



North Ayrshire Council

Comhairle Siorrachd Àir a Tuath

North Ayrshire Council Meeting

28 February 2018

VOLUME OF MINUTES

From 12 December 2017 to 19 February 2018

Date	Committee	Pages
12 December 2017	Cabinet	2
13 December 2017	Appeals Committee	8
14 December 2017	Integration Joint Board	10
9 January 2018	Special Audit and Scrutiny Committee	17
10 January 2018	Licensing Committee	21
17 January 2018	Planning Committee	27
18 January 2018	Integration Joint Board	33
18 January 2018	Staffing and Recruitment Committee	39
23 January 2018	Cabinet	41
30 January 2018	Audit and Scrutiny Committee	48
31 January 2018	Appeals Committee	53
6 February 2018	Police and Fire and Rescue Committee	55
7 February 2018	Licensing Committee	59
14 February 2018	Planning Committee	65
14 February 2018	Local Review Body	68
19 February 2018	Special Licensing Committee	70

Cabinet
12 December 2017

IRVINE, 12 December 2017 - 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, Very Reverend Canon Matthew McManus (Agenda Items 1-4) and Elizabeth Higon (Agenda Items 1-5) (Church Representatives).

Also Present

Shaun Macaulay, Jean McClung and Davina McTiernan (Agenda Items 1-4) and Donald L. Reid (Agenda Items 1-6).

In Attendance

C. Hatton, Executive Director, Y. Baulk, Head of Service (Physical Environment), R. McCutcheon, Head of Service (Commercial Services), T. Reaney, Senior Manager (Streetscene), D. Hammond, Senior Manager (Housing Strategy and Corporate Sustainability), A. Cowley, Team Manager (Structures, Flooding and Design) and Louise Beattie, Business Manager (Place); K. Yeomans, Executive Director, A. Sutton, Head of Service (Connected Communities) and George Hunter, Senior Manager (Tourism and Coastal Economy) (Economy and Communities); C. Amos, Head of Service (Inclusion); A. McClelland, Head of Service, (Learning, Teaching and Curriculum) and P. Gosnay, Senior Manager (Education and Youth Employment); E. Gunn-Stewart, Head of Service (Customer and Digital), S. Hanif, Interim Head of Service (Finance HSCP), P. Tovey, Interim Head of Service (Finance) and Anne Lyndon, Team Manager (Corporate Procurement) (Finance and Corporate Support); D. Rowland, Head of Service (Health and Community Care) (North Ayrshire Health and Social Care Partnership); A. Fraser, Head of Democratic Services; M. Davison, Senior Manager (Democratic Services), A. Todd, Senior Policy and Performance Officer, J. Hutcheson, Communications Officer and D. McCaw, Committee Services Officer (Chief Executive's Service).

Also In Attendance

Carol Nisbet (Ayrshire College) and Esther McGrath (Outreach Service).

Chair

Joe Cullinane in the Chair.

Apologies for Absence

Ian Haining (Church Representative).

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 14 November 2017 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Education and Youth Employment: Outreach and Ayrshire College Collaboration

Submitted report and received presentation by the Executive Director (Education and Youth Employment) on the reforms to education provision for young people in our Outreach Service. The presentation provided information on:-

- the support by the Outreach Service to young people who have disengaged from education within Secondary Schools and have complex social needs;
- the proposed collaboration model with Ayrshire College to ensure learning is relevant and provides employability skills; and
- the longer term development of the programme to allow access to learning while in a meaningful work placement.

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

- the sustainability of the project in years to come;
- methods for ensuring young people engage with the project;
- key links with outreach staff and the importance of a nurturing approach; and
- the process for young people to get involved in the programme.

The Cabinet agreed to (a) endorse the two outreach proposals outlined within the report; and (b) receive a progress report by the Executive Director to Cabinet in September 2018.

4. 'Getting it Right for You' North Ayrshire Children's Services Plan – First Annual Report 2016-2017

Submitted report and received presentation by the Executive Director (Education and Youth Employment) on the 'Getting It Right For You', North Ayrshire Children's Services Plan first Annual Report 2016-2017. The presentation provided information on:-

- the development of "Getting It Right For You";
- the key achievements in relation to early years, primary and secondary education; and
- the next steps.

The Cabinet noted the contents of the 'Getting It Right For You', North Ayrshire Council's Children's Services Plan Annual Report 2016-2017.

Please note - this item was heard by the Audit & Scrutiny Committee on on 9 January 2018, please refer to the minute for the decision.

5. Reinstatement of School Transport for Cumbrae Pupils – Largs Ferry Terminal to new Largs Academy

Submitted report by the Executive Director (Education and Youth Employment) on the transport arrangements of Cumbrae pupils travelling to Largs Academy. Currently pupils in Cumbrae are transported from Millport to Cumbrae ferry slipway, but make their own way from the Largs ferry slipway to Largs Academy. The distance from the Largs ferry slipway to the new Largs Campus is one mile and a safe walking distance exists.

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

- the discussions which had been carried out with parents regarding reinstating the transport arrangements for Cumbrae pupils from the Largs ferry slipway to the new Largs Academy;
- the potential inequity within the transport policy if the service was to be reinstated; and
- the clear case for equity given that the policy is applied across other Council areas.

Councillor Gallagher expressed his disappointment with regard to the recommendation not to reinstate the transport arrangements for Cumbrae pupils as a promise had been made to the parents and this may have potentially affected the consultation regarding the Largs Campus.

The Cabinet agreed (a) to make no change to the current arrangements from Millport to Cumbrae Ferry slipway, but not to provide the transport arrangements for Cumbrae pupils from the Largs ferry slipway to the new Largs Academy; and (b) otherwise to note the terms of the report.

6. Becoming a Child-centred Council

Submitted report by the Chief Executive on the work of a High Impact Leadership (HIL) Project Team and subsequent Short Life Working Group on Becoming a Child-centred Council and on future developments. The Working Group's Summary Action Plan was set out at Appendix 1 to the report.

The Cabinet agreed (a) the proposals contained in the report to put children and young people at the heart of everything the Council does; and (b) otherwise to note the work of the HIL Project Team/Short Life Working Group.

7. Quarter Two 2017/18 Progress Report - Directorate Plan performance

Submitted report by the Chief Executive on the performance of all Directorates as at 30 September 2017 against the priorities in the 2015/18 Directorate Plans as detailed at Appendices 1-6 to the report.

The Cabinet agreed to (a) approve the performance of all Directorates as at 30 September 2017 against the priorities in the 2015/18 Directorate Plans; and (b) refer the Directorate Plan Performance Reports for the consideration of the Audit and Scrutiny Committee on the 30 January 2018.

8. Tourism and Coastal Economy in North Ayrshire

Submitted report by the Executive Director (Economy and Communities) on the development of a five year (2018 - 2022) approach to Tourism and the Coastal Economy in North Ayrshire. The Tourism Action Plan 2018-2022 was set out at Appendix 1 to the report.

The Cabinet agreed the proposals contained within the report and appended Action Plan.

9. Fly Posting Policy

Submitted report by the Executive Director (Place) on the proposed North Ayrshire Council "Fly Posting Policy". The Fly Posting Policy was set out at Appendix 1 to the report.

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

- methods for advertising the Fly Posting Policy to community groups through corporate communications; and
- the identification of suitable locations in relation to the affixing of banners and posters for event highlighting.

The Cabinet agreed to approve the Fly Posting Policy detailed at Appendix 1 to the report.

10. Transfer of Land at Dickson Drive, Irvine

Submitted report by the Executive Director (Place) on the transfer of land at Dickson Drive, Irvine from the Common Good to the Housing Revenue Account. The second phase site plan was set out at Appendix 1 to the report.

The Cabinet agreed to transfer the land at Dickson Drive, Irvine from the Common Good to the Housing Revenue Account for the sum of £66,000, subject to deduction of abnormal costs.

11. Upper Garnock Valley Flood Protection Scheme

Submitted report by the Executive Director (Place) on progress with the proposed Upper Garnock Valley Flood Protection Scheme and seeking approval to make arrangements to hold a Public Hearing to consider outstanding objections as appropriate.

The Cabinet agreed (a) to note the extensive work carried out to date in developing an appropriate Upper Garnock Flood Protection Scheme; (b) that Officers should continue to try and resolve the objections to the scheme; (c) that officers will commence making arrangements for a Public Hearing to take place in early 2018 to consider outstanding objections in the potential event that it is not possible to resolve all objections; and (d) to note the indicative timescale for potential progress with final approval, design and construction of the Flood Protection Scheme.

12. Zero Waste Strategy 2018-2022

Submitted report by the Executive Director (Place) on the draft Zero Waste Strategy and implementation plan for the period 2018-2022. The draft Zero Waste Strategy was set out at Appendix 1 to the report.

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

- the percentage of waste currently within grey bins which is recyclable;
- behavioural change which is required in terms of household recycling;
- advertising of a hygiene collection for nappies which would be available on a 2-weekly basis if required by parents;
- provision of a heavy plastic sack or bag for storage/collection of nappies;
- the introduction of communal bins as a pilot for common areas and flatted accommodation;
- potential concerns in relation to storage of an extra 2 section bin;
- clear guidance for households in terms of a single specified bin collection day;
- work with the Digital Team on the development of an app which will provide an alert indicating when and what bins will be collected; and
- the potential for underground waste storage and piloting this within future Council properties to be constructed.

The Cabinet agreed to approve the draft Zero Waste Strategy and implementation plan.

13. North Ayrshire Council Biodiversity Duty Report 2015-17

Submitted report by the Executive Director (Place) on the publication of North Ayrshire Council's Biodiversity Duty Report 2015-17, as detailed at Appendix 1 to the report.

The Cabinet agreed to approve the draft North Ayrshire Council Biodiversity Duty Report 2015-17, as detailed at Appendix 1 to the report, for publication.

14. North Ayrshire Local Housing Strategy 2018-2022

Submitted report by the Executive Director (Place) on the draft North Ayrshire Local Housing Strategy 2018-2022 for publication, as detailed at Appendix 1 to the report. Appendix 2 set out the associated Outcome Plan for publication and submission to the Scottish Government.

The Cabinet agreed to approve the draft Local Housing Strategy 2018-2022 and associated Outcome Plan, as detailed at Appendices 1 and 2 to the report, for publication and submission to the Scottish Government.

15. Local Bus Services in Scotland

Submitted report by the Executive Director (Place) on the Local Bus Services in Scotland. The draft response to Transport Scotland was set out at Appendix 1 to the report. This has been submitted to Scottish Government and the Council is awaiting their response.

The Cabinet agreed to homologate the submission of the draft response provided at Appendix 1 to the report to Transport Scotland.

16. Award of Contract - Internal and External Alterations to the PE Block at Auchenharvie Academy, Stevenston

Submitted report by the Executive Director (Finance and Corporate Support) on the tender exercise for the Internal and External Alterations to the PE Block at Auchenharvie Academy, Stevenston.

The Cabinet agreed to approve the award of contract to Ashleigh Scott Ltd.

The Meeting ended at 4.30 p.m.

Appeals Committee
13 December 2017

IRVINE, 13 December 2017 - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

Present

John Easdale, Timothy Billings and Jimmy Miller.

