



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

North Ayrshire Council Meeting

15 February 2023

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AYRSHIRE ECONOMIC PARTNERSHIP BOARD

MINUTES OF MEETING HELD ON THURSDAY 1 SEPTEMBER 2022 AT 1400 HRS IN COUNCIL CHAMBERS, EAST AYRSHIRE COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK/MS TEAMS

PRESENT: Councillors Clare Maitland and Douglas Reid, East Ayrshire Council; Councillors Marie Burns and Anthony Gurney, North Ayrshire Council; Councillors Martin Dowey and Peter Henderson, South Ayrshire Council; Katie Kelly, Depute Chief Executive; and David McDowall, Head of Economic Growth, both East Ayrshire Council; Donald Gillies, Director – Place; Louise Reid, Assistant Director – Place; and Theo Leijser, Service Lead – Economy and Regeneration, all South Ayrshire Council; Russell McCutcheon, Executive Director – Place; Caitriona McAuley, Head of Service – Economic Development; and Emma McMullen, Senior Manager – Economic Policy, all North Ayrshire Council; Alastair Dobson, Taste of Arran; Simon Foster, Spirit Aerospace; Morag Goodfellow, Highlands and Islands Enterprise; Hisashi Kuboyama, Federation of Small Businesses; Johnny Mone, University of West of Scotland; Malcolm Roughead, Visit Scotland; Val Russel and Claire Baird, Ayrshire Chamber of Commerce and Industry; and Paul Zealey, Skills Development Scotland.

ATTENDING: Lynn Young and Sheryl Wilcox, Democratic Services Officers, East Ayrshire Council.

APOLOGIES: Councillor Maureen McKay, East Ayrshire Council; Councillor Bob McCulloch, South Ayrshire Council; Craig Hatton, Chief Executive; North Ayrshire Council; Fiona Brown, Interim Director of Transport Strategy and Analysis; Russell McCutcheon, Executive Director - Place; Gillian Docherty, Strathclyde University; Rachel Phillips, Scottish Government; Kevin Kane, University of Strathclyde; Angela Cox and Carol Turnbull, Ayrshire College; Milan Radosavljevic, University of West of Scotland; and Brian Connolly and Jane Martin, Scottish Enterprise.

CHAIR: Councillor Peter Henderson, South Ayrshire Council (Item 1) and Councillor Douglas Reid, East Ayrshire Council (remaining items).

APPOINTMENT OF CHAIR

1. It was agreed, subject to approval of the Joint Committee, to appoint Councillor Douglas Reid, East Ayrshire Council as Chair of the Ayrshire Economic Partnership Board until September 2023.

Councillor Reid then took the Chair.

PREVIOUS MINUTES

2. There were submitted and approved as a correct record, the Minutes of the meeting held on 14 March 2022 (circulated).

DEVELOPING AN AYRSHIRE REGIONAL ECONOMIC STRATEGY: PROGRESS UPDATE SEPTEMBER 2022

3. The Board received a presentation from the Senior Manager – Economic Policy, North Ayrshire Council on the progress with developing an Ayrshire Regional Economic Strategy.

Having noted the update, the Chair thanked the Senior Manager for the presentation.

UK GOVERNMENT - SHARED PROSPERITY FUND

4. There was submitted a report (circulated) by the Ayrshire Executive Group which advised members of the submission of Investment Plans by the three Ayrshire Councils in respect of the UK Government's Shared Prosperity Fund (SPF). The respective Investment Plans identified a number of important proposals which would be taken forward (subject to funding being secured) across Ayrshire in support of strategic objectives.

It was agreed:

- (i) to note and endorse the submission of SPF Investment Plans by East, North and South Ayrshire Councils;
- (ii) to note that all three Investment Plans articulated a common need to protect established projects that were currently funded via European Structural Funds and would ensure a smooth transition to the new arrangements;
- (iii) to note that the Investment Plans were designed to reflect a regional consistency in approach, and that this would be further embedded with the forthcoming launch of the Regional Economic Strategy;
- (iv) to note that a progress report would be submitted to the Economic Partnership Board to illustrate progress of the 2022/23 programme of investment; and
- (v) otherwise, note the contents of this report.

The meeting terminated at 1434hrs.

AYRSHIRE ECONOMIC JOINT COMMITTEE

MINUTES OF MEETING HELD ON MONDAY 26 SEPTEMBER 2022 AT 1400 HRS IN THE COUNCIL CHAMBERS, EAST AYRSHIRE COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK/MS TEAMS

PRESENT: Councillors Douglas Reid, Maureen McKay and Clare Maitland, East Ayrshire Council; Councillors Marie Burns, Anthony Gurney and Joe Cullinane, North Ayrshire Council; Councillors Martin Dowey, Peter Henderson and Bob Pollock, South Ayrshire Council; Jane Martin and Derek McCrindle, both Scottish Enterprise; Angela Cox, Ayrshire College; and Paul Zealey, Skills Development Scotland.

ATTENDING: Eddie Fraser, Chief Executive; David McDowall, Head of Economic Growth; and Eilidh Mackay, Chief Auditor, East Ayrshire Council; Craig Hatton, Chief Executive; and Karen Yeomans, Director - Growth and Investment; North Ayrshire Council; Eileen Howat, Chief Executive, South Ayrshire Council; and Christine Baillie Democratic Services Team Leader; and Sheryl Wilcox, Democratic Services Officer, East Ayrshire Council.

APOLOGIES: Theo Leijser, Service Lead - Economy and Regeneration, South Ayrshire Council; and Caitriona McAuley, Head of Service - Economic Development; and Russell McCutcheon, Executive Director - Place; North Ayrshire Council.

CHAIR: Councillor Douglas Reid.

PREVIOUS MINUTES

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

AYRSHIRE GROWTH DEAL INTERNAL AUDIT ANNUAL REPORT 2021/22

2. There was submitted a report dated 8 September 2022 (circulated) by the Chief Auditor, East Ayrshire Council which provided for noting an annual report on internal audit activity in line with obligations laid out in the Ayrshire Growth Deal (AGD) Governance Document as detailed below:
 - to provide a summary of AGD internal audit work in year by all partners;
 - to provide an annual opinion for the AGD; and
 - for further assurance, provide the authority-wide Annual Internal Audit Opinions prepared by each of the three Councils.

It was agreed:

- (i) to note the current arrangements for Internal Audit as laid out at Appendix 1 of the report;
- (ii) to note the work carried out during year two of AGD operations as laid out in paragraphs 7-9 and Appendix 2 of the report, and based on that work;
- (iii) to note the AGD Annual Internal Audit Opinion of continuing reasonable assurance as laid out at paragraphs 10-12 of the report;
- (iv) to note the authority-wide Annual Internal Audit Opinions for the three Councils as laid out at Appendices 3a-3c of the report with regard to the wider control environments within which the AGD operates;

- (v) following discussion around staffing within the PMO, it was noted that a report would be submitted to a future meeting of the Joint Committee on proposals for a more robust model of support;
- (vi) to remit to the Chief Executive, South Ayrshire Council to provide an update to South Ayrshire Council elected members on progress around the actions identified within their audit report; and
- (vii) otherwise, to note the contents of the report.

AYRSHIRE GROWTH DEAL INTERNAL AUDIT PLAN 2022/23

3. There was submitted a report dated 8 September 2022 (circulated) by the Chief Auditor, East Ayrshire Council which provided, for noting, an annual consolidated internal audit plan in line with obligations laid out in the Ayrshire Growth Deal (AGD) Governance Document.

It was agreed:

- (i) to note the current arrangements for Internal Audit as laid out at Appendix 1 of the report;
- (ii) to note the annual consolidated internal audit plan presented at Appendix 2 of the report;
- (iii) to note the previously agreed arrangements to report the outcomes of individual internal audit assignments laid out at paragraph 8 of the report;
- (iv) to note that East Ayrshire Council's Internal Audit would now provide an additional 16 days of support to the AGD; and
- (v) otherwise, to note the contents of the report.

The meeting terminated at 1425 hrs.



North Ayrshire Health and Social Care Partnership
Minute of Integration Joint Board meeting held on
Thursday 17 November 2022 at 10.00 a.m.
involving participation by remote electronic means and physical attendance
within the Council Chambers, Irvine.

