening 6-month period.

The Committee agreed (a) to note (i) the actions taken by Planning Services to date; and (ii) the decision of the Planning Committee in respect of an 'Amenity Notice'; (b) that no further action be taken at this time in respect of the service of a Repairs Notice;

and (c) that the Executive Director (Place) provide a follow-up report to the Committee in 6 months.

7. Annual Assurance Statement to the Scottish Housing Regulator 2018-19

Submitted report by the Executive Director (Place) on the Council's Annual return on the Charter 2018/19 submission and endorsement of the Annual Assurance Statement for submission to the Scottish Housing Regulator. Appendix 1 to the report detailed the Annual Return on the Charter submission 2018-19. Appendix 2 detailed the supporting evidence provided to demonstrate compliance with the regulatory framework and relevant legislation while the Annual Assurance Statement was detailed at Appendix 3 to the report.

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

- comparable figures for last year which would help to identify trends;
- an explanation on the definition and number of 'lets from other sources' during the reporting year being provided to the Committee;
- the reduction in stock numbers;
- Scottish Housing Quality Standard requirements for year on year work to properties;
- homes and areas scheduled for improvements;
- figures in relation to the percentage of new tenancies to applicants assessed as statutory homeless which were sustained for more than a year; and
- the piloting of the housing first approach with homeless applicants to help with sustaining tenancies.

The Committee agreed (a) to note (i) the Annual Return on the Charter submission 2018-19, attached as Appendix 1 to the report; and (ii) the supporting evidence provided to demonstrate compliance with the regulatory framework and relevant legislation attached as Appendix 2 to the report; and (b) that the Committee Chair sign the Annual Assurance Statement attached as Appendix 3 to the report, for submission to the Scottish Housing Regulator.

8. Councillor Development

Submitted report by the Chief Executive on the development sessions provided to Councillors over the 18 months to 30 June 2019 and on future planned development sessions. Appendix 1 to the report provided details of 41 of the 2018 sessions while Appendix 2 detailed the eight development sessions between January and June 2019. Appendices 3 and 4 provided sample feedback comments from sessions and the Elected Member Learning and Development Event Schedule respectively.

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

- whether videoing or webcasting would restrict the flow of discussion or discourage attendance at sessions;
- interactive presentations, with questions taken throughout, being more beneficial;

- any feedback received from those who did not attend sessions on the effectiveness of slides which had been provided;
- the benefits of filming a 10 minute presentation to go along with presentation slides for those unable to attend sessions;
- monitoring in relation to views of the 10 minute presentations and how this could be carried out;
- recording of attendance or non-attendance at sessions, where the information being presented could have already been provided on another platform;
- differences between a training and briefing session;
- the need to consider training which will increase Members' knowledge;
- that the Head of Democratic Services contact Group Leaders to discuss with their Groups particular areas to take forward;
- that individual Members would not be identifiable in future reports.

The Committee agreed (a) to note the report; (b) that the Head of Democratic Services (i) note the feedback given by Members on means to support Member attendance and on improvements to future programmes; and (ii) contact Group Leaders with regard to suggestions on particular areas to take forward for future sessions.

9. Audit and Scrutiny Self Evaluation

Submitted report by the Chief Executive on the outcome of the self-evaluation of the Audit and Scrutiny Committee undertaken as part of the improvement actions identified in the External Audit Interim Report 2018/19. The findings arising from the self-evaluation, together with improvement actions, were detailed in Appendix 1 to the report.

The Committee (a) noted the findings of the self-evaluation as detailed in Appendix 1 to the report; (b) agreed to approve the improvement actions identified in Appendix 1 to the report; and (c) agreed to repeat the self-evaluation exercise on an annual basis.

10. Complaints Report

Submitted report by the Head of Democratic Services on the Council's complaint performance and the volume and trends of complaints received in 2018/19. The report detailed the volume of complaints received and closed, complaints closed at each stage, complaint outcomes, the average time in working days for a full response at each stage, complaints closed within timescale, complaint timescale extensions, trends identified from upheld/partially upheld complaints and changes or improvements made as a result of complaints.

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

- the positive reasons for the increase in the volume of complaints received and closed; and
- breached complaints where reasons for breaching had not been provided.

The Committee agreed (a) to note the information contained in the report; and (b) that the Head of Democratic Services provide a report to a future meeting of the Committee on breached complaints.

11. Planning for EU Exit

Submitted report by the Head of Democratic Services on the Council's planning arrangements to address the risks arising from a 'no-deal' exit from the European Union and outlining resilience arrangements. Appendix 1 to the report detailed potential reasonable worst case scenarios having regard to the Scottish Government's Planning Assumptions. Appendix 2 a summary of external organisation views on the economic impact of EU exit.

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

- preparations for any potential electoral event;
- figures in relation to EU residents applying for settled status at 30 June 2019;
- all applicants not having been granted settled or pre-settled status.; and
- the risks and planning for a negotiated deal.

Noted.

12. Internal Audit and Corporate Fraud Action Plans: Quarter 1 Update

Submitted report by the Executive Director (Finance and Corporate Support) on progress made by services in implementing the agreed actions from Internal Audit and Corporate Fraud reports as at 30 June 2019. Appendix 1 to the report provided full details of 3 actions which were overdue at end of June 2019.

Noted.

13. Internal Audit Reports Issued

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of Internal Audit work completed during May and July 2019. The findings from seven separate audit assignments were detailed at Appendix 1 to the report, together with their respective executive summary and action plans.

Members asked questions and were advised that an assurance will be given at the next meeting in connection with the 15 actions arising from the Community Based Support audit and on how these have been addressed.

The Committee agreed (a) to note the information contained in the report; and (b) to receive an assurance at the next meeting of the Committee in connection with how Community Bases Support audit actions have been addressed.

Councillor Hill left the meeting at this point.

14. 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 the public for the following items of business on the grounds indicated in terms of Paragraph 1 of Part 1 of Schedule 7A of the Act.

15. Corporate Fraud Reports Issued

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of corporate fraud investigations completed between May and June 2019.

Noted.

16. Corporate Fraud Report Timeline Update

Submitted report by the Executive Director (Finance and Corporate Support) on the overview of the timeline in relation to an investigation which was requested by the Committee at its meeting held on 28 May 2019.

Noted.

The meeting ended at 12.20 p.m.