



North Ayrshire Council

Comhairle Siorrachd Àir a Tuath

North Ayrshire Council Meeting

26 June 2019

VOLUME OF MINUTES

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AYRSHIRE SHARED SERVICES JOINT COMMITTEE

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 7 December 2018 at 10.00 a.m.

- Present: Councillors Ian Cochrane (Chair), Alec Clark, Bob Pollock and Philip Saxton (all South Ayrshire Council); Councillor Tom Cook, John McGhee and Douglas Reid (all East Ayrshire Council); and Councillor Marie Burns (North Ayrshire Council).
- Apologies: Councillor Jim Roberts (East Ayrshire Council); Councillors Joe Cullinane, Scott Gallacher and Alex Gallagher (all North Ayrshire Council).
- Attending: Kevin Carr, Executive Manager, Place Directorate; Carol Boyd, Service Lead - Risk and Safety; (both South Ayrshire Council); Katie Kelly, Depute Chief Executive: Safer Communities; and John Davidson, Senior Accountant (both East Ayrshire Council); Jane McGeorge, Ayrshire Civil Contingencies Co-ordinator (Ayrshire Civil Contingencies Team); Stewart Turner, Head of Roads, (Ayrshire Roads Alliance); and Eillen Wyllie, Committee Services Officer (South Ayrshire Council).

1. Declarations of Interest.

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

2. Minutes of previous meeting.

The Minutes of 15 June 2018 ([issued](#)) were submitted and approved.

Matters Arising.

The Head of Roads, Ayrshire Roads Alliance provided an update in relation to the South West Scotland Transport Study which looked at developing the A77 and A76 roads as well as railway corridors. Also, he commented on the Ayrshire Growth Deal, involving the three Ayrshire authorities and of the transport appraisal work planned for early 2019 to be carried out by Transport Scotland but which would fully involve the three Ayrshire Councils with the aim to improve transport links throughout the area.

Decided: to note

- (1) that both studies described above would overlap to a certain degree and in particular in the southern areas of East Ayrshire and South Ayrshire;
- (2) the positive outcome from the recent meeting on 3 December 2018 with Transport Scotland, members and other stakeholders; and
- (3) that the Head of Roads, Ayrshire Roads Alliance would circulate slides from the South West Scotland Transport Study.

3. Calendar of Meetings 2019.

There was submitted a report ([issued](#)) of 27 November 2018 by the Head of Regulatory Services, South Ayrshire Council, seeking approval of a proposed calendar of Joint Committee meetings for 2019.

Having heard the Chair suggest an amendment to the proposed pre-agenda meeting on 31 May 2019 and that this should now take place on Thursday 30 May 2019 instead to avoid a conflict of meetings, the Joint Committee

Decided: to approve

- (1) the calendar of meetings for 2019 as outlined in Appendix 1 of the report, subject to a pre-agenda meeting now taking place on 30 May instead of 31 May 2019 and any other amendments as required throughout the year; and
- (2) the chairing arrangements as detailed in Section 4.2 to 4.4 of the report.

AYRSHIRE CIVIL CONTINGENCIES TEAM

4. Ayrshire Civil Contingencies Team.

There was submitted a report ([issued](#)) of 13 November 2018 by the Head of Regulatory Services, South Ayrshire Council, seeking approval for the Ayrshire Civil Contingencies Team Service Plan for 2019/2020 as detailed in Appendix 1 of the report.

A Member of the Joint Committee raised a question in relation to Brexit arrangements. The Ayrshire Civil Contingencies Co-ordinator commented on working with multi-agency partners and passing information onto the Chief Executives of the three Ayrshire authorities. The Depute Chief Executive: Safer Communities (East Ayrshire Council) provided an update in terms of the workforce and of a questionnaire being completed for the Scottish Government. She would be able to share this information with colleagues in North and South Ayrshire Councils and also a high level meeting would be arranged between the three Ayrshire Councils on planning for Brexit.

A Member of the Joint Committee commented on the availability of a Citizen Aid app which provided some good basic safety advice. The Ayrshire Civil Contingencies Co-ordinator advised that she would have a look at this in conjunction with IT services.

In response to a question by a Member of the Joint Committee in relation to self-evaluation processes of the Ayrshire Civil Contingencies Team Service Plan, the Service Lead – Risk and Safety (South Ayrshire Council) advised that the service plan was subject to audit and that she would look within the civil contingencies network to ascertain what other teams did in relation to self-evaluation processes.