Present (Physical Participation)

Voting Members

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

Professional Advisers

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

Stakeholder Representatives

Louise McDaid, Staff Representative (North Ayrshire Council)/Chair, North Coast Locality Forum

Present (Remote Participation)

Voting Members

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

Professional Advisers

Iain Jamieson, Clinical Director
Dr Louise Wilson, CP Representative

Stakeholder Representatives

Pamela Jardine, Carers Representative
Vicki Yuill, Third Sector Representative

In Attendance (Physical Participation)

Elaine Young, Head of Health Improvement/Assistant Director of Public Health (NHS)
Alison Sutherland, Head of Service (Children, Families and Criminal Justice)
David Thomson, Head of Service (Health and Community Care)
Hayley Clancy, Committee Services Officer
Diane McCaw, Committee Services Officer

In Attendance (Remote Participation)

Billy Brotherston, Independent Chair of ADP

Eleanor Currie, Manager, HSCP
Michelle Sutherland, Partnership Facilitator, HSCP
Ruth Wilson, Team Manager (Democratic Services)

Apologies

Thelma Bowers, Head of Service (Mental Health), HSCP

1. Apologies for Absence

Apologies for absence were noted.

2. Declarations of Interest

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

3. Minutes/Action Note

The accuracy of the Minutes of the meeting held on 20 October 2022 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3.1 Matters Arising from the Action Note

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

- **Unscheduled Care Performance** – Complete.
- **Director's Report** – Suicides, drugs and alcohol related deaths – Complete.
- **The Promise in North Ayrshire Update on Progress** – further report and action plan to a future meeting – date to be confirmed.
- **North Ayrshire HSCP and ADP Annual Performance Management Report – Alcohol and Drugs** – report to be presented to IJB in December 2022.
- **Directors Report: Suicides, Drug and Alcohol Related Deaths** – report to be provided to IJB in February 2023, specifically on suicide prevention.
- **Analogue to Digital** – Update to be provided to IJB in February 2023.

Noted.

4. Director's Report

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

The report provided an update on the following areas:-

- National Developments that included the Independent Review of Inspection, Scrutiny and Regulation (IRISR) and the call for evidence to support the review, and the Mental Welfare Commission Adults with Incapacity Monitoring Report 2021-2022 published on 27 October 2022;
- Ayrshire wide developments that included the publication of the MAPPA Annual Report 2021-22 for the South West Scotland area, the 14-day Whole System

event sponsored by the three Ayrshire directors of Health and Social Care Partnerships, securing UNICEF Baby Friendly Gold Achieving Sustainability accreditation; and

- North Ayrshire Developments that included the commencement of a Care at Home service recruitment programme, the expansion of the Money Matters Service pilot where Income Advisers work with GP practices, approval of the plans for Foxgrove, the official opening of Red Rose House and Roslin House in Stevenston, the final handover session at Trindlemoss in relation to the Glasgow School of Art project, and the opening of Harper House National Specialist Family Service based in Saltcoats.

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

- the expansion of the Money Matters work with GP practices, supported by Improvement Service funding;
- a report to Cabinet at the end of November on the review of financial inclusion services; and
- future discussion on the Breastfeeding Network funding.

Noted.

5. North Ayrshire Alcohol and Drug Partnership (ADP) Annual Report 2021-2022

Submitted report by Billy Brotherston, Independent Chair of ADP on the North Ayrshire Alcohol and Drug Partnership's Annual Report. The full report, submitted to the Scottish Government, was attached at Appendix 1 to the report and outlined the contribution to achieving the key outcomes and ministerial priorities. The Annual Report detailed all sources of income which the ADP received and provided information on the monies spent to deliver the priorities set out in the ADP Action Plan.

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

- the re-introduction of the bottle marking scheme in licenced premises and on information to be provided to the IJB on the effectiveness of the scheme;
- support provided by the Team in terms of gambling addiction;
- the future establishment of a Lived Experience Panel;
- the number of children and young people affected by drug and alcohol problems;
- the future recommencement of the Licensing Forum; and
- the requirement to produce an annual self-assessment in terms of performance.

The Board agreed to note the Annual Report attached as Appendix 1 to the report.

6. Financial Monitoring Report – Month 6

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

local finance mobilisation plan submission was provided at Appendix E to the report with Appendix F showing the IJB reserves position in detail.

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

- the repayment of the debt to North Ayrshire Council by the end of the current financial year;
- the underspend in purchase care and overspend within the inhouse care at home service;
- the vacancy savings in terms of Integrated Island Services; and
- the current position in terms of savings targets and on what is reflected in the year-end position.

The Board agreed to (a) note (i) the overall integrated financial performance report for the financial year 2022-23 and the current overall projected year-end underspend of £0.051m, (ii) the progress with delivery of agreed savings, (iii) the remaining financial risks for 2022-23, including the impact of remaining Covid-19 estimates and costs; and (b) approve the budget reductions which were detailed at paragraph 2.12 of the report.

7. Financial Outlook

Submitted report by Paul Doak, Head of Service (HSCP Finance and Transformation) on the financial outlook of the Partnership for 2023-24 and provided information in relation to the scale of any potential budget gap prior to the budget being submitted to the IJB for approval in March 2023. Information provided included three different scenarios for the potential budget gap, based on anticipated cost pressures and different funding assumptions and also gave an updated position in terms of reserves, highlighted the associated risks and the timetable for setting next year's budget.

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

- the use of unearmarked reserves as part of the budget settlement; and
- clarity in terms of where any savings will be made ie Council or NHS.

The Board agreed to note (i) the financial outlook for 2023-24; and (ii) the ongoing work to allow a balanced budget to be presented to the IJB for approval in March 2023.

8. Unscheduled Care Update

Submitted report by Caroline Cameron, Director (NAHSCP) following on from the Unscheduled Care report and verbal update presented to the IJB in June and October respectively this year. The report included information in relation to:-

- the responsibilities of the IJBs in commissioning and oversight of performance in terms of Unscheduled Hospital Care in relation to the Acute Set Aside resource;
- ongoing areas of concern in relation to performance detailed at section 1.4 of the report;
- delegated services and set aside resources;
- the impact of the operation of acute capacity at both University Hospital Crosshouse and University Hospital Ayr leading to additional financial and workforce pressures;

- the Whole System Intervention taking place across both sites from 7 November until 20 November 2022;
- the establishment of a programme of work with the aim to improve patient experience and outcomes;
- emergency department attendances and wait times;
- delayed discharge statistics and limitations in relation to community capacity in Care and Home and Care Home services;
- the ongoing programme of recruitment within the Care at Home service;
- discharge without delay events to support the decongestion of the acute hospitals; and
- winter planning for all three Partnerships.

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

- the impact on staff from what is reported in the media;
- the continued commitment of the Social Work service to address the risk regarding unmet need across the system;
- any evaluation of the 14-day exercise going forward; and
- the importance of Power of Attorney campaigns.

The Board agreed to note (i) the ongoing programme of work in relation to Unscheduled care and specifically the improvements required in length of stay for patients and performance in relation to the ED compliance standards for which the IJB should receive ongoing performance updates; (ii) that any additional resource required to facilitate performance improvement activity should be through a spend to save methodology by closing all 138 additional acute hospital beds during 2022-23; and (iii) the North Ayrshire plans in relation to Winter Planning and other actions being progressed to improve delayed discharge performance and hospital flow.

9. Primary Care & Social Care Workforce Health & Wellbeing Update

Submitted report by Caroline Cameron, Director (NAHSCP) on the Staff Wellbeing Programme. Information provided included key areas identified as local priorities and updates in terms of support for teams to 'take a step back' together and participate in wellbeing opportunities, mindfulness interventions and support and management of distress and anxiety, post-traumatic stress disorder, bereavement and staff affected by 'long-Covid'. The Partnership Senior Management Team endorsed a proposal to set aside additional funding of £250,000 to continue the staff wellbeing programme for the next two years, to be funded from earmarked reserves in place from Winter Funding.

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

- the additional funding in the sum of £250,000, which is reflected in the budget position; and
- sharing of best practice between the three Ayrshire Councils.

The Board agreed to (a) note the content of the report and support the ongoing development and delivery of the Staff Wellbeing Programme; and (b) approve the continuation of funding for two years, setting aside £250,000 from the Winter Funding carried forward from 2020-21.

10. Exclusion of the Public – Paras 8 and 9

The Committee resolved in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following item of business on the grounds indicated in terms of Paragraphs 8 and 9 of Part 1 of Schedule 7A of the Act.

11. Island Accommodation

Submitted report by the Paul Doak, Head of Service (HSCP Finance and Transformation) on Island Accommodation on Arran.

The IJB agreed to approve the proposal as outlined in the report.

The meeting ended at 12.35 p.m.

Licensing Committee
7 December 2022

IRVINE, 7 December 2022 - At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

Present

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

In Attendance

R. Lynch, Senior Manager, D. Grier, Solicitor, D. Robertson, Enforcement Officer (Legal Services), W. O'Brien, Solicitor (Agenda Item 5.4), C. Pollock, Licensing Administration Officer (Licensing) and H. Clancy, Committee Services Officers (Democratic Services) (Chief Executive's Service).