In Attendance

S. Montgomery, Solicitor (Litigation)(Chief Executive's Service); and A. Young, HR Operations Manager (Human Resources) (Finance and Corporate Support).

Also In Attendance

Helen McArthur, Senior Manager (Community Care Services); T. Drain, HR Adviser (Finance and Corporate Support); the appellant; and the appellant's representative, Paul Arkison, GMB.

Chair

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. 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.

3. Disciplinary Procedure: Appeal Against Dismissal

Submitted report by the Chief Executive on the background to an appeal against dismissal by a former employee within the Health and Social Care Partnership.

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's representative presented the grounds of the 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 together with the appellant withdrew from the hearing to allow the Committee to deliberate.

Following deliberation, the Committee agreed (a) that the grounds of appeal had been upheld in part and the appellant reinstated with conditions; and (b) that the appellant be so advised within 14 days.

The Meeting ended at 1.50 p.m.



**North Ayrshire Health and Social Care Partnership
Minute of Integration Joint Board meeting held on
Thursday 14 December 2017
at 10.00 am, Council Chambers, Cunninghame House, Irvine**

Present

Stephen McKenzie, NHS Ayrshire & Arran (Chair)
Councillor Robert Foster, North Ayrshire Council (Vice Chair)
Councillor Timothy Billings, North Ayrshire Council
Councillor Christina Larsen, North Ayrshire Council
Dr Janet McKay, NHS Ayrshire & Arran
Alastair McKie, NHS Ayrshire & Arran

Stephen Brown, Interim Director of Health and Social Care Partnership
Dr Paul Kerr, Clinical Director
David MacRitchie, Chief Social Work Officer – North Ayrshire
Alistair Reid, Lead Allied Health Professional Adviser
David Thomson, Lead Nurse/Mental Health Advisor
David Donaghey, Staff Representative – NHS Ayrshire and Arran
Louise McDaid, Staff Representative – North Ayrshire Council
Marie McWaters, Carers Representative
Fiona Thomson, Service User Representative
Nigel Wanless, Independent Sector Representative
Robert Steel, Chair Kilwinning Locality Forum
Vicki Yuill, Third Sector Representatives

In Attendance

David Rowland, Head of Service (Health and Community Care)
Thelma Bowers, Head of Service (Mental Health)
Donna McKee, Head of Service (Children, Families and Criminal Justice)
Eleanor Currie, Principal Manager (Finance)
Jo Gibson, Principal Manager (Planning and Performance)
Eleanor McCallum, Partnership Engagement Officer
Karen Andrews, Team Manager (Governance)
Angela Little, Committee Services Officer

Apologies for Absence

Councillor John Sweeney, North Ayrshire Council
Dr Crawford McGuffie, Acute Services Representative

Chair's remarks

The Chair apologised for the late circulation of the report for Item 11.1 Integrated Care Fund.

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 the following Members declared of interest in Item 11.1, Integrated Care Fund:-

Nigel Wanless – on the basis of the recommendations in respect of B – Ideas and Innovation Projects (5).

Janet McKay on the basis of the recommendations in relation to C - Reshaping Care for Older People – Legacy (7).

Vicky Yuill on the basis of the recommendations in respect of G - Partnership Enablers (1, 2 and 3).

In terms of Standing Order 7, the Board agreed that the Members did not require to leave the meeting and could take part in the discussion on this item.

3. Minutes/Action Note

The accuracy of the Minutes of the meeting held on 16 November 2017 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973, subject to the following additional and correction:-

Page 9 – Item 8, 2nd paragraph, 2nd bullet point – an increase of 31% in Community Payback Orders which has not seen an increase in **national** budget to reflect and demand.

Page 10 – Item 9, first bullet point – a presentation that will be made to North, East and South IJBs on the Service of ~~pay~~ **pan** Ayrshire Psychological Services.

3.1 Matters Arising

Action Note

Volunteering Strategy – the North Ayrshire draft will be discussed with East and West at a meeting in January.

Action - V. Yuill

Public Partnership Forum - Local Public Forum will be approached to seek representations. Carers Advisory Group (CAG) membership is being renewed and a representative will be identified. Jo undertook to liaise with Fiona further

Action – J. Gibson and F. Thomson

Technology Enabled Care (TEC) and Innovation - work is being done with South Ayrshire on a strategy that will include Alexa. A report will be brought to a future meeting of the IJB.

Action – D. Rowland

4. NAHSCP Website

Eleanor McCallum, Partnership Engagement Officer provided a presentation on the NAHSCP website, which included information on:-

- The aim of the website to be fully responsive, full compatible and linked to social media;
- Consultation that included the use of Twitter, Carena, Facebook and CPP partners, visitors to libraries, patients at Woodland View, carers at North Ayrshire Carers Centre and residents and visitors at local care homes;
- The Working Group that consulted on two website designs with the final design combining elements of both options and will provide links to a range of other organisations such as NHS, Scottish Care, TSI, Carena, Care Opinion, Charter for Involvement, CPP, NHS Inform and Power of Attorney;
- The work of the Governance Team in managing the website; and
- What Matters to You Day which helped inform the Strategic Plan

The Board viewed a variety of different pages of the website and were provided with further information in relation to:-

- Links within the website to a range of other organisations such as the Police;
- The role of the Governance Team in managing and updating the information on the website;
- Information within the Children and Families section for prospective foster and young people;
- Promotion of the website and an official launch event; and
- The provision of a search facility to assist users find information.

Members provided some suggestions for the website:-

- Add in an extract from the Strategic Plan to underline to the public who the IJB are and the progress that has been made;
- Pictorial elements that could be removed if required;
- The addition of a Frequently Asked Questions section;
- Links to job vacancies within the Council and NHS;
- A Features Section to showcase the great work that is happening e.g. Café Solace; and
- A Who's Who section with photographs, biographies and organisational structure.

The Board agreed (a) that the Partnership Engagement Officer consider further the areas outlined by Members for the website, as detailed above; (b) to approve the launch of the website following further amendment; and (c) to thank the Partnership Engagement Officer for her informative presentation and website tour.

Action – E. McCallum

5. Director's Report

Submitted report by Stephen Brown, Interim Director NAHSCP, on development within the North Ayrshire Health and Social Care Partnership.

The report highlighted works underway in the following areas:-

- Health and Social Care Integration National Workshop;
- General Medical Services Contract;
- Universal Credit Digital Service;
- Adult Support and Protection (ASP) – Pan Ayrshire ASP Annual Conference;
- Corporate Parenting Workshop;
- Parent and Baby Cafes;
- North Ayrshire Staff Partnership Awards; and
- Budget update.

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

- The Clinical Director will lead on engagement with GPs in North Ayrshire to gather their views on the General Medical Services contract;
- A workshop that will be held on primary care and a presentation that will be made to a future meeting of the IJB by the Clinical Director;
- A social enterprise model for future sustainability and expansion of the Parent and Baby Cafes which includes work with Economy and Communities and the employment of a Café Manager;
- North Ayrshire online Budget Calculator tool that allows the public to balance the Council's budget and illustrates the impact when certain areas of spending are reduced; and
- Consideration of the IJB's financial position and the publication of a financial position statement.

The Board agreed (a) the Clinical Director provide a presentation and workshop session to a future meeting of the IJB on primary care; and (b) that the Interim Director publish a financial position statement.

Action – Dr P Kerr and S. Brown

6. Veterans First Point Service

Submitted report by Lindsay Kirkwood, Clinical Lead V1P, on the Veterans First Point Service based in Irvine. The report provided information on

- the Veterans First Point (V1P) national network;
- other V1P centres within Scotland and the launch of the Ayrshire and Arran V1P service in March 2017;
- existing services available for veterans in Ayrshire and the services V1P provide;
- the costs associated with sustaining the service and future development;

- the funding proposal from the Scottish Government for the local network of V1P services to the end of the year on the basis that this will be matched 50/50 by partnerships; and
- Anticipated outcomes in terms of costs, patient safety, addressing inequalities and reputation.

The Board were also advised that the Scottish Government is currently negotiating with the Veterans 1st Point Service, a partnership approach involving a range of other partners, including the Ministry of Defence.

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

- Support from the Strategic Planning Operational Group to the project;
- The agreement from East and South Ayrshire to the project in principle, however they were unable to provide funding;
- The submission of the report to East and South Ayrshire in January 2018;
- Existing staffing contracts that are due to end in March 2018; and
- Ministry of Defence advertising outside the 1st Point Service premises and their visits to local schools;

The Board agreed (a) the model in principle; (b) to defer the decision on funding until there is a clear understanding on the financial commitment from East and South Ayrshire; (c) to receive further information on (i) the usage percentages for North, South and East geographical areas; and (ii) the different funding approaches and potential savings; and (d) to keep the workforce advised accordingly.

Action – T. Bowers

7. Integration Joint Board Governance and Reporting Arrangements

Submitted report by Karen Andrews, Team Manager (Governance) which outlined the duties placed on the North Ayrshire Integration Joint Board in relation to the Public Bodies (Joint working)(Scotland) Act 2014 and the arrangements in place in relation to:-

- Complaints Handling Procedure;
- Model Publication Scheme;
- Climate Change Reporting; and
- Records Management Plan.

Noted.

8. IJB Performance and Audit Committee Minutes

Submitted the minutes of the IJB Performance and Audit Committee meeting held on 7 September 2017.

Councillor Billings advised that following his first meeting as Chair, the performance reports were amended to make them more meaningful. He highlighted some key areas from the last meeting which included:-

- Presentation on the Annual Performance Report 2016/17;
- Presentation on the Emergency Beds and A & E analysis;
- Q1 Performance report;
- Internal Audit Plan – the minute refers to the appendices, which are not published on the website; and
- Annual Accounts – looking at the information the managers have to help them manage budgets.

Noted.

9. Strategic Planning Group

Submitted the minutes of the Strategic Planning Group meeting held on 2 October 2017.

Councillor Foster, as Chair of the Strategic Planning Group highlighted a few areas from the last meeting of the Strategic Planning Group which included:-

- A presentation the group received on Child Poverty;
- Meetings that are now held in a more informal way, such as splitting into groups to discuss the first draft of the Strategic Plan and providing feedback; and
- Good attendance and representation at the group from localities and NHS.

Noted.

10. Urgent Items

The Chair agreed to consider the following item as a matter of urgency to allow Members to be advised of the current position.

10.1 North Ayrshire Citizen's Advice Service (NACAS)

Councillor Billings advised that NACAS have now withdrawn their outreach services to enable funds to be retained for future months.

The tender documents in relation to the procurement of a complementary range of advice services by North Ayrshire Council have not yet been sent out. The Board was advised that the Head of Service (Health and Community Care) would undertake to investigate the timeline in respect of the tender process.

The Head of Service (Health and Community Care) advised that NACAS had provided an assurance they would provide services till the end of the contract period. However they subsequently submitted written notification that the outreach services were being withdrawn. A meeting has been arranged with NACAS to discuss the current position.

The Board noted that the Head of Service (Health and Community Care) would (a) investigate the position with the tender process; (b) meet with NACAS to discuss their contract; and (c) provide the Board with an update.

Action – D. Rowland

11. Exclusion of the Public and Press

The Committee resolved, in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the Meeting, the press and the public for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1, 3 and 9 of Part 1 of Schedule 7A of the Act.