In relation to a question by a Member of the Joint Committee, the Ayrshire Civil Contingencies Co-ordinator commented on the multi-agency incident response guide for sporting stadiums.

The Joint Committee

Decided: to approve the Ayrshire Civil Contingencies Team Service Plan for 2019/20 in its current form, acknowledging that there might be additional requests for support added as the wider services from across the three Ayrshire Councils plan their own service delivery for 2019/20.

Councillor Marie Burns left the meeting at this point.

AYRSHIRE ROADS ALLIANCE

5. Minutes of previous meeting.

The Minutes of 9 November 2018 ([issued](#)) were submitted and approved.

Matters Arising.

(1) Update on Performance Scorecard (Page 1, paragraph 2(1)).

The Head of Roads, Ayrshire Roads Alliance confirmed that the letter from both Leaders of East and South Ayrshire Councils regarding a request for capital investment for the roads due to the adverse weather conditions affecting the west of Scotland had now been sent to the Scottish Government.

(2) APSE Awards (Page 3, paragraph 6(1)).

The Head of Roads, Ayrshire Roads Alliance announced that South Ayrshire Council won the APSE award for Roads, Highways and Winter Maintenance Best Performer at the event on the previous evening, 6 December 2019 with colleagues from Ayrshire Roads Alliance present to receive this award. It was noted that in respect of APSE, the Councils' roads services were considered separate as each authority was still classified as the Roads Authority in terms of the Roads (Scotland) Act.

Decided: to note the above information and also to congratulate South Ayrshire Council on receiving its award and that this good news should be widely publicised.

6. 2018/2019 Service Plan Update.

There was submitted a report ([issued](#)) of 26 November 2018 by the Head of Roads, Ayrshire Roads Alliance, advising of the progress made to date against the 2018/19 Ayrshire Roads Alliance Plan as outlined in Appendix 1 of the report.

A discussion took place in relation to the current position with the introduction of 20mph speed restrictions in some South Ayrshire villages and whether this could be expedited. The Head of Roads, Ayrshire Roads Alliance commented on the community engagement process which had taken place and advised that Police Scotland would only be able to support self-supporting approaches to maintaining speed. It was noted that work with communities was ongoing to try and find consensus around the best approach in implementing 20mph restrictions. The Depute Chief Executive: Safer Communities (East Ayrshire Council) suggested a strategic approach in terms of costs and what was effective and this could help consolidate what was being offered to communities.

In relation to new housing developments etc, it was noted that roads were now designed in such a way that there was little requirement for 20mph initiatives. Also, in response to a question from a Member of the Joint Committee, the Head of Roads advised that if a community had any speeding issues, it should contact the Ayrshire Roads Alliance for advice. A Member of the Joint Committee suggested the installation of a pedestrian crossing instead of speed bumps and the Head of Roads advised that this could be an option for some areas and he would further investigate.

In terms of speed restrictions and the use of a red traffic light approach being trialled on the A75 in Springholm in Dumfries and Galloway, it was noted that the Head of Roads would share the outcome of this pilot with members in due course.

In relation to communities undertaking training on the use of speed guns, it was noted that there was a mixed response to this approach as some people could be reluctant to volunteer in case of any reprisals within the community. The Depute Chief Executive: Safer Communities (East Ayrshire Council) commented on East Ayrshire Council's Transformation Strategy which would empower employees to become a more flexible workforce and, although in its early stages, this approach could provide opportunities as part of a place based scheme.

In response to a question around flooding and its impact, the Head of Roads, Ayrshire Roads Alliance advised of the all Ayrshire Flood Risk Management group and its aim to mitigate the risks of potential flooding. He added that SEPA contributed to this Plan and that it had identified a new coastal flooding threat due to high winds. It was noted that the Met Office and SEPA provided input and studies were also undertaken to identify schemes to reduce flooding into homes. SEPA also issued flood warnings.

In relation to the significant improvement in repairing potholes, a question was asked if this approach would withstand this winter and the Head of Roads, Ayrshire Roads Alliance indicated that the Alliance was now in a much better position to deal with adverse winter weather conditions. Additionally, the Depute Chief Executive: Safer Communities (East Ayrshire Council) commented on the use of new equipment such as the hotbox which stored hot blacktop for several days and of new technology (WDM) which provided more dynamic working arrangements, both of which contributed to the service's resilience.