Also in Attendance

Inspector D. Cameron (Agenda items 1 – 5.3)

Chair

Councillor McDonald in the Chair.

Apologies

Eleanor Collier and Angela Stephen.

1. Chair Remarks

The Chair agreed, in terms of Standing Order 10.5, to vary the order of business to allow consideration of Item 4.4 Booking Office Licence: BOL/022: TOA Taxis (North Ayrshire) Ltd and 4.5 Taxi Driver Licence: TDL/01599: Donald Newall to be heard together last on the agenda.

2. Declarations of Interest

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

3. Minutes

The Minutes of the Meeting held on 16 November 2022 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4. Exclusion of the Public

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

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

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

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

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

Appendix A: Hearings

5.1 Taxi Driver's Licence: TDL/02353 (New): Scott Walker

At a previous meeting on 24 October 2022, the Committee agreed to continue consideration of this application.

The applicant, having been duly cited to attend, joined the meeting. A representative from Police Scotland was also in attendance.

The Senior Manager (Legal Services) set out the background to the Hearing as previously intimated in writing to the applicant. A representative from Police Scotland then addressed the Committee on the terms of a letter setting out their representation in respect of the application.

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

Decision

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

5.2 Taxi Driver's Licence: TDL/02353 (New): Hasher Murad

At a previous meeting on 16 November 2022, the Committee agreed to continue consideration of this application.

The applicant, having been duly cited to attend, joined the meeting.

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

Decision

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

5.3 Street Traders Operator's Licence: STL/O/535 (New): Chris and Emma Ferguson

At a previous meeting on 16 November 2022, the Committee agreed to continue consideration of this application.

The applicants, having been duly cited to attend, joined the meeting.

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

Decision

The Committee unanimously agreed to grant the application subject to the Council's standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982, with the exemption of Standard Condition C.1 "The Licence-Holder must not engage in street trading within 50 metres of any establishment or premises (this includes any land, shops, kiosks, vehicles and moveable structures) where any goods or articles are sold or offered for sale, or services are offered, which are of the same or similar type as those sold or offered by the Licence-Holder."

Appendix B: Applications for Licences/Renewal of Licences

5.4 SHDL/187 (Renewal): ZEX Yorkshire Ltd

The Committee 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.

In terms of Standing Order 6.8, the Chair adjourned the meeting at 10.55 a.m. The meeting reconvened at 1.00 p.m. with the Councillors McDonald, Larsen, McLean and Stalker present and the same officers in attendance.

5.5 Booking Office Licence: BOL/022: TOA Taxis (North Ayrshire) Ltd and Taxi Driver Licence: TDL/01599: Donald Newall

At a previous meeting on 24 October 2022, the Committee heard evidence and agreed to continue consideration of this item.

Representatives of TOA Taxis (North Ayrshire) Ltd, Solicitor for TOA Taxis and the licence holder, having been duly cited to attend, joined the meeting. The complainants were also in attendance.

The Solicitor and representatives for TOA Taxis (North Ayrshire) Ltd representatives and the licence-holder addressed the Committee on the issues raised and responded to questions.

The Committee then withdrew to deliberate.

Decision

Councillor McDonald, seconded by Cllr Larsen, moved that the Committee (a) accept the complainants had the "Protected Characteristic" of "disability" stated in Equality Act 2010 Sections 4 and 6, having an impairment which had a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities; and (b) agreed the following decisions in relation to the four complaints:

- (i) the complaint against TOA Taxis (North Ayrshire) Ltd on Tuesday 30 November 2021 was not upheld;
- (ii) the complaint against TOA Taxis (North Ayrshire) Ltd on Tuesday 7 December 2021 was not upheld;
- (iii) the complaint against Donald Newell on Tuesday 7 December 2021 was upheld and the Committee agreed the Licence-Holder breached Condition 14 of the North Ayrshire Council conditions relating to Taxi Driver's Licences. The Committee agreed to take no action but advised the incident will be taken into account if there are further complaints and on the renewal of the licence. The Committee recommended that the Licence-Holder study the condition and any information on the North Ayrshire Council website about Drivers' duties towards passengers with "Protected Characteristics";
- (iv) the complaint against TOA Taxis (North Ayrshire) Ltd on Tuesday 7 December 2021 was upheld and the Committee agreed to take no action but advised the incident will be taken into account if there are further complaints and on the renewal of the licence. The Committee recommended that the Licence-Holder study the condition and any information on the North Ayrshire Council website about Drivers' duties towards passengers with "Protected Characteristics".

There being no amendment, the motion was declared carried.

The meeting ended at 3.15 p.m.

AYRSHIRE ECONOMIC PARTNERSHIP BOARD

MINUTES OF MEETING HELD ON THURSDAY 8 DECEMBER 2022 AT 1500 HRS IN THE SIR ALEXANDER FLEMING ROOM, EAST AYRSHIRE COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK/MS TEAMS

PRESENT: Councillors Stephen Canning, Barry Douglas and Clare Maitland, East Ayrshire Council; Councillors Marie Burns and Anthony Gurney, North Ayrshire Council; Councillor Bob Pollock, South Ayrshire Council; Katie Kelly, Depute Chief Executive; David McDowall, Head of Economic Growth; Graham Saunders, Programme Manager - Ayrshire Growth Deal; and Dougal Watt, Senior Auditor, all East Ayrshire Council; Craig Hatton, Chief Executive; Caitriona McAuley, Head of Service - Economic Development; Marnie Ritchie, Regeneration Manager, Growth Investment; and Neale McIlvanney, Ayrshire Growth Deal, all North Ayrshire Council; Louise Reid, Assistant Director - Place; Jane Bradley, Director for Strategic Change and Communities and Michael O'Brien, Project Lead Space and Digital all South Ayrshire Council; Angela Cox, Ayrshire College; Gillian Docherty, Strathclyde University; Simon Foster, Spirit Aerospace; Morag Goodfellow, Highlands and Islands Enterprise; Kevin Kane, University of Strathclyde; Hisashi Kuboyama, Federation of Small Businesses; Derek McCrindle, Scottish Enterprise; Johnny Mone, University of West of Scotland; Rachel Phillips, Scottish Government; Claire Baird, Ayrshire Chamber of Commerce and Industry; and Paul Zealey, Skills Development Scotland.

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

APOLOGIES: Councillors Douglas Reid and Maureen McKay, Eddie Fraser, Chief Executive and Joe McLachlan, Chief Finance Officer and Head of Finance and ICT, East Ayrshire Council; Councillor Joe Cullinane; and Russell McCutcheon, Executive Director - Place; North Ayrshire Council; Councillors Martin Dowe and Peter Henderson; and Eileen Howat, Chief Executive; South Ayrshire Council; Malcolm Roughead, Visit Scotland; Jane Martin, Scottish Enterprise; and Milan Radosavljevic, University of West of Scotland;

CHAIR: Councillor Clare Maitland, Chair.

APPOINTMENT OF CHAIR

1. In the absence of Councillor Douglas Reid, it was unanimously agreed that Councillor Clare Maitland be appointed as Chair.
Councillor Maitland then took the Chair.

PREVIOUS MINUTES

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

WORKING FOR A HEALTH ECONOMY - CHANGE REQUEST: TIME ALTERATION

3. There was submitted a report (circulated) by the Executive Director, Place, North Ayrshire Council which sought approval to a change request for the approved Ayrshire Growth Deal (AGD) Revenue Project, Working for a Healthy Economy (WfHE), The change request sought to amend the project end date from 30 April 2026 to 30 April 2027, extending the project delivery period by one year.

It was agreed to recommend to the Joint Committee:

- (i) to approve the time extension request; and
- (ii) to approve the submission of a formal Change Request to amend the timescales only for the project to be delivered over a six year period, ending on 30 April 2027, retaining the agreed financial outcome profile.

i3 FLEXIBLE ADVANCED MANUFACTURING SPACE, PHASE 1 - FULL BUSINESS CASE

4. There was submitted a report (circulated) by the Executive Director, Place, North Ayrshire Council which sought approval of the Full Business Case (FBC) for Phase 1 of the Flexible Advanced Manufacturing Space (flexible space) project at 13 Enterprise Area in Irvine.

It was noted that approval was only sought at this stage for Phase 1 of the project, utilising £3.753m of the £15m allocated from the AGD to the flexible space project. This was also supported by a grant of £810,000 from the Vacant and Derelict Land Fund. An application had also been made to the Levelling Up Fund (LUF) which, if successful, could replace the AGD funds in order that it was made available for future phases. The Full Business Case would be subject to further addendums as the programme progressed.