11.1 Integrated Care Fund

Submitted report by Jo Gibson, Principal Manager (Planning and Performance) on the proposed use of the Integrated Care Fund in future years.

The report outlined the ICF Review Group's recommendations on ICF spend which allowed for the most effective use of resources, generating savings wherever possible to enable future investment in transformation. The agreed criteria was outlined at Appendix 1 to the report and the tool used by the Review Group to score the projects was provided at Appendix 2 to the report.

The Board noted the findings and agreed the recommendations as detailed in the report.

Action – J. Gibson

The meeting ended at 1.00 p.m.

Audit and Scrutiny Committee
Tuesday, 09 January 2018

Present

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

Also Present

John Bell, Robert Foster, Todd Ferguson, Alex Gallagher, Jean McClung, Davina McTiernan, Donald L Reid and Ian Murdoch.

In Attendance

E. Murray, Chief Executive, John Butcher, Executive Director (Education and Youth Employment); A. Fraser, Head of Democratic Services and A. Little Committee Services Officer (Chief Executive's).

Also In Attendance

Angela McCallum and Phil Lonsdale, Cumbrae Community Council.

Chair

Councillor Burns in the Chair.

Apologies for Absence

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 Call In: Reinstatement of School Transport for Cumbrae Pupils – Largs Ferry

Submitted report by the Chief Executive on a Call In Request received in respect of the decision taken by Cabinet at its meeting on 12 December 2017 in relation to the report on the Reinstatement of School Transport for Cumbrae Pupils - Largs Ferry Terminal to the New Largs Academy. A copy of the Cabinet report was provided at Appendix 1 to the report.

The Cabinet, at its meeting on 12 December 2017, considered a report on the transport arrangements of Cumbrae pupils travelling to Largs Academy. Currently the Cumbrae pupils are transported from Millport to Cumbrae ferry slipway and make their own way from the Largs ferry slipway to Largs Academy. The distance from the Largs ferry slipway to the new Largs Campus is one mile and is well within

the walking distance of three miles for secondary pupils, as outlined in Sections 51 (a) and 42 (4) of the Education (Scotland) Act 1980.

The Cabinet agreed (a) to make no change to the current arrangements from Millport to Cumbrae Ferry slipway, but not to provide the transport arrangements for Cumbrae pupils from the Largs ferry slipway to the new Largs Academy; and (b) otherwise to note the terms of the report.

A briefing paper by the Executive Director (Education and Youth Employment) was circulated and provided information on the Council's current policy on (i) the Provision of School Transport, which is in line with Section 51 (a) of the Education (Scotland) Act; (ii) the current transport arrangements for pupils from Cumbrae; and (iii) the decision of Cabinet on 12 December 2017 not to reinstate the transport arrangements for Cumbrae pupils from the Largs ferry slipway to the new Largs Academy. The paper also outlined the on-going tender process for the school transport contract to Largs Academy, which includes an option to include prices for an unbroken journey from Cumbrae to the new campus.

A request was received in terms of the Call In procedure set out in the Council's Scheme of Administration and Standing Orders, that the Audit and Scrutiny Committee examine the decision taken by Cabinet.

The Call In Request, which was signed by Councillors Ferguson, Gallacher and Stephen, was in the following terms:-

Reason for Call In

There was a commitment made to ensure the safe transportation of Island children when the Junior Secondary School closed in the 70's ever since Cumbrae pupils have been transported by bus from Largs Ferry Terminal to Largs Academy.

The children live more than 3 miles in total from Largs Academy.

Island parents were promised this service would run when the new school opened.

Finally, Cabinet agreed on the same day to put children and young people at the heart of everything the Council does – I would argue that this is contradictory policy if there is no bus provision for the children and young people of Cumbrae.

Desired Outcome

I would like to see that the promises which have been made by the Council to the parents of Cumbrae are honoured and ensure that there is a bus provided from Largs ferry slip to the new Largs Academy when it is opened for the children and young people of Cumbrae.

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 Ferguson expressed the view that the Cabinet's decision on 12 December 2017 reneged on a promise given to parents that the transport from the Largs ferry slipway to the new Largs Campus would be reinstated from April 2018. He considered the Cumbrae pupils' journey to school was unique in North Ayrshire in that it involved a walk, bus journey, ferry journey and a further walk to the school. He stated that no pupil on Cumbrae lives less than 3 miles from Largs Campus and Scottish Government legislation states that secondary pupils do not have to walk more than 3 miles between the school and a pupil's normal residence.

Councillor Murdoch as a local Member, addressed the Committee in support of the Call In. He displayed a video he had taken whilst travelling the route from Cumbrae to the new Largs campus. His journey started at the helipad in Cumbrae to the bus stop and involved a bus journey to the pier, a ferry journey to Largs slipway and a walk from the slipway to the construction gate entrance to the new academy. He highlighted that the walk from the slipway to the academy was not the safe walking route, but the quickest route available and that he arrived at the school entrance at 8.57 a.m. During winter months and inclement weather, parents on the mainland have the option to drive their children to school. This option is not available to the parents on Cumbrae and not only will the Cumbrae pupils arrive at school late each day, on occasions they will be soaking wet.

Angela McCallum and Phil Lonsdale, Cumbrae Community Council addressed the Committee in support of the Call In. They referred to the outcome of the consultation on the new Largs campus that school transport would be provided to Cumbrae pupils from the Largs slipway to the new campus from April 2018 and that this had been confirmed in a letter from the Executive Director (Education and Youth Employment) in September 2017. Parents on Cumbrae are concerned that without this transport their children will not be given equal education opportunities, as they will be late for school each day and also for exams which start at 9.00 a.m. Reference was made to the average weight of a school bag, which at 8 - 9 kilos (minus PE kit) could cause issues for children with medical conditions such as diabetes and asthma if a bus is not provided and they had to carry this from the slipway to the new campus. They referred to the Islands Bill which will include the preparation of an Islands Community Impact Assessment and guidance from the Child Law Centre that young people should travel for no more than 75 minutes in reasonable comfort. Cumbrae secondary pupils leave home early in the morning and return home after 5.00 p.m. and some pupils will have a total journey of 135 minutes each school day.

The Chair then invited Councillor Bell, as the Education portfolio holder to address the meeting. Councillor Bell clarified the decision that Cumbrae pupils would not be transported from Largs Ferry Slip to school had been taken 5 years ago. Accordingly, Cabinet had considered the issue of whether the extra distance to the new school required transport. However he accepted that the Cumbrae secondary pupils' situation and journey is not the same as that of mainland secondary pupils. It is now proposed that the on-going tender process for the school transport contract to Largs Academy, include prices for an unbroken journey from Cumbrae to the new campus. This is currently being assessed and will incur an additional cost to the Council. On that basis he agreed that Cabinet could reconsider its decision.

Councillor Hill, seconded by Councillor Marshall moved to accept the terms of the Call In. There being no amendment, the motion was carried.

Accordingly, the Committee agreed to (a) note the on-going tender process for the school transport contract to Largs Academy, including prices for an unbroken journey from Cumbrae to the new Largs campus; and (b) recommend to Cabinet that transport for Cumbrae pupils from the Largs slipway to the new Largs campus is reinstated.

The meeting ended at 2.30 p.m.

Licensing Committee
10 January 2018

May 2017 - April 2022

IRVINE, 10 January 2018 - 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, Donald L. Reid and Angela Stephen.

In Attendance

A. Craig, Senior Manager Legal Services, W. O'Brien, Solicitor (Licensing), C. Pollock, Licensing Administration Officer, D. Robertson, Enforcement Officer, A. Toal, Administrative Assistant, and M. Anderson, Committee Services Team Leader (Chief Executive's Service).

Also In Attendance

Sergeant Dougan and D. Hastings, Licensing Administrator (Police Scotland).

Chair

Councillor McNicol in the Chair.

Apologies for Absence

John Easdale and Todd Ferguson.

1. Declarations of Interest

In terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors, Councillor Barr, as an acquaintance of the applicant, declared an interest in Hearing 2 (McGuire) under Agenda Item 3 (Civic Government (Scotland) Act: Licensing Matters), left the meeting for that item of business and took no part in the decision thereon.

2. Minutes

The accuracy of the Minutes of the meeting of the Committee held on 29 November 2017 was confirmed, and the Minutes were signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Exclusion of the Public

"The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting, the press and the public, for Agenda Item 3 (Civic Government (Scotland) Act 1982: 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 Act 1973. The 'Exempt Information' concerned is that described in Section 7A, Paragraph 6 ("Information relating to the financial or business affairs of any particular person (other than the authority)"), Paragraph 14 ("Any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime") and Paragraph 15 ("The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance)."

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

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

PART A: Hearings

4.1 Taxi Driver's Licence: TDL/00792 (Renewal) - George Williams

The Committee, at its meeting held on 29 November 2017, 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 representatives of Police Scotland addressed the Committee on a letter setting out an observation in respect of the application and a further letter containing an objection.

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

Decision

Councillor Gallacher, seconded by Councillor Donald L. Reid, moved that the application be granted in terms of Schedule 5(1)(a) of Schedule 1 of the Civic Government (Scotland) 1982 for a period of one year. There being no amendment, the motion was declared carried.

4.2 Taxi Driver's Licence: TDL/02068 (New) - Douglas McGuire

The Committee, at its meeting held on 29 November 2017, 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) addressed the Committee on 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.

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

Decision

Councillor McClung, seconded by Councillor Donald L. Reid, moved that the application be granted in terms of Schedule 5(1)(a) of Schedule 1 of the Civic Government (Scotland) 1982 for a period of one year. There being no amendment, the motion was declared carried.

4.3 Taxi Driver's Licence: TDL/02062 (New) - Craig Moffat

The Committee, at its meeting held on 29 November 2017, 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) addressed the Committee on 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

Councillor Barr, seconded by Councillor Donald L. Reid, moved that the application be granted in terms of Schedule 5(1)(a) of Schedule 1 of the Civic Government (Scotland) 1982 for a period of one year. There being no amendment, the motion was declared carried.

4.4 Late Hours Catering Licence: LHCL/116 (Renewal) - Mascot Ltd

The Committee, at its meeting held on 29 November 2017, 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 represented by Mahmood Saleem, Director, accompanied by a Solicitor.

The Solicitor (Licensing) addressed the Committee on the background to the hearing as previously intimated in writing to the applicant. The applicant's solicitor addressed the Committee on the issues raised and responded to questions.

Decision

The Committee unanimously agreed to grant the application, for the period 11.00 p.m. to 5.00 a.m., in terms of Paragraph 5(1)(a) of Schedule 1 to the Civic Government (Scotland) Act 1982, subject to conditions applied under Paragraph 5(2): (a) the Council's Standard Conditions and (b) a further condition, that no hot food be sold, or facilities for heating food used (whether by staff or customers), after 1.00 a.m.

4.5 Taxi Licence and Taxi Driver's Licence: TL/194 & TDL/01355 - Michael Ferguson

The Committee, at its meeting held on 1 November 2017, 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. The licence holder, having been duly cited to attend that meeting, was unable to be present, and the Committee unanimously agreed to continue consideration of the matter to the next meeting to allow the licence holder to attend.

The licence holder, having been duly cited to attend, was present.

The Enforcement Officer addressed the Committee on the background to the matter. Thereafter, the licence holder addressed the Committee on the issues raised and responded to questions.