The Joint Committee, having otherwise noted the content of the report

Decided:

- (1) to note the progress against the 2018/19 Service Plan presented in Appendix 1 of the report; and
- (2) to continue to receive progress updates.

7. Draft Service Plan 2019/20.

There was submitted a report ([issued](#)) of 26 November 2018 by the Head of Roads, Ayrshire Roads Alliance, seeking approval for the draft Ayrshire Roads Alliance Service Plan for 2019/20 attached as Appendix 1 of the report.

A discussion took place in relation to any potential savings that could be made with the capital investments and the Head of Roads explained that this could be difficult to achieve significant savings. He also commented on additional monies obtained by the Operations Manager through the timber transport scheme.

In terms of the strategic context for both East Ayrshire Council and South Ayrshire Council, it was noted that East Ayrshire's was based on its Community Plan and South Ayrshire's on its Local Outcomes Improvement Plan and Local Place Plans. It was noted that South Ayrshire's appeared light in content as these plans were currently being developed. The Depute Chief Executive: Safer Communities (East Ayrshire Council) suggested that she would discuss this with the Director – Place (South Ayrshire Council) at their next meeting to see how this could be connected to the emerging Place Plans. Also, the Head of Roads advised that the draft Service Plan for 2019/20 would be adapted throughout the year as and when required.

In relation to the implementation of a car parking strategy for South Ayrshire, it was noted that there was an opportunity to share East Ayrshire Council's approach once it had been approved. A discussion took place in relation to car parking charges and the need for a balanced approach around this.

The Joint Committee, having otherwise noted the content of the report

Decided:

- (1) to approve the draft Ayrshire Roads Alliance Service Plan for 2019/20;
- (2) to request officers to circulate the confirmed finance budgets for 2019/20 to Members of the Joint Committee following release of the final settlement figures; and
- (3) to request that a six month progress update was provided to a future meeting of the Joint Committee.

8. Update on Performance Scorecard.

There was submitted a report ([issued](#)) of 26 November 2018 by the Head of Roads, Ayrshire Roads Alliance, advising of the progress made to date against the Performance Scorecard as outlined in Appendix 1 of the report.

The Joint Committee, having otherwise noted the content of the report

Decided:

- (1) to note the performance scorecard presented in this report; and
- (2) to continue to receive performance scorecard updates.

9. Risk Report and Register.

There was submitted a report ([issued](#)) of 26 November 2018 by the Head of Roads, Ayrshire Roads Alliance, advising of the management of risk associated with the Ayrshire Roads Alliance as outlined in Appendix 1 of the report.

In response to a question by a Member of the Joint Committee, the Head of Roads explained that there was a zero tolerance approach should an employee encounter any form of abuse from the public.

The Joint Committee, having otherwise noted the content of the report

Decided:

- (1) to note the risk register presented in the report; and
- (2) to continue to receive updates on progress.

10. Revenue Financial Monitoring Report.

There was submitted a report ([issued](#)) of November 2018 by the Depute Chief Executive and Chief Financial Officer, Economy and Skills, East Ayrshire Council, providing an update on the revenue budget monitoring position for the year to 14 October 2018 for the Ayrshire Roads Alliance.

A Member of the Joint Committee asked a question in relation to income from timber transport for South Ayrshire and officers explained that the variance was due to carry over issues at the start of the financial year. It was noted that once all timber transport work was completed this should show a favourable position at the financial year end.

The Joint Committee, having otherwise noted the content of the report

Decided:

- (1) to note the financial management position of the Ayrshire Roads Alliance; and
- (2) to request a further financial update at the next meeting of the Joint Committee.

11. Roadworks Programme 2018/19.

There was submitted a report ([issued](#)) of 16 November 2018 by the Head of Roads, Ayrshire Roads Alliance, advising of the progress being made with the road improvement programmes within East Ayrshire and South Ayrshire for financial year 2018-2019.

The Chair commented on the new format within the report which outlined the percentage variances of the programme costs. A question was asked by a Member of the Joint Committee in relation to how estimates were derived. It was noted that a general measurement of sites was taken to estimate work, but until the works commenced and the quality of the underlying ground conditions were established, there was always the possibility of variations in scheme cost.

Various questions were raised by Members of the Joint Committee and the Head of Roads advised that he would provide an update in due course to relevant members.