It was agreed:

- (i) to note the report and the FBC for Phase 1 of the i3 Flexible Advanced Manufacturing Space project as detailed at Appendix 1 of the report;
- (ii) to note that the Scottish Government had approved the Outline Business Case;
- (iii) to note that the Scottish Government and UK Government had provided feedback on the FBC for Phase 1 of the i3 Flexible Advanced Manufacturing Space project;
- (iv) to note that the outcome of a LUF 2 bid was imminent which, if successful, could replace the majority of AGD funds for Phase 1, leaving more AGD funds for future phases; and
- (v) to recommend to the Joint Committee that the FBC be approved and its activities implemented.

AYRSHIRE GROWTH DEAL - DIGITAL PROJECTS UPDATE

5. There was submitted a report (circulated) by the Project Lead - Space & Digital, Ayrshire Growth Deal which advised of the progress of the Ayrshire Growth Deal Digital projects as at 8 December 2022.

Having noted the updates provided in the report, it was agreed to recommend to the Joint Committee:

- (i) to approve the next steps proposed in this report, leading to a change request for the two AGD digital projects; Subsea Cable (£11 million); and Digital Infrastructure (£3 million);
- (iii) to agree that proposals are developed for the available AGD funds of £14 million to deliver a digital intervention to be consolidated into a single re-scoped project; and
- (iv) to seek an update from the Lead Authority on the outcome of the re-scoping exercise and approve an updated project scope and project title.

Angela Cox left the meeting during discussion of the above item.

AYRSHIRE GROWTH DEAL - UPDATE ON BENEFITS REALISATION PLAN

6. There was submitted a report (circulated) by the Head of Economic Growth, East Ayrshire Council which provided the first regular bi-annual update on the Benefits Realisation Plan (BRP) Update (Appendix 1 of the report) as part of the monitoring and evaluation of progress on the delivery of projects.

It was agreed to note the content of the report and recommend approval to the Ayrshire Economic Joint Committee:

- (i) on the minor amendments proposed to the BRP and associated appendices; and
- (ii) to note the monitoring and progress made on projects highlighted in the BRP update.

AYRSHIRE GROWTH DEAL - GOVERNANCE GUIDANCE UPDATE

7. There was submitted a report (circulated) by the Head of Economic Growth, East Ayrshire Council which (i) advised of the proposed changes to the Ayrshire Growth Deal (AGD) Governance Guidance (Appendix 2 of the report); (ii) explained the reasons for the current changes and highlighted potential further changes to the AGD Governance Guidance; and (iii) highlighted the proposed changes currently seeking approval and which would form part of the suite of Deal documents that would frame future management of the AGD.

It was agreed to note the content of the report and recommend approval to the Ayrshire Economic Joint Committee of the revised Governance Document and its status as set out in Appendix 1 of the report.

AYRSHIRE GROWTH DEAL - PROGRAMME UPDATE

8. There was submitted a report (circulated) by the Head of Economic Growth, East Ayrshire Council which advised of the progress of the Ayrshire Growth Deal and the development of its component projects as at 28 October 2022 (Appendix 1 of the report),

It was agreed to note the content of the report and recommend that the Ayrshire Economic Joint Committee -

- (i) note the updates provided in the report;
- (ii) note the progress across the Ayrshire Growth Deal Programme;

- (iii) note the anticipated slippage of business case milestones and risk to financial drawdown;
- (iv) note the main strategic and operational risks; and
- (v) agree to consider amending the Risk Register in respect of the drawdown of full AGD funding this financial year from amber to red, reflecting that project slippage was inevitable in the current climate;

2023 MEETING DATES

9. There was submitted and approved meeting dates for the Ayrshire Economic Joint Partnership Board for 2023 as follows:- 26 January 2023, 27 April 2023, 7 September 2023 and 16 November 2023.

The meeting terminated at 1549 hrs.

Licensing Committee
11 January 2023

IRVINE, 11 January 2023 - At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

Present

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

In Attendance

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

Also in Attendance

Sergeant S. Syme and D. Hastings (Police Scotland)

Chair

Councillor Collier in the Chair.

Apologies

Angela Stephen

1. Declarations of Interest

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

2. Minutes

The Minutes of the Meeting held on 6 December 2022 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Exclusion of the Public

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

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

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

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

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

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

Appendix A: Hearings

4.1 Second Hand Dealer's Licence: SHDL/187 (Renewal): ZEX Yorkshire Ltd

At a previous meeting on 6 December 2022, the Committee agreed to continue consideration of this application.

The applicants' representatives, having been duly cited to attend, were present. Representatives from Police Scotland were also in attendance.

Representatives from Police Scotland addressed the Committee on the terms of a letter setting out their representation in respect of the application. Thereafter the applicants' representatives addressed the Committee on the issues raised and responded to questions.

The applicants' representatives and representatives from Police Scotland then withdrew to allow the Committee to deliberate. Thereafter the applicants' representatives and representatives from Police Scotland re-joined the meeting, with the same Members and Officers present and in attendance, to hear the Committee's decision.

Decision

The Committee unanimously agreed (a) to grant the application subject to the Council's standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982; and (b) to request that the applicant provide evidence of staff training and procedures in place setting out statutory requirements.

5. Urgent Item

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

5.1 Preliminary Consideration of Complaint Against a Licence-holder

The Committee heard from the Enforcement Officer regarding a complaint made against a licence-holder.

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

The meeting ended at 12.20 p.m.

Staffing and Recruitment Committee

17 January 2023

At the Meeting of Staffing and Recruitment of North Ayrshire Council at 10.00am involving a combination of participation by remote electronic means and physical attendance within the Large Meeting Room (1st Floor East), Irvine.

Present (Physical Participation)

Marie Burns, Shaun Macauley and Tony Gurney

Present (Remote Electronic Participation)

Tom Marshall, Todd Ferguson, John Bell, Joe Cullinane.

In Attendance (Physical Participation)

C. Hatton, Chief Executive, R. McCutcheon, Executive Director (Place) and F. Walker, Head of Service (People and ICT).

Chair

Marie 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 accuracy of the Minutes of the meeting of the Staffing and Recruitment Committee held on 9 November 2022 was confirmed and the Minute and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Exclusion of the Public and Press

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

4. Head of Service (Economic Development, Growth & Regeneration)

The Committee considered applications for position of Head of Service (Economic Development, Growth & Regeneration) and agreed that 5 candidates would progress to the next stage of the recruitment process.

The Meeting ended at 10.15 a.m.

Cabinet
24 January 2023

At the Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

Present (Physical Participation)

Marie Burns, Alan Hill, Christina Larsen and Shaun Macaulay.

Present (Remote Electronic Participation)

Tony Gurney and Margaret Johnson.

Also Present (Physical Participation)

Stewart Ferguson, Cameron Inglis, Nairn McDonald, Matthew McLean, Donald Reid, Chloe Robertson and John Sweeney.

In Attendance (Physical Participation)

C. Hatton, Chief Executive, M. Boyd, Head of Service (Finance) and D. Forbes, Senior Manager (Finance Management) (Chief Executive's Service); R. McCutcheon, Executive Director, D. Hammond, Head of Service (Sustainability, Transport & Corporate Property), T. Reaney, Head of Service (Neighbourhood Services), L. Kirk, Senior Manager (Regeneration) and C. Dempster, Senior Manager (Roads); A. Sutton, Executive Director and R. Leith, Head of Service (Connected Communities) (Communities & Education); C. Cameron, Director (Health and Social Care Partnership); A. Craig, Head of Service, I. Hardy, Team Manager (Policy and Performance), J. Hutcheson, Senior Communications Officer, C. Stewart, H. Clancy and S. Wilson, Committee Services Officers (Democratic Services).

Chair

Marie Burns in the Chair.

1. Chair's Remarks

Prior to commencing with the business of the meeting Councillor Burns, Chair, advised Cabinet that Councillor Davidson had stood down from Cabinet and that his portfolio duties for Place would be undertaken by Councillor Gurney for the time being.

Noted.

2. Minutes

The Minutes of the Meeting of the Cabinet held on 29 November 2022 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Declarations of Interest

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

4. Council Plan Mid-Year Progress Report

Submitted a report by the Head of Service (Democratic Services) advising Cabinet on progress of the Council Plan priorities. The Council Plan Progress report was set out at Appendix 1 to the report.

Members asked questions and were provided with further information on the two actions significantly adrift of target, which were due to external factors.

The Cabinet agreed (a) to approve the Council Plan Progress Update Mid-Year 2022-23 as set out at Appendix 1 to the report; (b) to note the status of the Council's performance indicators and actions at Appendices 2 and 3 to the report; and (c) to refer this report to the Audit and Scrutiny Committee for further consideration.