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

Decision

Councillor Barr, seconded by Councillor McTiernan, moved, in respect of Taxi Licence TL/194 and Taxi Driver's Licence/01355 held by Michael Ferguson, that the grounds of suspension (Civic Government (Scotland) Act 1982, Schedule 1, Paragraphs 11(2)(a) and (d)) should be held established, but that no Suspension should be imposed. There being no amendment, the Motion was declared carried.

The Committee considered that in the circumstances the licence-holder should be sent a written warning about his future conduct and be advised (a) that his failure to comply with a condition of his Taxi Licence on 19 August 2017 after a suspension hearing on 15 March 2017 relating to a failure to observe the same condition might be considered by the Committee when he later sought the grant or renewal of any Licence (whether or not that future Application concerned the two Licences which were the subject of the present hearing) and (b) that the circumstances considered on 10 January 2018 could be taken into account if the Committee dealt with any future Suspension proceedings involving the licence holder.

PART B: Applications for Grant/Renewal of Licences

4.6 Street Trader Employee Licence: STL/E/116 (Renewal) - Angela Gilgannon

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

4.7 Tattooing Licence: SPTL/042 (New) - Reid & Reid (Hairdressers) Limited

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

4.8 Taxi Driver's Licence: TDL/00462 (New) - Matthew Imrie

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

4.9 Taxi Driver's Licence: TDL/00731 (Renewal) - Steven Kelly

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

4.10 Taxi Driver's Licence: TDL/01876 (Renewal) - Alessandro Gavazzeni

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

4.11 Taxi Driver's Licence: TDL/02067 (New) - James Ross

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

4.12 Taxi Driver's Licence: TDL/02074 (New) - John McDowall

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

4.13 Taxi Licence: TL/420 (New) - Andrew Brannan

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

5. Licensing of Window Cleaners - Civic Government (Scotland) Act 1982, Section 43

Submitted report by the Chief Executive on a representation from Police Scotland requesting that the Council consider requiring the licensing of window cleaners under the Civic Government (Scotland) Act 1982, Section 43.

The report set out the statutory procedure under Section 9 for making a Resolution and suggested a timetable for that procedure.

The Committee agreed to (a) propose to resolve, under Section 9 of the Civic Government (Scotland) Act 1982 that, from and after Sunday 23 December 2018, Section 43 of that Act shall apply, so that a Window Cleaner's Licence shall be required for carrying on the trade of, or being employed as, a window cleaner; and (b) adopt, for the statutory procedure, the timetable set out at Section 3.4 of the report.

The Meeting ended at 12.05 p.m.

Planning Committee
Wednesday, 17 January 2018

Present

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

In Attendance

J. Miller, Senior Manager (Planning) (Economy and Communities); and J. Law, Solicitor (Contracts and Licensing) and M. Anderson Committee Services Team Leader (Chief Executive's Service).

Also in Attendance

Karen Wallace and Claude Nelson (representing Tarryholme residents) and Andrew Easton (Robert Potter and Partners), Janice Russell (McTaggart Construction) and Mark Rinkus (White Young Green) (representing the applicants) (Agenda Item 3).

Chair

Councillor Marshall in the Chair.

Apologies for Absence

Ellen McMaster.

1 Declarations of Interest

In terms of Standing Order 10 and Section 5 of the Code of Conduct, Councillor McNicol, as the spouse of the applicant, declared an interest in Agenda Item 4 (17/01214/PP - 35 Caledonia Road, Saltcoats) and left the meeting for that item of business.

2 Minutes

The Minutes of the meeting of the Committee held on 6 December 2017 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3 17/01096/PPM - Site To North Of Tarryholme Pond, Irvine

Irvine Housing Association have applied for planning permission for the erection of 87 dwellinghouses to include the provision of associated infrastructure and landscaping at the site to the north of Tarryholme Pond, Irvine. Seventy-three representations were received and were detailed in the report.

Ms Wallace, accompanied by Mr Nelson, representing residents of Tarryholme, addressed the Committee in support of the objections.

Ms Wallace referred to increased traffic volumes and road safety concerns associated with the proposed development. She questioned the traffic volume forecasts prepared on behalf of the applicants; raised the issue of increased CO2 emissions relating to extra vehicles idling at the estate's exit during busy periods; and expressed concern about road safety in the vicinity of the access road to the new site. In addition, Ms Wallace made reference to increased flooding risks and the potential for the proposed development to affect the water table at this location. The capacity of local schools and health services to absorb the additional residents associated with the proposals was also called into question, particularly given the new development at the nearby Hallmark Hotel. Ms Wallace questioned the measured distance to public transport and highlighted the applicant's failure to meet the Scottish Planning Policy guidance on travel distances to bus stops. Access to public transport and walking route provision were, the objectors considered, key considerations in the context of a likely increase in the number of residents with mobility issues.

Mr Easton, of Robert Potter and Partners, and Mark Rinkus, of White Young Green, accompanied by Janice Russell of McTaggart Construction, then addressed the Committee, on behalf of the applicants, in response to the objectors. In a presentation, the applicants' representatives highlighted the longstanding allocation of the site for residential development within the Adopted Local Plan and the stated capacity of the Education Authority to meet the needs of the proposed development. Mr Rinkus, the applicant's transport consultant, then outlined the scope and findings of the transport assessment undertaken, asserting that the proposed development would generate relatively low traffic flow. He indicated that the development had been designed to promote and support public transport access and referred to proposed road crossing improvements. Mr Rinkus made reference to planned road safety measures, including a proposed change to the junction onto the A71 to prohibit vehicles from turning right. Mr Easton then addressed the objectors' concerns about potential flooding, advising that no objections had been expressed by the Council's flooding officer or by SEPA.

The objectors then had an opportunity to make brief final comments. Ms Wallace referred to significant changes in traffic volumes since the site was originally allocated and queried the accuracy of forecasting. Ms Wallace also challenged assertions about road safety at this location, referring to a previous accident on the main route into the estate.

Members then asked questions of the objectors and applicants' representatives in respect of traffic volumes forecasting, the nature of the development proposed,

the planned provision of two access roads to the new development, the road safety improvements proposed, and GP service capacity in the area.

The Senior Manager then outlined the terms of the planning report, including a recommended further condition relating to parking provision to reflect the schedule of off-street parking requirements for each plot.

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

- an existing sewerage system in the area and its capacity;
- safe walking routes and the availability of a public path crossing beneath the A71; and
- the nature of the new development, in terms of housing mix.

Councillor McNicol, seconded by Councillor Barr, moved that the application be granted, subject to the conditions set out in the report and the additional condition referred to by the Senior Manager (Planning). There being no amendment, the motion was declared carried.

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

1. That, prior to the commencement of development hereby approved, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority full details of the pedestrian crossing improvements between Milgarholm Roundabout and junction of the Tarryholme site access road with the A71, together with all other road improvement works as may be deemed necessary by North Ayrshire Council as Roads Authority. Thereafter, all road and pedestrian crossing improvements as may be approved, including those illustrated on drawing no. A104936 SK001, shall be fully implemented prior to the occupation of the first dwellinghouse within the application site to the satisfaction of North Ayrshire Council as Planning Authority.

2. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority a scheme of landscaping, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.

3. That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development die, are removed or become

seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

4. That, prior to the occupation of any of the dwellinghouses and where Council adoption of open space and landscaped areas is not to be pursued, details of the proposed factor or management agency for all areas of open space, landscaping and SuDs area within the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the areas of open space and landscaping shall be maintained and managed in accordance with the details as may be approved under the terms of Condition 2 above.

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

6. That, prior to the commencement of the development, details of phasing shall be submitted for the written approval of North Ayrshire Council, which shall incorporate phasing details for off-site infrastructure works, SuDS, tree planting and open space provision. Thereafter, the development shall be implemented only in accordance with such phasing as may be agreed with North Ayrshire Council as Planning Authority, unless otherwise agreed in writing

7. That, prior to the commencement of the development, hereby approved, the developer shall secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation for submission by the applicant and approved by North Ayrshire Council Planning Authority in consultation with the West of Scotland Archaeology Service. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of North Ayrshire

Council Planning Authority in consultation with the West of Scotland Archaeology Service.

8. That, prior to the erection of any of the dwellinghouses hereby approved, a detailed schedule of the proposed external finishes for each of the dwellinghouses together with a plan and schedule of the surface treatments to be used on the roads and footpaths within the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the houses, roads and footpaths shall be constructed only in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.

9. That, prior to the commencement of the development, hereby approved, confirmation shall be submitted in writing to North Ayrshire Council as Planning Authority and certified by a suitably qualified person that a scheme to treat the surface water arising from the site has been prepared in accordance with the principles and practices contained in 'The SuDS Manual' (CIRIA report C753, published November 2015). Thereafter, the certified scheme shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

10. That the recommendations/mitigation measures contained within the Ecological Report and Flood Risk Assessment, submitted with the application, shall be implemented during the course of the development to the satisfaction of North Ayrshire Council as Planning Authority. During the course of the development, details demonstrating the implementation of the recommendations in each report shall be submitted for the written approval of North Ayrshire Council as Planning Authority.

11. That, prior to the commencement of the development, details of all boundary treatments to be formed shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, all boundary fences and walls as may be approved relating to or adjacent to each plot shall be erected prior to the occupation of the dwelling within that plot to the satisfaction of North Ayrshire Council as Planning Authority.

12. That the first 2 metres of the driveways, measured from the heel of the footway or shared surface roadway shall be hard surfaced in order to prevent deleterious material being carried onto the carriageway and designed in such a way that no surface water shall issue from the access onto the carriageway.

13. That, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority further details in relation to the storage volume of the proposed basin, including calculations, drawings, etc. that demonstrate that the basin will not be overtopped up to and during the 1 in 200 year flood event for all relevant sources of flooding. Thereafter, the development shall be implemented only in accordance with such

details as may be approved, all to the satisfaction of North Ayrshire Council as Planning Authority.

14. That, prior to the commencement of the development, comprehensive details of all site levels, including existing ground levels, proposed ground levels and finished floor levels, shall be submitted for the written approval of North Ayrshire Council as Planning Authority.

15. That, notwithstanding the plans hereby approved, the parking provision for Plot 13 shall be 2 spaces within the curtilage of the plot and 3 spaces each within the curtilages of Plots 47 and 48. Prior to the commencement of the development, an updated site plan reflecting the above requirements shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall be implemented only in accordance with such details as may be approved.

4 17/01214/PP - 35 Caledonia Road, Saltcoats

Mrs Martha McNicol, 35 Caledonia Road, Saltcoats has applied for planning permission for the erection of a single storey extension to the rear of the semi-detached dwelling house at that address.

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

5 1701206ALO - Townend Of Shutterflat Farm, Beith

Mr and Mrs J Lamont, Townend of Shutterflat Farm, Beith have applied for a discharge of Section 75 obligation in respect of planning permission 03/00011/PP for the tipping of inert material and land improvement at that address.

The Committee agreed to approve the application.

The Meeting ended at 3.05 p.m.