5. Proposed Car parking Charges Kilwinning, Irvine and Saltcoats

Submitted reports by (1) the Head of Service (Democratic Services) on the outcome of consideration by the Audit and Scrutiny Committee of three petitions in relation to proposed car parking charges in Kilwinning, Irvine and Saltcoats, and (2) the Executive Director (Place) on 3 petitions received objecting to the introduction of car parking charges, the outcome of local discussions held with Ward Members and local measures proposed following the introduction of DPE and car parking charges and to consider and agree the level of parking charges to be introduced.

On behalf of Members, Councillor Burns, Chair, thanked officers for all their hard work on this matter, including the significant consultation that had been carried out with local Elected Members.

The Cabinet agreed (a) to note the 3 petitions (as detailed in the separate report to this Cabinet) received objecting to the introduction of car parking charges and heard at a recent meeting of the Audit and Scrutiny Committee; (b) to remit consideration of the recommendations for addressing local concerns (including the introduction of resident parking permits and the removal of Bradshaw Street, Saltcoats from the chargeable car parks) to the next meeting of Council; and (c) to remit consideration and approval of the level of charges to be introduced in the car parks (noting that should option 3, as detailed within Appendix 3 to the report, be the preferred option, then an alternative source of revenue funding would need to be identified to address the budget shortfall identified in section 4.1 of this report) to the next meeting of Council.

6. Change of Mental Health Champion

Submitted a report by the Head of Service (Democratic Services) on the appointment of an Elected Member as Mental Health Champion following a vacancy having arisen.

The Cabinet agreed to appoint Councillor McClung as Mental Health Champion.

7. Revenue Budget 2022/23: Financial Performance to 30 November 2022

Submitted a report by the Head of Service (Finance) on the financial performance of the Council at 30 November 2022. Detailed explanations of the significant variances in service expenditure compared to the approved budgets, together with information on funding to be carried forward to support expenditure during 2022/23 were provided in Appendices 1-4 of the report. A full list of the proposed carry forward of earmarked funds was set out at Appendix 5 to the report. Information in respect of the Housing Revenue Account (HRA) was contained in Appendices 6 and 6a and information on virements/budget adjustment requests was provided at Appendix 7 to the report. Information on the IJB financial performance was presented in Appendix 8 to the report.

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

- the recovery by the Scottish Government of Covid support costs from Integrated Joint Boards (IJB) and any consequential impact this might have on the budget for the IJB going forward; and
- the potential impact on the Council budget in terms of cost pressures had earmarking of funds not taken place.

The Cabinet agreed to (a) note (i) the information and financial projections outlined in the report and its associated appendices, (ii) the latest financial projection for the Health and Social Care Partnership highlighted at section 2.6 of the report and (iii) the current projected deficit position of KA Leisure; and (b) approve (i) the earmarking of £0.023m identified at section 2.5 of the report to meet future year commitments and (ii) the virements detailed at Appendix 7 to the report.

8. Capital Programme Performance to 31 March 2023

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

The Cabinet agreed to note (i) the revisions to budgets outlined in the report, (ii) the General Services and HRA revised budgets at 30 November 2022, and (ii) the forecast expenditure to 31 March 2023.

9. Proposals for Community Investment Fund (CIF) Expenditure

Submitted a report by the Executive Director (Communities & Education) on applications by Locality Partnerships to allocate CIF funding to proposed projects. The proposals from CHAP – Advice Outreach Services were set out in Appendix 1 to the report, with the CIF application from Ardrossan Community Sports Winton Park 3G being set out at Appendix 2 to the report.

Members asked questions and were provided with further information in relation to the value of the CHAP proposal in terms of being a worthwhile investment going forward.

Cabinet Members also commented on the importance of the views of the Locality Partnership in considering applications.

The Cabinet, having reviewed the applications from the Three Towns Locality Partnership set out in the appendices to the report in line with CIF criteria, agreed to approve (i) the CIF application in relation to CHAP – Advice Outreach Services in the amount of £45,767 and (ii) the CIF application in relation to Ardrossan Community Sports Winton Park 3G in the amount of £100,000.

10. Community Asset Transfer Application – Toilet Block and adjacent land at Ardrossan South Beach

Submitted a report by the Executive Director (Communities & Education) seeking approval, in principle, for a 25-year lease of the toilet block and adjacent land at Ardrossan South Beach to Ardrossan Community Development Trust. A location Plan and an outline of the Phased Approach of the Application were set out at Appendices 1 and 2, respectively, to the report.

The work of the Ardrossan Community Development Trust, officers and local Members in developing the asset transfer to this stage was acknowledged by the Cabinet.

The Cabinet agreed to (a) the 25-year lease, in principle, of the Toilet Block and adjacent land at Ardrossan South Beach between North Ayrshire Council and Ardrossan Community- Development Trust, subject to the satisfactory conclusion of the Council's Community Asset Transfer process, including the requirements detailed in section 1.3 of the report; (b) approve the recommended terms of transfer on this occasion as a £6,000 in annual rental fee ((a total of £150,000 over the 25-year period of the lease ; and (c) authorise officers to conclude the associated legal and community asset transfer processes for Ardeer Quarry Football Ground and adjacent land.

11. Providing Affordable Warmth – EC04 Flex

Submitted a report by the Executive Director (Place) seeking approval for proposals to enable access to EC04 Flex funding for eligible households within North Ayrshire. A draft Statement of Intent was set out at Appendix 1 to the report.

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

- ongoing revenue implications for the Council; and
- the commencement date of the programme being from April 2023, and whether there were any consequential difficulties arising from this early start date.

The Cabinet agreed (a) to approve the introduction of EC04 Flex in North Ayrshire on the terms outlined in section 2.8 of the report; and (b) to delegate authority to the Executive Director (Place) to publish an updated Statement of Intent following completion of the Prior Information Notice and subsequent assessment of eligible contractors.

12. North Ayrshire Community Renewable Energy Generation Funding Scheme (CREGFS)

Submitted a report by the Executive Director (Place) seeking approval of a proposed North Ayrshire Community Renewable Energy Generation Funding Scheme.

Members asked questions and received clarification on the types of projects which may fall within the terms of the Scheme.

The Cabinet agreed to (a) approve the proposed Community Renewable Energy Generation Funding Scheme (CREGFS); and (b) receive a further update on the CREGFS at a future meeting of Cabinet.

13. Town Centre Fund Update

Submitted a report by the Executive Director (Place) providing an update on the delivery of the approved Town Centre Fund projects and seeking approval for the reallocation of the balance of funding. The proposals for the remaining balance of the Town Centre Fund were set out at Appendix 1 to the report.

The Cabinet agreed to (a) note the progress made on the implementation of the agreed Town Centre Fund projects, and the remaining balance of £147,092 which required to be allocated; (b) approve the proposals for the remaining balance of the Town Centre Fund as detailed at Appendix 1 to the report; and (c) provide delegated authority to the Executive Director (Place) to agree any future changes to the funding allocations, in consultation with the Portfolio Lead, if required.

14. Ownerless Property Transfer Scheme

Submitted a report by the Executive Director (Place) seeking approval for the proposed North Ayrshire Council submission to the King's and Lord Treasurer's Remembrancer consultation on the proposed new Ownerless Property Transfer Scheme (OPTS). A summary of the OPTS and the proposed consultation response were set out at Appendices 1 and 2, respectively, to the report.

The Cabinet agreed to approve the submission of the proposed consultation response to the Ownerless Property Transfer Scheme provided at Appendix 2 to the report.

The meeting ended at 3.50 p.m.

Planning Committee
25 January 2023

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

Present (Physical Participation)

Robert Foster, Timothy Billings Stewart Ferguson and Cameron Inglis

Present (Remote Participation)

Amanda Kerr, Jim Montgomerie, Ian Murdoch and Chloé Robertson.

Also Present (Physical Participation)

Todd Ferguson (Agenda Items 1 – 3).

In Attendance

J. Miller, Chief Planning Officer (Planning); R. Lynch, Senior Manager, J. Niven, Solicitor (Legal Services), H. Clancy, C. Stewart and S. Wilson Committee Services Officers (Democratic Services) (Chief Executive's Service).

Also in Attendance

G. Cloughley, G. Buckley and J. Martin (Objectors) and K. Murphy, S. Livingston and S. Fallon (Applicant's Representatives) (Agenda Items 1 – 3).

Chair

Councillor Foster in the Chair.

Apologies

Scott Davidson and Davina McTiernan.