**North Ayrshire Health and Social Care Partnership
Minute of Integration Joint Board meeting held on
Thursday, 18 January 2018
at 10:00, Council Chambers, Ground Floor, Cunninghame House, Irvine, KA12
8EE**

Present

Councillor Robert Foster, North Ayrshire Council (Vice Chair)
Councillor Timothy Billings, North Ayrshire Council
Councillor Christina Larsen, North Ayrshire Council
Dr Janet McKay, NHS Ayrshire & Arran
Alistair McKie, NHS Ayrshire and Arran
Bob Martin, NHS Ayrshire and Arran
Stephen Brown, Interim Director of Health and Social Care Partnership
Shahid Hanif, Interim Head of Finance
David MacRitchie, Chief Social Work Officer – North Ayrshire
Alistair Reid, Lead Allied Health Professional Adviser
David Thomson, Lead Nurse/Mental Health Adviser
David Donaghey, Staff Representative – NHS Ayrshire and Arran
Louise McDaid, Staff Representative – North Ayrshire Council
Fiona Thomson, Service User Representative
Nigel Wanless, Independent Sector Representative
Heather Malloy, Independent Sector Representative
Robert Steel, Chair Kilwinning Locality Forum
Vicki Yuill, Third Sector Representatives

In Attendance

David Rowland, Head of Service (Health and Community Care)
Thelma Bowers, Head of Service (Mental Health)
Eleanor Currie, Principal Manager (Finance)
Jo Gibson, Principal Manager (Planning and Performance)
Angela Morrell, Community Empowerment Manager
Maureen Baird, Project Officer (Developing the Young Workforce/Children's Services Programme Planning)
John Godwin, Service Development Officer

Karen Andrews, Team Manager (Governance)
Amber Beveridge, Communications Support Officer
David Mackay, Modern Apprentice
Dionne Griffiths, Modern Apprentice
David Macknight, Modern Apprentice
Diane McCaw, Committee Services Officer
Euan Gray, Committee Services Support Officer

Apologies for Absence

Stephen McKenzie, NHS Ayrshire & Arran (Chair)
Dr Paul Kerr, Clinical Director
Councillor John Sweeney, North Ayrshire Council
Dr Crawford McGuffie, Acute Services Representative
Marie McWaters, Carers 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 declarations of interest.

3 Minutes / Action Note

The accuracy of the Minutes of the meeting held on 14 December 2017 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973, subject to the following amendment:-

Page 6 – Item 3.1 – Volunteering Strategy - the North Ayrshire draft will be discussed with East and ~~West~~ South at a meeting in January.

3.1 Matters Arising

Veterans First Point Service – a meeting has taken place with East and South regarding funding Veterans Frist Point. The IJB had decided to fund moving forward and with agreement now reached, figures are being worked on with East and South regarding proportion of contribution.

Action – T. Bowers

NACAS - The Head of Service (Health and Community Care) advised that a meeting had been held with NACAS and that options going forward were being explored with regard to the withdrawal of their outreach services.

Action – D. Rowland

Technology Enabled Care (TEC) and Innovation – The Head of Service (Health and Community Care) will provide an update to a future meeting once clarification is provided on whether TEC will revert to NHS in its own right.

Action – D. Rowland

4 Carers

This item was deferred and Isabel Marr, Senior Manager (Long Term Conditions) will provide a presentation to the next meeting of the IJB on 15 February 2018.

Action – I. Marr

5 Annual Review of Children's Services

Stephen Brown and Angela Morrell provided a presentation on the Annual Review of Children's Services and the North Ayrshire Year of Young People 2018.

The presentations provided information on:-

- the launch of the Year of Young People (YoYP) 2018 Plan including a year-long programme of events and activities which will evidence the legacy of young people in North Ayrshire;
- the creation of 'Unfearties' to mark the 21st birthday of the Children's Parliament;
- the background to the Plan 'Getting it Right for You' which was published one year in advance of the statutory date and broken into three life stage sections – Early Years (0 – 5), Primary Years (5 – 12) and Secondary Years (13 – 18);
- the number of key achievements of the Plan which included development of a Named Person Service, the launch of Stop to Listen in the Three Towns locality, the recruitment of 17 additional Health Visitors, a rise in the breastfeeding rate and a fall in childhood obesity rates;
- the key next steps including the recruitment of a further six school counsellors and the establishment of a Data and Performance Sub Group to further develop the performance framework

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

- the links to the H&SC Partnership's strategic plan in connection with poverty issues through representation by young people on the Locality Partnerships and involvement in the Participatory Budget process;
- concern around transition periods in children's lives eg when they start secondary education or work;
- the high demand for SNAP and the need to have enough of a particular cohort of young people in a particular area to run a group;
- the benefits of the mental health first aiders; and
- tackling the social stigma associated with breast feeding.

The IJB agreed to support the contents of the Children's Services Plan 'Getting it Right for You' Annual Report 2016-17.

6 Director's Report

Submit report by Eleanor Currie, Principal Manager (Finance) on the projected financial outturn for the financial year 2017/18 as at 30 November 2017.

The detailed position against the full year budget of £225.153m was set out at Appendix A to the report. Appendix B detailed some savings at risk from delivery and included £1.165m of NHS savings shortfall still to be agreed. The forecasted net position, including the projected underspend of £0.158m was outlined in Appendix C. The previously approved mitigation plan was attached at Appendix D, which if delivered will reduce the deficit to £4.490m. Appendix E provided details of the budget reconciliation.

Overspends and underspends were highlighted and Section 3.10 of the report provided an update detailing mitigating actions.

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

- Waiting lists numbers in connection with care home placements and care at home services;
- The challenge in terms of next year's budget and ensuring 2017/18 savings are at a point where the funding gap is not carried over into 2018/19; and
- Options around budgets and savings will centre on a specific session with IJB mid-February to look at funding from the Health Board and the Council and what the potential funding gap will be for the IJB.

The Board agreed to note (a) the projected financial outturn for the year; and (b) that focus for the partnership over the next three months will be to maximise the savings achievable from the Challenge Fund and refresh the medium term financial strategy.

7 Financial Performance Update

Submitted report by John Godwin, Service Development Officer on the achievements of the Transforming Care After Treatment (TCAT) – Ayrshire Employability Project, which is a national partnership between the Scottish Government, Macmillan Cancer Support, NHS Scotland, the Regional Cancer Networks, Social Work Scotland, COSLA, Local Authorities and the Third Sector to support a redesign of care following active treatment of cancer.

The TCAT project has provided positive assistance to support people affected by cancer to return to work. Phase 1 of the project established an approach to holistic care across pathways and care sectors. Phase 2 has focused on three areas of business awareness, returning to work and securing work. Phase 3 will focus on

embedding health and wellbeing approaches in the community. A hyperlink within the report provided access to the full evaluation report on the West of Scotland Cancer Network website <http://www.woscan.scot.nhs.uk/wp-content/uploads/North-Ayrshire-Phase-2.pdf>

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

- The Council's policy on maximising attendance and how to tie in with the project.

Noted.

8 Transforming Care After Treatment (TCAT) – Ayrshire Employability Project

Submitted report by John Godwin, Service Development Officer on the achievements of the Transforming Care After Treatment (TCAT) – Ayrshire Employability Project, which is a national partnership between the Scottish Government, Macmillan Cancer Support, NHS Scotland, the Regional Cancer Networks, Social Work Scotland, COSLA, Local Authorities and the Third Sector to support a redesign of care following active treatment of cancer.

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

- The Council's policy on maximising attendance and how to tie in with the project.

Noted.

9 Valedictory

The Chair advised Members that Jo Gibson, Principal Manager (Planning and Performance) would be leaving to take up a new post as Head of Service at West Dunbartonshire Council.

The Chair thanked Jo for her contribution to the work of the Partnership and wished her the very best in her new role.

Members of the Board joined the Chair in thanking Jo.

Meeting ended 11.20am.

Staffing and Recruitment Committee
18 January 2018

IRVINE, 18 January 2018 - At a Meeting of the Staffing and Recruitment Committee of North Ayrshire Council at 2.00 p.m.

Present

Joe Cullinane; Marie Burns, Alex Gallagher (substitute for John Bell) and Alan Hill.

In Attendance

L. Friel, Executive Director, F. Walker, Head of Service (People and Transformation) and J. Hamilton, Employment Services Manager (Finance and Corporate Support); and D. McCaw, Committee Services Officer (Chief Executive's).

Chair

Councillor Cullinane in the Chair.

1. Declarations of Interest

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

2. Exclusion of the Public

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting, the press and the public for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A of the Act.

3. Head of Finance Recruitment

Submitted report by the Executive Director (Finance and Corporate Support) on the remit and arrangements for the recruitment of the Head of Finance.

The Committee agreed to approve (a) the revised remit for the Head of Finance to the Council which reverts to a discrete post for Council services; and (b) a recruitment process for the post in alignment with other Council Chief Officers.

4. Early Release Schemes

Submitted report by the Executive Director (Finance and Corporate Support) on the new Early Release Schemes for Local Government Employees and Teachers and Associated Professionals.

The Committee agreed to approve (a) the implementation of the Early Release Schemes for Local Government Employees and Teachers and Associated Professionals with effect from 1 August 2018; and (b) to devolve approval powers from the Staffing and Recruitment Committee for the release of Teachers and Associated Professionals to the Executive Director (Education and Youth Employment) and the Head of Service (People) (Finance and Corporate Support).

The Meeting ended at 2.20 p.m.

Cabinet
Tuesday, 23 January 2018

Present

Joe Cullinane, John Bell, Alex Gallagher, Jim Montgomerie and Very Reverend Canon Matthew McManus, Elizabeth Highton and Ian Haining (Church Representatives) (Agenda Items 1-6).

Also Present

Tom Marshall, Jean McClung, Ronnie McNicol and Davina McTiernan (Agenda Items 1-8), Shaun MacAulay (Agenda Items 1-9) and Donald L. Reid (Agenda Items 1-16).

In Attendance

J. Butcher, Executive Director (Education and Youth Employment); L. Friel, Executive Director and Anne Lyndon, Team Manager (Corporate Procurement) (Finance and Corporate Support); C. Hatton, Executive Director and D. Hammond, Senior Manager (Housing Strategy and Corporate Sustainability) (Place); K. Yeomans, Executive Director, A. Sutton, Head of Service (Connected Communities), C. McAuley, Head of Service (Economic Growth) and C. McNey, Planning Officer (Economy and Communities); Stephen Brown, Interim Director and D McKee, Head of Children, Families and Justice Services (Health and Social Care Partnership); A. Fraser, Head of Democratic Services and M. Davison, Senior Manager (Democratic Services); M. Sugden, Communications Officer and D. McCaw, Committee Services Officer (Chief Executive's Service).

Also In Attendance

Douglas Hutchison, Director of Education (South Ayrshire Council) and Head of South West Collaborative; Lorne Campbell, Colin Glencorse, Laura Barrie and Scott Morrison (North Ayrshire Leisure Limited).

Apologies

Robert Foster and Louise McPhater.

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 Cabinet held on 12 December 2017 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3 Consultation on Excellence and Equality for All: Guidance on the Presumption of Mainstreaming

Submitted report by the Executive Director (Education and Youth Employment) on the response to the Scottish Government Consultation on guidance related to the Presumption of Mainstreaming. The consultation set out the Scottish Government's vision for inclusion and the draft response was set out at Appendix 1 to the report.

Members asked a question and were provided with further information on any potential funding support to assist with resource challenges in relation to providing support to children and parents.