1. Declarations of Interest

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

2. Minutes

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

3. 21/01174/PPM: Site To North Of Summerlea Road And West Of Snowdon Terrace, Seamill, West Kilbride

Persimmon Homes have applied for planning permission for the erection of 220 dwelling houses and associated infrastructure and landscaping at the site to the north of Summerlea Road and West of Snowdon Terrace, Seamill, West Kilbride. 158 objections, 1 representation of support and 3 neutral representations were received and detailed in the report.

The Chair advised that he had accepted a request from an Objector to address the Committee in terms of their objections to the application. George Cloughley, Graham Buckley and Janet Martin were in attendance to speak to the terms of their objection. Persimmon Homes, as the applicant, had been invited to respond to the objections raised. Kevin Murphy, Steven Livingston and Simon Fallon were in attendance as representatives of the applicant.

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

Mr Cloughley addressed the Committee in support of the objections and highlighted there were 175 objections at LDP stage, 158 objections at the planning stage, 700 signatures on a petition, 200 people attended at candlelight vigil, over 100 people signed a letter from West Kilbride Community Council in support of the objections. Mr Cloughley referred to the 684 bedrooms on the developers' drawings but advised 831 were shown when looking at the individual house types. 220 houses were proposed but only 175 recommended by the Scottish Government and the 460 parking spaces stated in the application seemed a high number as the objectors could only see 300 parking spaces on the plans.

Mr Cloughley referred to the population numbers of West Kilbride and the possibility of an additional 1100 people, with a population of 4,700 this represents a 23% rise and advised the town did not have the infrastructure to cope with this. Mr Cloughley also advised the traffic census had been undertaken during lockdown. Mr Cloughley highlighted that the developer's plans showed houses built over the top of the pipe section of Wildcat Burn and also referred to the Reporter's recommendation that the developer should contribute to local infrastructure. Mr Cloughley advised the site entrance should be taken from Portencross road, the Transport Scotland conditions could not be addressed, and the application should be refused.

Mr Buckley also spoke in support of the objections, referring to previous planning applications that had been refused for the same site. He made reference to the Spatial Strategy under Policy One of the Local Development Plan and highlighted the proposed site was prime arable land used to produce 3 crops per year. Mr Buckley expressed the view that housing development should be advantageous and a benefit to the local community, while the proposed development was detrimental to the local community due to the inadequate infrastructure and services required for the development. It was Mr Buckley's position that all local councillors, local MSPs and West Kilbride Community Council were against the development.

Mr Buckley also highlighted the 9 conditions relating to trunk road modifications, crossing points, new footpaths and modifications to existing footpaths which were site specific and would not be relevant to another site and there was no provision for crossing the B7048.

Ms Martin also addressed the committee in support of the objections, advising that the local community do not want to expand the village while diminishing local services. She referred to the regeneration work of the local community over the past 20 years. Ms Martin also highlighted a lack of communication, clarity and consideration in terms of the consultation process.

Mr Murphy then addressed the Committee on behalf of the applicant, in response to the objectors. He referred to the allocation of the site proposed through the LDP in 2019 and the aim of the Spatial Strategy to provide a balance across North Ayrshire in terms of where new developments took place and the balance of the type of sites brought forward. Mr Murphy advised the site was intended in the LDP to play a key role in the delivery of new housing in North Ayrshire and support a number of key objectives, such as attracting inward investment, creating jobs, delivering economic growth, and growing the population of North Ayrshire (particularly with regard to attracting and retaining residents of a working age).

Mr Murphy referred to the mix of housing types on the site being specially designed to provide a range and choice for the local community at each stage of their housing journey, from first time buyers and families to those looking to downsize. He advised that the house types ranged from 2-bed starter homes to 5-bed detached family homes, as well as 16 bungalows designed to meet the needs of older people. Mr Murphy highlighted that, over the past 5 years, 32% of sales from outwith North Ayrshire and 81% of Persimmon Homes purchased in North Ayrshire had been to people under the age for 40 with 45% sold to first-time buyers.

Mr Murphy advised that the capacity for the site identified in the LDP was indicative, with the eventual unit numbers coming from a more detailed technical analysis of the site and surrounding infrastructure and could easily accommodate 220 houses. He indicated that Persimmon Homes were also committed to fund works to improve the local primary school.

Mr Murphy then referred to the layout of the site, highlighting the proposed retention of trees on Summerlea Road and Wildcat Lane, the maintenance of views to Arran along the A78 through a series of visual corridors, significant landscaping to the site, retention of the existing stonewall along the boundary and the introduction of new crossing points on the A78. He advised that Persimmon Homes had also addressed all road safety points raised by Transport Scotland and North Ayrshire Council Roads Department to ensure safe routes to the Primary School and village centre. A full flood risk assessment and drainage strategy had been completed, all surface water would be controlled by a sustainable urban drainage system and the site would continue to drain to Wildcat Burn. Eight of the 90 trees on site required to be removed, with a root assessment still required for a further 6 trees, and any tree removal would be offset with new tree planting management. To minimise disruption to the local community, a construction traffic management plan would be implemented, and Persimmon Homes would update the local community as the development advanced.

The objectors were then afforded an opportunity to make brief final comments. Mr Cloughley referred to the number of 2-bed houses and the pipe section of the Wildcat Burn to be accommodated through a field drain.

At the Chair's discretion, Councillor Todd Ferguson, as Local Member was invited to speak and expressed support for the objectors' comments and noted the reduction from 262 to 220 units feel short of the indicative 175 in the Local Development Plan.

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

- house numbers and the recommendation by the Scottish Government for 175 houses;
- use of adequate garages as parking spaces and the calculation of these spaces;
- the increase of approximately 25% in local population over the last 15 years; and
- the pipe burn and field drain at Wildcat Burn.

The Chief Planning Officer then outlined the terms of the planning report.

The Committee was invited to note that a road construction consent was required by Persimmon Homes to facilitate this development and a further condition, relating to road safety measures was proposed to allow pedestrians to safely cross the B7408.

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

- the adequacy of the current local infrastructure to support the application in terms of the anticipated increase in population;
- local primary school improvements and proposed timescales for this;
- ongoing maintenance and additional staff due to the expansion of the local primary school;
- trees on the southern end of the site, and an area of Wild Cat Lane to be covered by a provisional Tree Preservation Order;
- road safety in light of an increased number of people crossing the B7408;
- consultation with the NHS and an apparent conflict between the information presented and the experience of local constituents;
- A detailed drainage assessment to identify any potential flood risk, the outcome of which had been factored into proposed Condition 23; and
- additional Primary School needs to meet the demand of the site.

Councillor Billings, seconded by Councillor Murdoch, moved that the application be refused on the grounds that Committee did not have adequate assurances on the medical practice provision for the local area.

Councillor Foster, seconded by Councillor Montgomerie, moved that the application be granted, subject to (a) the completion of a Section 75 Agreement on the required educational contributions, and (b) the conditions noted within the report

On a division and a roll call vote, there voted for the amendment Councillors Foster, Inglis, Kerr and Montgomerie and (4) and for the motion, Councillors Billings, Ferguson, Murdoch and Robertson (4), and on the casting vote of the Chair, the amendment was declared carried.

On a point of order, Councillor Billings requested clarification whether, in the event of an equality of votes, a casting vote should be used to maintain the status quo, which would in this case mean that the development should not proceed.

In terms of Standing Order 6.8, the Chair agreed that the meeting be adjourned at 3.35 p.m. for the Committee to receive legal advice. The meeting reconvened at 4.10 p.m. with the same Members and officers present and in attendance (as previously by remote electronic means or in person).

The Senior Manager (Legal Services) confirmed to the Committee that, in terms of Part 1(1) Preliminary and specifically Standing Order 19.6 relating to meetings and proceedings of the Council and Committees, a casting vote could be exercised by the Chair in these circumstances and the decision, therefore, stood. In addition, the terms of Schedule 7, paragraph 5(2) of the Local Government (Scotland) Act 1973 and the considerations to determining planning applications under the Town and Country Planning (Scotland) Act 1997 were further referred to.

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

1. That prior to the commencement of the development, a written scheme of investigation for a programme of archaeological works shall be submitted to the Council, as Planning Authority, for written approval and agreement of the West of Scotland Archaeological Service. Thereafter any programme of works as agreed will be carried out in accordance with the written scheme to the satisfaction of the Council, as Planning Authority.
2. That prior to the commencement of the development, a desk study of the site to assess the likelihood of contamination and assist the design of an appropriate site investigation and subsequent suitable risk assessment, including remediation proposals if required, shall be undertaken. The study shall be verified by a suitably qualified Environmental Consultant and shall be submitted to and approved by the Council, as Planning Authority, prior to commencement of the development.
3. That the presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of NAC Environmental Health. Thereafter a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of Council as Planning Authority.
4. On completion of the development, written verification detailing what was done by way of any remediation shall be submitted to the Council, as Planning Authority.
5. That prior to the commencement of the development, a Construction Environmental Management Plan (CEMP) shall be submitted for the approval of the Council, as Planning Authority. The CEMP shall include the proposed Dust Mitigation recommended in Appendix 6 of the Air Quality Impact Assessment report by ITP Energised, Project No 4667 v1, submitted as part of this application, dated 25th November 2021. The CEMP shall also include a Construction Traffic Management Plan which will include details of construction vehicle wheel washing. The development will be carried out in accordance with any CEMP as may be approved.