The Cabinet agreed to approve the consultation response as detailed at Appendix 1 to the report for submission to the Scottish Government.

4 Education Bill Consultation

Submitted report by the Executive Director (Education and Youth Employment) on the response to the Scottish Government Consultation document on the proposed Education Bill. The draft response, highlighting potential implications for Local Authorities, was set out at Appendix 1 to the report.

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

- the Scottish Catholic education response to the consultation being broadly in line with North Ayrshire's response;
- the leading questions within the consultation that assume change is necessary and that changing structures will change outcomes;
- the first responsibility being in relation to the children of North Ayrshire; and
- the difficulties in getting parents involved.

The Cabinet agreed to approve the consultation response as detailed at Appendix 1 to the report for submission to the Scottish Government.

5 South West Educational Improvement Collaborative (SWEIC)

Submitted report by the Executive Director (Education and Youth Employment) on the priorities and content of the SWEIC Annual Plan summarising ambitions and actions for the regional collaborative, which was attached at Appendix 1 to the report.

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

- priorities in the Collaborative Annual Plan aligning with the Council's improvement plan; and
- work with the other Ayrshires and Dumfries and Galloway in relation to delivering improvements in line with the 4 National Improvement Framework priority areas.

The Cabinet agreed to approve the SWEIC Annual Plan 2018, as detailed at Appendix 1 to the report.

6 Annick Primary School – Modular Accommodation

Submitted report by the Executive Director (Education and Youth Employment) on funding for temporary accommodation to be installed at Annick Primary School by August 2018 through an advance funding bid prior to the setting of the Capital Plan.

The Cabinet agreed to approve advance funding from the Capital Plan for temporary accommodation to be installed at Annick Primary School.

7 North Ayrshire Leisure Limited (NALL) Performance and Impact Report incorporating 2018-19 Budget

Submitted report by the Executive Director (Economy and Communities) on the NALL Performance and Impact Report incorporating the 2018-19 Budget. The Cabinet also received a presentation by North Ayrshire Leisure Limited providing information on opportunities and developments taking place across KA Leisure venues, the creation of active communities within North Ayrshire, the views of customers and partners on paths to maintaining success and on future developments for KA Leisure.

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

- how the change in venue for swimming facilities to the Garnock Campus has affected attendance; and
- that swimming attendance numbers are up in relation to the same period last year but that there is still some room for development.

The Cabinet agreed to approve the North Ayrshire Leisure Limited (NALL) Performance and Impact Report incorporating the 2018-19 Budget.

8 School Transport for Cumbrae Pupils – Largs Ferry Terminal to Largs Campus

Submitted report by the Chief Executive to allow Cabinet to reconsider its previous decision in light of a call in request and recommendations from the Audit and Scrutiny Committee that transport for Cumbrae pupils from the Largs Ferry terminal to the new Largs Campus is provided when the new Campus opens. The report detailed contrasting arguments and advised that the Cabinet Portfolio Holder for Education had offered that Cabinet would reconsider its decision. It further advised that a decision either way would not impact on Council policy to provide school transport to secondary pupils who live more than 3 miles away.

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

- the original Cabinet report on 12 December which suggested that reinstatement could potentially have an impact on the wider transport policy;
- that the policy is not being implemented fairly in relation to Cumbrae as the ferry is being used to split the difference in the timing of the route; and
- that there is no safe walking route on the Island.

Cabinet Members further considered that providing transport would comply with the Council's Policy on the Provision of School Transport as Cumbrae pupils live over the 3 walking miles distance from the new school and the few who do not have no safe walking route to the Cumbrae Slip.

The Cabinet agreed unanimously to make school transport provision for Cumbrae pupils from the Largs Ferry Terminal to the new Largs Campus when the Campus opens.

9 Revenue Budget 2017/18 : Financial Performance to 30 November 2017

Submitted report by the Executive Director (Finance and Corporate Support) which (a) set out the revenue budgetary position for the Council at 30 November 2017; (b) provided a brief explanation of Services' major variances at Appendices 1-9; (c) detailed the proposed virements at Appendix 10; and (d) detailed the Housing Revenue account budgetary control position at 30 November 2017 at Appendix 11.

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

- ongoing work to address the delivery of savings for the Health and Social Care Partnership to allow the Partnership to reach a financial sustainable position;
- clarification that no further funding being provided to the Health and Social Care Partnership relates to the remainder of financial year 2017/18; and
- that the minuted decision should reflect the earlier Cabinet decision around Annick Primary School and the approval for advance funding from the Capital Plan.

The Cabinet agreed to (a) note the information and financial projections outlined in the report; (b) approve the earmarking of £0.100m identified at Section 2.4(iv) to meet future year commitments; (c) note the current financial projection for the Health and Social Care Partnership; (d) confirm that no further funding will be provided by the Council to the Health and Social Care Partnership for financial year 2017/18; (e) approve the virements detailed in Appendix 10 to the report; and (f) approve advance funding from the Capital Plan for temporary accommodation to be installed at Annick Primary School.

10 Capital Programme Performance to 30 November 2017

Submitted report by the Executive Director (Finance and Corporate Support) on the progress in delivering the Capital Investment Programme as at 30 November 2017, the progress in relation to all projects and explanations for the carry forwards and further revisions to the budget. The financial position for the Housing Revenue Account for the six months to 30 November 2017 was also detailed in the Appendices to the report.

The Cabinet agreed to (a) approve the revisions to budgets outlined in the report and appendices; and (b) note (i) the General Services and HRA expenditure and revised budgets to 30 November 2017; and (ii) the forecast of expenditure to 31 March 2018.

11 Planning (Scotland) Bill

Submitted report by the Executive Director (Economy and Communities) on the response to the Scottish Government's Local Government and Communities Committee Call for Evidence on the Planning (Scotland). The draft response was set out at Appendix 1 to the report.

Members asked a question and were provided with further information in relation to ensuring the Council maintain its high level of performance and safeguard continued engagement with the community.

The Cabinet agreed to approve the consultation response, as detailed at Appendix 1 to the report, for submission to the Scottish Government's Local Government and Communities Committee.

12 Planning Performance Framework

Submitted report by the Executive Director (Economy and Communities) on the feedback from the Scottish Government on the Planning Performance Framework 6 (PPF6) reflecting the high level of performance and customer service which is delivered by the Planning Services for North Ayrshire. An action programme to address feedback points was detailed at Appendix 1 to the report.

The Cabinet agreed to (a) note the feedback from the Scottish Government on PPF6; and (b) approve the action programme to address feedback points, detailed at Appendix 1 to the report, within the next PPF.

13 Scottish Government Consultation Response: Local Heat & Energy Efficiency Strategies and Regulation of District and Communal Heating

Submitted report by the Executive Director (Place) on a proposed Scottish Government consultation response on proposals for preparation of Local Heat and Energy Efficiency Strategies (LHEES) and the regulation of district heating. The draft response was set out at Appendix 1 to the report.

The Cabinet agreed to approve the consultation response, as detailed at Appendix 1 to the report, for submission to the Scottish Government.

14 Award of Contract - Independent Advocacy Services

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for a provision of an independent advocacy service.

The Cabinet agreed to approve the award of contract to AIMS Advocacy.

15 Award of a Framework contract for the provision of Care at Home Services

Submitted report by the Executive Director (Finance and Corporate Support) on the outcome of the procurement exercise for the delivery of Care at Home Services.

The Cabinet agreed to approve the award of contracts to Ayrshire Quality Care and Support CIC, Mears Care, Rainbow Services (UK) Limited, Inverclyde and North Ayrshire Care Services t/a Carewatch and 1st Homecare.

16 Award of Contract - Public Realm Improvements, High Street and Bank Street, Irvine

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the Public Realm Improvements, High Street and Bank Street, Irvine.

The Cabinet agreed to approve the award of contract to MacLay Civil Engineering Ltd.

The Meeting ended at 4.25 p.m.

Audit and Scrutiny Committee
Tuesday, 30 January 2018

Present

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

In Attendance

L. Friel, Executive Director, P. Doak, Senior Manager (Internal Audit, Risk and Performance) and D. Miller, Complaint and Feedback Manager (Finance and Corporate Support); C. Hatton, Executive Director and T. Reaney, Senior Manager (Streetscene) (Place); S. Brown, Interim Director North Ayrshire Health and Social Care Partnership; J. Butcher, Executive Director (Education and Youth Employment); C. McAuley, Head of Service (Economic Growth); A. Fraser, Head of Democratic Services, M. Davison, Senior Manager (Democratic Services), A Todd, Senior Policy and Performance Officer and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Burns in the Chair.

1 Declarations of Interest

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

2 Minutes

The Minutes of the meeting of the Committee held on 14 November 2017 and special meeting held on 9 January 2018 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3 Quarter Two 2017/18 Progress Report - Directorate Plan Performance

Submitted report by the Chief Executive which provided an update on the performance of all Directorates against the priorities outlined in the Directorate Plans 2015/18 as at 30 September 2017.

The reports for each Directorate were set out in Appendices 1 - 6 to the report and an overview of the performance of Directorates compared against the same time last year was illustrated in the charts at section 2.9 of the report. The percentage of indicators which are on target has decreased slightly from 77.4% in 2016/17 to 73.7% in 2017/18 and the percentage of quarterly indicators significantly adrift of target has increased from 17.2% to 22.1%.

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

Democratic Services

- Processes and procedures in place within services to manage absence triggers where the Manager is also absent from work in order to ensure the employee's health and well-being;
- The increasing role of digital and social media by services and the role of Communications in support this and of ensuring corporate branding.

Finance and Corporate Support

- A range of supports that are offered to employees on long term absence to assist their return to work, such as Occupational Health referrals and Livewell initiatives;
- Information that will be provided to Members on the interface between the Council webpage and the Committees and Meetings webpage, the calendar of meetings and the search facility;
- The creation of a Digital Adviser post in the Contact Centre to promote and support customers on the use of digital services.

Education and Youth Employment

- Work on reducing the attainment gap and the development of a new numeracy framework to a focus on this area;
- The use of the Pupil Equity Fund to reduce the impact of poverty on educational outcomes;
- Review meetings with Head Teachers to encourage the use of the Pupil Equity Funds, the roll-over of any underspends to the next financial year;
- The use of Early Years Practitioners and the purchase of additional resources that has been required as a result of a shortfall of teachers in the Ayrshire area;
- Further information that will be provided to Members on attainment in respect of the top 20% and the bottom 20% and the Pupil Equity Fund spend across schools;
- Approval by Cabinet of the first draft of the Regional Improvement Collaborative that aims to deliver improvement through collaboration in line with the National Improvement Framework priorities;
- Information in respect of the Pupil Equity Fund, the regional attainment gap and the Regional Improvement Collaborative that will be included in future Directorate Plan reports; and
- The Active Lives initiative that supports the work being done on healthy eating and nutrition, lunchtime clubs and increasing the take up of school meals.

Economy and Communities

- Community Participatory Budgeting (CPB) events that were held in the Three Towns areas that were not very well attended as a result of inclement weather;
- Positive feedback from the Three Towns CPB events on grounds maintenance services and work by officers that is being undertaken on the good quality responses received from the these events on the future use of funds for the local areas; and
- A response that has been provided to the feedback from the Scottish and UK government on the Council's Ayrshire Growth Deal.