6. That prior to the commencement of the development, the detailed design for the proposed access to the trunk road, shall be submitted to the Council, as Planning Authority, for approval in consultation with Transport Scotland as the Trunk Roads Authority. Detailed designs shall be to a standard compliant with DMRB CD 123.
7. There shall be no access to or from the A78 trunk road until the new access to the trunk road has been constructed and completed in accordance with any details as approved under Condition 6. For the avoidance of doubt no access for construction traffic shall be taken from Summerlea Road.
8. That prior to the commencement of the development, details regarding the design for the proposed geometric alterations to the A78/B7048 priority junction, shall be submitted to and approved in writing by the Council, as Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority. Any approved works shall be carried out prior to the occupation of any part of the site.
9. That prior to the commencement of the development, detailed design and final location for the proposed signal-controlled pedestrian crossing shall be submitted to the Council, as Planning Authority, for approval in consultation with Transport Scotland as the Trunk Roads Authority. Any crossing as may be approved shall be constructed prior to the occupation of any part of the site.
10. That prior to the commencement of the development, detailed design of the A78 footway between the pedestrian crossing and the A78/B7048 junction shall be submitted to the Council, as Planning Authority, for approval in consultation with Transport Scotland as the Trunk Roads Authority. Any footway as may be approved shall be constructed prior to the occupation of any part of the site.
11. That prior to the commencement of the development, details regarding the design for the proposed geometric alterations to the A78/Summerlea Road priority junction, shall be submitted to and approved in writing by the Council, as Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority. Any approved works shall be carried out prior to the occupation of any part of the site.
12. That prior to the commencement of the development, detailed design and final location for the uncontrolled pedestrian crossing shall be submitted to the Council, as Planning Authority, for approval in consultation with Transport Scotland as the Trunk Roads Authority. Any crossing as may be approved shall be constructed prior to the occupation of any part of the site.
13. That prior to commencement of the development, a Phasing Plan shall be submitted for approval by the Council, in consultation with Transport Scotland as the Trunk Roads Authority. The development will thereafter be carried out in accordance with any phasing plan as may be approved.
14. That prior to the occupation of any part of the development, a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car has been submitted and approved by the Council, as Planning Authority, in consultation with Transport Scotland as the Trunk Roads Authority.

15. That prior to the commencement of the development details of all boundary treatments both within and on the edges of the site shall be submitted to the Council, as Planning Authority, for approval. Any boundary for the edge of the trunk road will be approved in consultation with Transport Scotland. Any proposed new boundary treatments shall include 13cm x 13cm gaps to allow animal movement.
16. That prior to the commencement of the development details of all existing and proposed landscaping and play areas, including management and maintenance details, shall be submitted to the Council, as Planning Authority, for approval. Landscaping shall include the recommendations set out in Section 7, Paras 3 – 5 and 10 of the Ecological Assessment report by JDC Ecology, submitted as part of this application, dated 1st December 2021.
17. That any landscaping scheme as may be approved under Condition 16 shall be carried out in the first planting season following completion or occupation of the houses within the relevant phases approved under condition 13, whichever is soonest, or unless otherwise agreed in writing by the Council, as Planning Authority. 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 the Council, as Planning Authority, gives written consent to any variation.
18. That the any play area for the southern end of the site approved under Condition 16 shall be erected and available for use prior to the occupation of any houses on Plots 19 to 26 or Plots 56 to 64 unless otherwise agreed in writing by the Council, as Planning Authority.
19. That the any play area for the northern end of the site approved under Condition 16 shall be erected and available for use prior to the occupation of any houses on Plots 181 to 189 or Plots 201 to 204 unless otherwise agreed in writing by the Council, as Planning Authority.
20. That prior to the commencement of the development details of tree protection measures during construction shall be submitted to the Council, as Planning Authority. The details should conform with BS 5837. Prior to the commencement of plots 44-52 an Arboricultural Impact Assessment to agree driveway positions is to be submitted to and approved by the Council, as Planning Authority. Any details as may be approved will be implemented prior to the commencement of any works.
21. That prior to the commencement of the development details of footway widening on the B7048 to a minimum of 2m, unless otherwise agreed in writing with the Council, as Planning Authority, from the junction of the A78 to No. 30 Portencross Road shall be submitted to the Council, as Planning Authority, for approval. Any details as may be approved shall be carried out prior to the occupation of the development.

22. That prior to the commencement of the development, details of measures to address the runoff entering the northeast corner of the site from the A78 and B7048 road junction are submitted to the Council, as Planning Authority, for approval. Thereafter the development will be carried out in accordance with any details as may be approved.
23. That prior to the commencement of the development, an appropriately detailed drainage assessment identifying any potential flood risk from the proposed surface water infrastructure at times up to and including the 1 in 200 year the critical storm event (plus climate change and urban creep allowances) shall be submitted to the Council, as Planning Authority, for approval. Where flood risk is confirmed, flood flow-paths should be designed and maintained to disperse exceedance flows to the water environment without affecting people and property during times of intense rainfall. Such flood flow-paths should be provided for approval prior to the commencement of the development.
24. That prior to the commencement of the development, the detailed design of the SuDS basin shall be provided to the Council, as Planning Authority, for approval. This should include measures such as a section of reduced crest level that would control overtopping when the holding capacity of the basin is exceeded, either during periods of intense rainfall or when the outfall is blocked. Thereafter the development will be carried out in accordance with any details as may be approved.
25. That prior to the commencement of the development, details of the site levels for the western side of the site shall be submitted to the Council, as Planning Authority, for approval. Thereafter the development will be carried out in accordance with any details as may be approved.
26. That prior to the commencement of the development, full details of water quality treatment measures are submitted to the Council, as Planning Authority, for approval. Thereafter the development will be carried out in accordance with any details as may be approved.
27. That the footpath links on the eastern side of the site shall be formed and open prior to the occupation of the adjacent house. The footpath link on the southern side of the site shall be formed and open prior to the occupation of Plot 53. The footpath link on the southern side of the western side of the site shall be formed and open prior to the occupation of Plots 190 and 191. The footpath link on the northern end of the western side of the site shall be formed and open prior to the occupation of Plot 153.
28. That, prior to the commencement of the development hereby approved, a statement containing details of the heat and power systems for the houses, which shall include low or zero carbon technologies to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met, shall be submitted for the written approval of the Council, as Planning Authority. Thereafter, the development shall be implemented in accordance with such details as may be approved unless otherwise agreed in writing with the Council, as Planning Authority.

29. That prior to the commencement of the development hereby approved, the developer shall provide full details of the proposed finishing materials for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall progress in accordance with such details as may be approved.
30. That prior to the commencement of the development details of a pedestrian crossing for the B7048 to the east of the junction with the A78 shall be submitted to the Council, as Planning Authority, for approval. Any details as may be approved shall be carried out prior to the occupation of the development.

Councillors Montgomerie and Murdoch left the meeting at this point.

4. 22/00890/PPP: Site to North Of Kirn Point, Newton Road, Lochranza

John Thomson Construction Ltd have applied for planning permission in principle for four residential plots and re-aligned access path at the site to the north of Kirn Point, Newton Road, Lochranza. 56 objections, 53 from individuals and 3 on behalf of groups (Lochranza and Catacol Community Association, Arran Civic Trust and Community of Arran Seabed Trust) and 2 expressions of support were received and detailed in the report.

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

1. That prior to the commencement of any development on site, a further planning application(s) for the approval of the matters specified in this condition (MSC) must be submitted to and approved by North Ayrshire Council as Planning Authority. These matters are as follows:
 - (a) details of the design, siting and external finishes of the proposed houses;
 - (b) details of the means of de-linuation of the individual residential plots;
 - (c) the design and location of all boundary treatments including any walls or fences and hard landscaped areas;
 - (d) the means of drainage and surface water strategy and methodology for sewage disposal, including Sustainable Urban Drainage Systems (SUDS), all set out in a comprehensive Drainage Assessment, including ongoing maintenance details. Such SUDS shall be self-certified by a suitably qualified person;
 - (e) the landscaping and associated maintenance proposals for the site, including details of existing trees, hedgerows and other planting to be retained and any tree protection measures together with proposals for any new planting, specifying number, size and species of all trees and shrubs, a management implementation programme and proposals to replace any landscaping which fails in the first five years following planting; and
 - (f) details of the heat and power systems for the houses, which shall include low and/or zero carbon technologies to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met. For the avoidance of doubt, the houses proposed for the site shall be of traditional design and no more than one and a half storeys in height. All of the above shall be to the satisfaction of North Ayrshire Council as planning authority.

2. That prior to the commencement of any development works on the site: (i) intervisible passing places shall be provided and maintained thereafter on the road to the front of the site to the agreement and satisfaction of North Ayrshire Council as Planning Authority; (ii) the existing surfaced turning point at the northwest of the site shall be retained and shall not be included within the curtilage of any house. Full details of the matters above shall be submitted with the subsequent application(s) for detailed planning permission, all to the satisfaction of North Ayrshire Council as planning authority.
3. That the Right of Way (ref:SCU123/1) which runs through the site hereby approved shall not be stopped up or diverted in any way until a Path Diversion Order has been made and confirmed under S.208 of the Town and Country Planning (Scotland) Act.
4. That the recommendations contained in Section 5.3 of the Preliminary Ecological Appraisal, prepared by Starling Learning and submitted with the application hereby approved, shall be implemented in full prior to the commencement of any development works on the site and that the details, conclusions and recommendations of a further otter survey shall be submitted with the subsequent planning application(s) for detailed planning permission, all to the satisfaction of North Ayrshire Council as planning authority.
5. That details of site sections and the finished floor levels of the proposed houses shall be submitted with the subsequent application(s) for detailed planning permission to ensure that no development takes place below 4.22m AOD, all to the satisfaction of North Ayrshire Council as planning authority.

5. Urgent Items

The Chair agreed that the following item be considered as a matter of urgency.

5.1 Planning Performance Framework

Submitted report by the Executive Director (Place) on the feedback from the Scottish Government on the 2021/22 Planning Performance Framework. The Performance Markers report was set out at Appendix 1 to the report.

The Chief Planning Officer advised the Planning Committee that the Scottish Government (SG) PPF audit assessed the 15 performance markers through the RAG rating and provided commentary on each marker. Following representation to the Government, North Ayrshire Council had given a green rating for all of the relevant markers. The Committee commended Officers for their continued best practice in delivering the Planning Service for the benefit of the communities and developers of North Ayrshire.

Noted.

The meeting ended at 4.35 p.m.

Local Review Body Committee
25 January 2023

At a Meeting of the Local Review Body Committee of North Ayrshire Council at 4.40 p.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine

Present (Physical Participation)

Robert Foster, Timothy Billings, Stewart Ferguson and Cameron Inglis

Present (Remote Participation)

Amanda Kerr and Chloé Robertson

In Attendance

Iain Davies, Senior Development Management Officers (Planning); R. Lynch, Senior Manager, J. Niven, Solicitor (Legal Services), H. Clancy, C. Stewart and S. Wilson Committee Services Officers (Democratic Services) (Chief Executive's Service).

Chair

Councillor Foster in the Chair.

Apologies

Scott Davidson, Davina McTiernan, Jim Montgomerie and Ian Murdoch.

1. Declarations of Interest

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

2. Minutes

The Minutes of the Meeting held on 26 October were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Notice of Review: 22/00454/PP- Dippenhead Farm, Whiting Bay, Arran

Submitted report by the Head of Democratic Services on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers.

The Senior Manager (Legal Services) advised the Committee that the Notice of Review related to an alternative site which the Committee could not consider.

The Committee unanimously agreed to continue the Notice of Review to the next meeting for further information to be submitted relating to the original planning application decision.

Councillor Billings left the meeting at this point.

4. Notice of Review: 22/00331/PP- Tennox Farm, Kilbirnie

Submitted report by the Head of Democratic Services on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers. The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan, Planning Decision Notice were provided as appendices to the report.

The Planning Adviser to the Local Review Body summarised the Notice of Review submitted by the applicant, the Report of Handling submitted by the appointed officer, the representations received and policies affecting the application. The Planning Adviser advised that no site visit or hearing had been requested by the applicant.

Councillor Foster, seconded by Councillor Kerr, moved that the Local Review Body uphold the officer's decision to refuse the application for the reasons outlined in the Decision Notice. There being no amendment the motion was declared carried.

5. Notice of Review: 22/00540/PP- Site to the Northwest of Bankside Farm, Kilbirnie

Submitted report by the Head of Democratic Services on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers. The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan, Planning Decision Notice, further representations and the applicant's response to the further representations were provided as appendices to the report.

The Planning Adviser to the Local Review Body summarised the Notice of Review submitted by the applicant, the Report of Handling submitted by the appointed officer, the representations received and policies affecting the application. The Planning Adviser advised that no site visit or hearing had been requested by the applicant.

Councillor Inglis, seconded by Councillor Robertson, moved that the Local Review Body uphold the officer's decision to refuse the application for the reasons outlined in the Decision Notice. There being no amendment the motion was declared carried.

The meeting ended at 5.05 p.m.

Audit and Scrutiny Committee
31 January 2023

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

Present (Physical Participation)

John Bell, Donald Reid, Cameron Inglis, Matthew McLean and John Sweeney.

Present (Remote Participation)

Tom Marshall and Davina McTiernan.

In Attendance (Physical Participation)

A. Sutton, Executive Director (Communities and Education); T. Reaney, Head of Service (Neighbourhood Services) (Place); M. Boyd, Head of Service and L. Miller, Senior Manager (Audit, Fraud, Safety and Risk) (Finance); F. Walker, Head of Service and B. Quigley, Senior Manager (ICT) (People and ICT); and A. Craig, Head of Service and D. McCaw, H. Clancy and S. Wilson, Committee Services Officers (Democratic Services) (Chief Executive's Service).

Also in Attendance (Physical Participation)

Councillor Stewart Ferguson.

Chair

Councillor Bell in the Chair.

Apologies

Eleanor Collier and Ian Murdoch.

1. Declarations of Interest

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

2. Minutes

The Minutes of the Meeting of the Audit and Scrutiny Committee held on 15 November 2022 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Elected Member Service Requests

Submitted report by the Head of Service (Democratic) on the Elected Member constituent services request/query process and performance for the period 1 April to 30 September 2022. Appendix 1 to the report detailed the process when service requests/queries were received from constituents, including information on Stage One and Stage Two requests, with Appendix 2 detailing the process when constituent complaints were received.

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

- any crossover between service requests and complaints;
- how service requests and complaints should be progressed by Elected Members;
- the ability of Elected Members to contact Heads of Service in relation to any constituent complaint;
- Officer responses advising Elected Members of a service request completion, with the request then being closed off on the EMPro system; and
- the potential for a review of the EMPro system to reflect a two-stage process to reflect closure of an initial request with a subsequent timescale prompt added for completion of any resultant action required.

The Committee agreed (a) to note the terms of the report and information provided; (b) that the Head of Democratic Services bring a report on Elected Member service requests via EMPro to a future meeting to coincide with the annual report on corporate complaints; and (c) that the Head of Democratic Services review the process for dealing with requests from Elected Members to consider the approach required to ensure requests and resultant actions are fully closed off by Services, and provide the Committee with an update in due course.

4. Internal Audit Reports Issued

Submitted report by the Head of Service (Finance) on the findings of Internal Audit work completed between November and December 2022. The findings from five audit assignments were detailed at Appendix 1 to the report, together with the respective executive summaries and action plans.

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

Facilities Management Procurement

- any restrictions on meal choices within schools;
- food waste arising from uncollected schools meals as a result of strike action;
- the provision of grab-and-go meals on strike days;
- unused food being shared with local community centres for distribution; and
- the trialing of a catering van to address picket line concerns.

The Senior Manager (Audit, Fraud, Safety and Risk) undertook to contact Facilities Management for an update on meal choices within schools.

Accounts Payable Transaction Testing Q2

- the detection of duplicate invoices;
- further improvements in terms of suppliers on the system where no bank details were provided; and
- occasions where supplier bank details matched a Council employee's bank details.

Scottish Housing Regulator Annual Assurance Statement

- the updating of the self-assessment toolkit as part of the action points arising

from the audit.

Members asked for further clarification regarding the slow implementation of fire alarm legislation within Council homes and the Senior Manager (Audit, Fraud, Safety and Risk) undertook to request an updated position from the Service.

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

5. Exclusion of the Public – Para 1

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

6. Internal Audit Reports Issued

Submitted report by the Head of Service (Finance) on the findings of an Internal Audit review completed in November 2022.

Noted.

The meeting ended at 10.45 a.m.