North Ayrshire Health and Social Care Partnership

- The pressures on primary care as a result of difficulties in recruiting General Practitioners that contributes to increased presentations to Crosshouse Hospital;
- Redirections to primary care that are put in place by Crosshouse Hospital when appropriate; and
- Support to primary care by multi-disciplinary teams, community link workers and community connectors who provide valuable advice to local people on alternative opportunities and services to support their health and well-being.

The Committee agreed (a) the Executive Director (Finance and Corporate Support) provide information to Members on the interface between the Council webpage and the Committees and Meetings webpage, the calendar of meetings and the search facility; (b) the Executive Director (Education and Youth Employment) provide further information to Members on attainment in respect of the top 20% and the bottom 20% and the Pupil Equity Fund spend across schools; and (c) to otherwise note the report.

4 Local Government Benchmarking Framework (LGBF) 2015/16

Submitted report by the Chief Executive which set out (a) the Directorates' priorities identified through work undertaken following the publication of the latest LGBF report; and (b) highlighted the Improvement Service's areas for development that will enable the Council to make further use of the Framework. Appendix 1 to the report provided an explanation and details of improvement activity in terms of the LGBF measures, focusing in particular on the priority measures.

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

- A review of how the street cleaning indicator is calculated which is underway to ensure a consistent interpretation between Councils; and
- The influence of a range of factors on the financial information in respect of the cost per school pupil.

Noted.

5 Internal Audit Reports Issued

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of Internal Audit work completed between 1 November and 31 December 2017. Appendix 1 to the report provided information on the three separate audit assignments completed together with an executive summary and action plan from each audit.

Noted.

6 Internal Audit Charter

Submitted report by Executive Director (Finance and Corporate Support) on the updated Internal Audit Charter, which has been prepared in accordance with the requirements of the Public Sector Internal Audit Standards (PSIAS) and was attached as an appendix to the report.

Members asked questions and were provided with further information in relation to the role of External Audit in undertaking an annual assessment of the Internal Audit function and the regular oversight by the Chief Executive and Executive Director (Finance and Corporate Support) of this area.

The Committee agreed to approve the Internal Audit Charter as set out in the appendix to the report.

7 Q2 2017 YTD Complaint Report

Submitted report by the Executive Director (Finance and Corporate Support) on (a) the Council's complaint performance; (b) the volumes and trends of complaints received in the first 6 months of Financial Year 2017/18; (c) comparative data for the first six months of 2016 and 2015; and (d) that the Executive Directors will provide a report to the next meeting on details of upheld and partially upheld complaints. Appendix 1 to the report provided statistical data and information on the range and volume of complaints at all stages of the complaints process.

Noted.

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

8.1 Corporate Fraud Reports Issued

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of Corporate Fraud investigations completed between 1 November and 31 December 2017.

Noted.

The meeting ended at 12 noon.

Appeals Committee
31 January 2018

IRVINE, 31 January 2018 - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

Present

Councillors John Bell, Jimmy Miller and Angela Stephen.

In Attendance

Eleanor McLaren, Team Manager (Litigation) and Richard Lennon, Senior HR Adviser.

Also In Attendance

Helen McArthur, Senior Manager (Community Care Services), Tommy Drain, Senior HR Adviser; Appellant; and the Appellant's representative, Louise McDaid, Unison.

Chair

Councillor Jimmy Miller in the Chair.

1. Declarations of Interest

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

2. Exclusion of the Public

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.

3. Disciplinary Procedure: Appeal Against Dismissal

Submitted report by the Chief Executive on the background to an appeal against dismissal by a former employee within the Health and Social Care Partnership.

The Service Representative presented the grounds for dismissal as previously advised to the Appellant in writing. The Appellant and her representative were 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's representative presented the grounds of the appeal. The Service Representative was given the opportunity to respond to the issues raised and to ask questions of the Appellant and her representative. Members of the Committee were also given the opportunity to ask questions of the Appellant and her representative.

After summing up their respective cases, the Service Representative together with the Appellant and her representative withdrew from the hearing to allow the Committee to deliberate.

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

The Meeting ended at 12:45 p.m.

Police and Fire and Rescue Committee
Tuesday, 06 February 2018

Present

Donald L. Reid, John Glover, Todd Ferguson and Davina McTiernan.

In Attendance

A. Fraser, Head of Democratic Services, and D. McCaw, Committee Services Officer (Chief Executive's Service).

Also In Attendance

Chief Superintendent P. Main and Chief Inspector B. Shaw (Police Scotland); and Area Manager J. Scott and Group Manager K. Hankinson.

Chair

Councillor Donald L. Reid in the Chair.

Apologies

Ellen McMaster and Angela Stephen.

1 Chair's Remarks

The Chair took the opportunity, on behalf of the Committee, to welcome Diane McCaw who will now provide support to the Police and Fire and Rescue Committee and to thank Melanie Anderson for the excellent support provided to date.

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 accuracy of the Minutes of the meeting of the Committee held on 21 November 2017 was confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4 Chair and Vice-Chair Verbal Updates

The Chair and Vice-Chair advised that they had no update for this meeting.

Noted.

5 Performance Reports

5.1 Scottish Fire and Rescue Service

Submitted report by the Scottish Fire and Rescue Service which provided an update on progress against the North Ayrshire Local Fire and Rescue Plan 2014-17 and gave other key Fire and Rescue updates. A copy of the North Ayrshire

Performance report from 1 April 2017 to 31 December 2017 was set out in Appendix 1 to the report.

The report identified a 5% decrease in activity levels across North Ayrshire compared with the corresponding period in 2016, and a 7% increase in terms of the preceding three years average. False alarms accounted for 52% of all activity within North Ayrshire, with fire related activity and special service activity accounting for 37% and 11% respectively. Review of performance against the six agreed performance indicators noted that four indicators were above the three year average due to a rise in activity, one had seen a reduction in their respective three year average of more than 5% and one indicator currently unchanged in terms of activity over the rolling 3 year average.

Members were further advised that an open public consultation taking place next week with regard to the service transformation agenda and the visit by Members to the Scottish Fire and Rescue Training Centre and National HQ at Cambuslang will take place on 27 March 2018 and will combine with a visit to the new Police Scotland Crime Campus at Gartcosh.

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

- sources of call outs received by the fire service, especially in relation to road traffic collisions;
- that costs in association with emergency attendance at road traffic incidents cannot be claimed from insurance companies but that non-emergency services would levy a special service charge;
- the economic cost of unwanted fire alarm signals;
- the spring fire safety campaign focussing predominantly on the outdoors;
- work with partners in identifying fire safety risks;
- the spike in domestic fires in the early morning hours;
- retained duty personnel figures and the challenges faced in relation to recruitment targets;
- home visit requests through partner referrals;
- that specific North Ayrshire figures from the national recruitment drive are unavailable as applications are anonymous; and
- statistics within the report are year to date figures aligned to the period quarter and these will in future be based on the new electoral Wards.

Information of the employment fayre taking place in Ardeer of 9 March 2018 will be forwarded by the Clerk to Area Manager Scott and Chief Inspector Shaw.

Noted.

5.2 Police Scotland

Submitted report by Police Scotland on performance in relation to the North Ayrshire Local Police Plan for the period from 1 April 2017 to 31 December 2017.

Chief Superintendent Main reported that North Ayrshire continued to perform well in terms of reduction in overall crime and continued decreases in specific areas such as violent and domestic crime and that local service delivery of policing in North Ayrshire is good. Contextual information was provided in respect of disorder and antisocial behaviour, serious organised crime, protecting people at risk from harm, housebreaking and road safety and for the purposes of comparison, contrasted current statistics in these areas with the number of incidents reported historically.

Among the other elements of the report which were highlighted, was the Police Scotland Youth Volunteers (PSYV) programme in Ayrshire designed for young people aged 13-18 years, the training of additional officers in Taser use and the extension of Armed Response Vehicle roles.

Chief Inspector Main further advised on the itinerary for the visit to the new Police Scotland Crime Campus at Gartcosh on 27 March 2018 and that future reports will be amended to make clear figures and trends for comparable periods and data in terms of user complaints and satisfaction.

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

- assaults on officers and the use of deterrents and officer safety training;
- support within the Court system around charges of police assault;
- public reporting of complaints in relation to the condition of the roads across North Ayrshire; and
- the effective use of the taser in mitigating risk and that data will be provided to the next meeting around the use of personal protective equipment.

Noted.

6 HM Inspector of Constabulary Scrutiny Plan 2018-19: Consultation

Submitted letter from HM Inspector of Constabulary requesting feedback on proposals for HMICS scrutiny in 2018-19 and suggestions as to any high risk or emerging areas in policing which could be the subject of scrutiny.

Members considered the scrutiny proposals and identified areas around the following:-

- how the roll-out of tazer weapons to operational officers is managed, reviewed, evaluated and monitored, including some level of independent review, and ensuring that guidelines are robust;
- examining the relationships and structures between senior officers within Police Scotland in view of current issues highlighted in the public domain;
- a detailed and totally independent review of Police Scotland finance and funding;
- clarification and transparency around the separation of power between Scottish Government ministers and the SPA;
- an update on the previous scrutiny of Police call handling arrangements;
- scrutiny of how effectively localism has played out across the 32 Local Authority areas in terms of practical benefits; and
- traffic support by Police at marches and parades.

The Committee agreed to remit to the Head of Democratic Services to respond to the consultation on the HMICS Scrutiny Plan for 2018-19 based on the areas identified.

The meeting ended at 3.35 p.m.

Licensing Committee
Wednesday, 07 February 2018

Present

Ronnie McNicol, Robert Barr, Todd Ferguson, Scott Gallacher, Jean McClung, Davina McTiernan and Donald L. Reid.

In Attendance

A. Craig, Senior Manager (Legal Services), W. O'Brien, Solicitor (Licensing), C. Pollock, Licensing Administration Officer, A. Toal, Administrative Assistant, and M. Anderson, Committee Services Team Leader (Chief Executive's Service).

Also In Attendance

Inspector C. Convery, Sergeant D. Dougan and Sergeant E. Blackwood (Police Scotland).

Chair

Councillor McNicol in the Chair.

Apologies for Absence

John Easdale and Angela Stephen.

1 Declarations of Interest

In terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors, Councillor Gallacher, as an acquaintance of the applicant, declared an interest in Hearing 2 (Gavazzeni) under Agenda Item 3 (Civic Government (Scotland) Act: Licensing Matters), left the meeting for that item of business and took no part in the decision thereon.

2 Minutes

The accuracy of the Minutes of the meeting of the Committee held on 10 January 2018 was confirmed, and the Minutes were signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

Councillors McClung and McTiernan joined the meeting at this point. The Chair confirmed that they had no declaration of interest to make.

3 Exclusion of the Public

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting, the press and the public, for the following items of business on the grounds that they involved the likely disclosure

of exempt information as defined in Section 50J of, and Schedule 7A to, the Local Government Act 1973. The 'Exempt Information' concerned is that described in Section 7A, Paragraph 6 ("Information relating to the financial or business affairs of any particular person (other than the authority)"), Paragraph 14 ("Any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime") and Paragraph 15 ("The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance).

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

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

PART A: Hearings

4.1 Taxi Driver's Licence: TDL/00462 (New) – Matthew Imrie

The Committee, at its meeting held on 10 January 2018, 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. Representatives of Police Scotland were also in attendance.

The representatives of Police Scotland addressed the Committee on a letter setting out a representation in respect of the application. The applicant then addressed the Committee on the issues raised and responded to questions.

Decision

Councillor Ferguson, seconded by Councillor McClung, moved that the application be granted in terms of Schedule 5(1)(a) of Schedule 1 of the Civic Government (Scotland) 1982 for a period of one year. There being no amendment, the motion was declared carried.

4.2 Taxi Driver's Licence: TDL/01876 (Renewal) – Alessandro Sirio Gavazzeni

The Committee, at its meeting held on 10 January 2018, 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 not present or represented. A written submission provided by the applicant was, however, circulated at the meeting. Representatives of Police Scotland were in attendance.

The representatives of Police Scotland addressed the Committee on a letter setting out a representation in respect of the application.

Decision

The Committee unanimously agreed to continue consideration of the application to a Special Meeting on 19 February 2018.

4.3 Taxi Driver's Licence: TDL/02074 (New) – John E McDowall

The Committee, at its meeting held on 10 January 2018, 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 not present or represented.

The representatives of Police Scotland addressed the Committee on a letter setting out an objection in respect of the application.

Decision

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

4.4 Skin Piercing and Tattoo Licence: SPTL/042 (New) – Reid & Reid Hairdressers Limited

The Committee, at its meeting held on 10 January 2018, 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 or represented. However, the Committee was advised of the content of a written submission provided by the applicant. Representatives of Police Scotland were in attendance.

The Solicitor (Licensing) addressed the Committee on the background to the hearing as previously intimated in writing to the applicant.

Decision

The Committee unanimously agreed to continue consideration of the application to the next meeting.

PART B: Applications for Grant/Renewal of Licences

4.5 Late Hours Catering Licence: LHCL/127 (New) - Pizza Cake (Stevenston) Ltd

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

4.6 Skin Piercing and Tattoo Licence: SPTL/026 (Renewal) – Kirsty MacKisson (trading as “Sassy’s”)

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

4.7 Skin Piercing and Tattoo Licence: SPTL/027 (Renewal) – Kirstie Boyd

The Solicitor (Licensing) advised that outstanding paperwork in respect of the application had now been received.

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

4.8 Taxi Driver's Licence: TDL/02000 (Renewal) – Bernard Brannigan

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

4.9 Taxi Driver's Licence: TDL/02076 (New) – Shaun Blakely

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

4.10 Taxi Licence: TDL/02078 (New) – Brahim Sensri

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

4.11 Taxi Driver's Licence: TDL/02080 (New) - Khalid Mahmood

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.

The representatives of Police Scotland left the meeting at this point.

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

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

Submitted report by the Chief Executive on the circumstances relating to applications for Landlord Registration under the 2004 Act:-

5.1 G.L.

The Solicitor (Licensing) referred to a written submission by the applicant which was circulated at the meeting and which requested that consideration of the application be continued to the next meeting.

Decision

The Committee unanimously agreed to continue consideration of this matter to the next meeting of the Committee to allow a hearing to take place.

5.2 M.N., A.N. and M.J.N.

The Solicitor (Licensing) and Licensing Administration Officer addressed the Committee on the background to three separate applications which covered (a) applications by A.N. and M.J.N. for Landlord Registration affecting a property where a Rent Penalty Notice had been made while it was owned by M.N., (b) application for the revocation of that Rent Penalty Notice and (c) application by M.N. for Landlord Registration affecting five other properties.

Two of the applicants (M.N. and A.N.) were in attendance and addressed the Committee on the issues raised and answered questions. M.N. also advised that, following a change in the ownership of the property common to all three applications, he wished to amend his application to delete the reference to that property.

The Committee withdrew from the meeting to deliberate, returning to make its decision.

Decision

Councillor McClung, seconded by Councillor Ferguson, moved (a) that the applications for Landlord Registration made by A.N and M.J.N. be granted; and

(b) that the Rent Penalty Notice made earlier be revoked. There being no amendment, the motion was declared carried.

Thereafter, Councillor Barr, seconded by Councillor McTiernan, moved that the application for Landlord Registration (after amendment to include only the five other properties) made by M.N. be approved. There being no amendment, the motion was declared carried.

5.3 S.C.

The Solicitor (Licensing) referred to a written submission by the applicant's Solicitor which was circulated at the meeting and which requested that consideration of the application be continued to the next meeting.

Decision

The Committee unanimously agreed to continue consideration of this matter to the next meeting of the Committee to allow a hearing to take place.

6 Urgent Items

The Chair agreed that the Committee consider a verbal report in respect of the undernoted application as a matter of urgency in order to allow the matter to be progressed without delay.

6.1 Taxi Driver's Licence: TDL/675 (Renewal) – William Hamilton

The Solicitor (Licensing) set out matters relating to the background of the application, including a letter from the applicant's doctor in respect of his medical fitness to hold a taxi driver's licence.

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

The Meeting ended at 12.10 p.m.

Planning Committee
Wednesday, 14 February 2018

Present

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

In Attendance

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

Chair

Councillor Marshall in the Chair.

Apologies for Absence

Ellen McMaster and Ronnie McNicol.

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 17 January 2018 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3 17/01038/LUP - Shore Compound, Ardeer, Stevenston

Irvine Bay Developments/Clowes Developments Ltd have applied for a Certificate of Lawfulness in respect of the proposed establishment of a multi-purpose events area on the site known as Shore Compound, within the former ICI factory site at Ardeer, Stevenston. Five objections and a representation were received and were detailed in the report. Further late representations were received which raised issues that were already addressed within the report, and noting amongst other matters that investment may not have been made by neighbouring businesses if the existence of the SDO had been known

The Committee was advised that the applicant's agent had questioned the reporting of the letters of representation and that the application was being considered by the Committee, when normal practice would have been for this to be determined by officers under delegated powers. It was the view of the Senior

Manager (Planning) that it was in the public interest for the application to be considered by the Committee in an open and transparent way.

The Committee agreed to issue a Certificate of Lawfulness in respect of the proposed establishment of a multi-purpose events area on the site known as the Shore Compound at Ardeer, Stevenston.

4 1701191PP - Rose Cottage, Portencross, West Kilbride

Mr David and Gordon Wright, have applied for planning permission for the replacement of the existing dwelling house and erection of four new dwelling houses within the grounds of Rose Cottage, Portencross, West Kilbride. Thirteen letters of objection and a pro-forma style letter from six residents of the same property, were received and were detailed in the report.

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

1. That the developer 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 development work. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. Terms of Reference for the watching brief will be supplied by West of Scotland Archaeology Service. 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.
2. That, prior to the commencement of the development, details of remediation measures to eradicate Japanese Knotweed from the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the remediation measures as may be approved shall be undertaken and the developer shall appoint a suitably qualified person to certify that Japanese Knotweed has been eradicated from the application site, all to the satisfaction of North Ayrshire Council as Planning Authority.
3. That, prior to any demolition works taking place to Rose Cottage, the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority, a full survey of the building to establish if it is being used by roosting or hibernating bats; if bats are discovered, applications shall be made for appropriate licences, and details of measures to minimise the disturbance to bats shall be submitted, for the approval in writing of North Ayrshire Council as Planning Authority prior to any works taking place.

4. That the first 5 metres of the access measured from the edge of the carriageway shall be surfaced in bituminous material in order to prevent deleterious material being carried on to the carriageway.

5. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a plan indicating the provision of a turning area within the site to accommodate large service vehicles. Thereafter, the proposals as may be approved shall be provided to the satisfaction of North Ayrshire Council as Planning Authority prior to the occupation of any of the houses hereby approved.

6. That the new access road hereby approved shall be provided to the satisfaction of North Ayrshire Council as Planning Authority prior to the occupation of any of the houses hereby approved.

7. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority full details/samples of the proposed external finishes.

8. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a phasing plan to indicate the sequence and timescale for the erection of the various components of the development hereby approved. For the avoidance of doubt plots 3 and 4 and the combined plots 1 and 2 will each require to have commenced within the 2 year period as instructed by the Direction to the planning permission.

The Meeting ended at 11.00 a.m.

Local Review Body
Wednesday, 14 February 2018

Present

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

In Attendance

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

Chair

Councillor Marshall in the Chair.

Apologies for Absence

Ronnie McNicol 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 Committee held on 8 November 2017 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: N/17/01100/PP - 2 Horse Isle View, Ardrossan

Submitted report by the Chief Executive on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers for the erection of sunroom and roof alteration to the rear of the dwellinghouse and garage conversion at 2 Horse Isle View, Ardrossan.

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

The Legal Adviser to the Local Review Body advised of the appropriate procedure for consideration of the review request. The Planning Adviser to the Local Review Body introduced the matter under review, confirming that the Notice of Review had been submitted timeously by the applicant.

The Planning Adviser summarised the Notice of Review for the Applicant, the Report of Handling of the Appointed Officer, the representations lodged and the applicant's response to further representations. Photographs and plans of the site were displayed. He also advised of a request by the applicant to submit further information and for a site visit.

Accordingly, the Local Review Body agreed (a) to continue consideration of the Notice of Review pending a site familiarisation visit; (b) that no further information was required by the Committee in its consideration of the Notice of Review; and (c) note that only those Members of the LRB who attended the site visit would be eligible to participate in the determination of the review request.

The meeting ended at 11.25 a.m.

Licensing Committee
Monday, 19 February 2018

Present

Ronnie McNicol, Robert Barr, John Easdale, Todd Ferguson, Scott Gallacher, Jean McClung, Donald L. Reid and Angela Stephen.

In Attendance

W. O'Brien, Solicitor (Licensing), C. Pollock, Licensing Administration Officer, A. Toal, Administrative Assistant, and M. Anderson, Committee Services Team Leader (Chief Executive's Service).

Chair

Councillor McNicol in the Chair.

Apologies for Absence

Davina McTiernan.

1 Declarations of Interest

In terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors, Councillor Gallagher, as an acquaintance of the applicant, declared an interest in Hearing 2 (Gavazzeni) under Agenda Item 3 (Civic Government (Scotland) Act: Licensing Matters), left the meeting for that item of business and took no part in the decision thereon.

2 Exclusion of the Public

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting, the press and the public, for the following item of business on the grounds that they involved the likely disclosure of exempt information as defined in Section 50J of, and Schedule 7A to, the Local Government Act 1973. The 'Exempt Information' concerned is that described in Section 7A, Paragraph 6 ("Information relating to the financial or business affairs of any particular person (other than the authority)"), Paragraph 14 ("Any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime") and Paragraph 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 Chief Executive on an application for the grant of a licence in terms of the Civic Government (Scotland) Act 1982.

3.1 Taxi Driver's Licence: TDL/01876 (Renewal) – Alessandro Sirio Gavazzeni

The Committee, at its meeting held on 10 January 2018, 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 the meeting of the Committee held on 7 February 2018, was not present or represented. A written submission provided by him was, however, was circulated at the meeting. The Committee unanimously agreed to continue consideration of the application to a Special Meeting on 19 February 2018.

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

The Committee had regard to a letter from Police Scotland setting out a representation in respect of the application, and to the written submission by the applicant which was circulated at the last meeting.

Decision

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

The Meeting ended at 12.50 p.m.