The Joint Committee, having considered the usefulness of additional detail around variances and having otherwise noted the content of the report

Decided: to note

- (1) the Ayrshire Roads Alliance works progress for 2018/19; and
- (2) that the Head of Roads would submit a major variance report to each meeting and that this would highlight those schemes that were either under or over 50% variance costs with a narrative explaining the reasons for this position.

12. Well Managed Highway Infrastructure - Code of Practice.

Reference was made to the Minutes of 7 September 2018 (Pages 3/4, paragraph 4) and the Minutes of South Ayrshire Council's Partnerships Panel of 21 November 2018 (Pages 6/7, paragraph 6) and there was submitted a report ([issued](#)) of 26 November 2018 by the Head of Roads, Ayrshire Roads Alliance advising of the recommendation from that Panel to adopt the Well Managed Highway Infrastructure – Code of Practice.

The Joint Committee, having otherwise noted the content of the report

Decided:

- (1) to approve the adoption of the Well Managed Highway Infrastructure - A Code of Practice;
- (2) to approve the adoption of the Road Inspection Policy to fulfil the requirements of the Code of Practice in implementing a risk based approach; and
- (3) to duly note that the recommendations from the new national Code of Practice and guidance produced by SCOTS had enabled the Ayrshire Roads Alliance to implement a risk based approach for road safety inspections and categorise any necessary repairs identified. It was anticipated that this would:-
 - (a) minimise the exposure of danger or serious inconvenience to users of the network or the wider community;
 - (b) mitigate the Council's exposure to risk and enable a robust defence to claims of loss;
 - (c) ensure compliance with Statutory requirements;
 - (d) increase best value by reducing the number of defects requiring emergency responses and increasing the number of permanent repairs; and
 - (e) approve the departure from the guidance.

The meeting ended at 11.35 a.m.



**North Ayrshire Health and Social Care Partnership
Minute of Integration Joint Board meeting held on
Thursday 21 March 2019
at 10.00 a.m., Council Chambers, Cunninghame House, Irvine**

Present

Bob Martin, NHS Ayrshire and Arran (Chair)
Councillor Robert Foster, North Ayrshire Council (Vice Chair)
Councillor Timothy Billings, North Ayrshire Council
Councillor Dickson, North Ayrshire Council (substitute for Councillor Larsen)
Alistair McKie, NHS Ayrshire and Arran
Dr Janet McKay, NHS Ayrshire and Arran
Councillor John Sweeney, North Ayrshire Council

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

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

In Attendance

Eleanor Currie, Principal Manager (Finance)
Thelma Bowers, Head of Service (Mental Health)
Karen Andrews, Team Manager (Governance)
Diane McCaw, Committee Services Officer

Apologies for Absence

John Rainey, NHS Ayrshire and Arran
Councillor Christina Larsen, North Ayrshire Council
Dr. Calum Morrison, Acute Services Representative
Dr Paul Kerr, Clinical Director
Michelle Sutherland, Partnership Facilitator

1. Apologies

Apologies were noted.

2. Declarations of Interest

In terms of Standing Order 7.2 and Section 5.14 of the Code of Conduct for Members of Devolved Public Bodies, Vicki Yuill declared an interest in Agenda Item 12: IJB 2019-20 Budget: Appendix E: Point 29: Partnership Enablers.

3. Minutes/Action Note

The accuracy of the Minute of the meeting held on 14 February 2019 was confirmed and the Minute signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3.1 Matters Arising

Adult Support and Protection – Thematic Inspection Improvement Work Plan Update – Strategic Advocacy Plan – Advocacy Strategy report at item 10 on Agenda. Remove action.

Action – B. Walker

4. Director's Report

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

The report highlighted the following:-

- the Ministerial Review with Joe Fitzpatrick, MSP, Minister for Public Health, Sport and Wellbeing which took place on 18 March 2019;
- the visit by Graeme Day, MSP, Minister and Parliamentary Business and Veterans to the Veterans 1st Point offices in Irvine;
- the selection of NHS Ayrshire and Arran to host a visit of delegates from the International Forum on Quality and Safety in Healthcare;
- the Staff Partnership Awards which took place on 28 February 2019;
- the Justice Service Making a Difference (MAD) Group having been short-listed as a finalist for Team of the Year at the Scottish Association of Social Workers Awards;
- the work of the Money Matters Team;
- the commencement in April 2019 of the pilot Attendance Award Scheme;
- the development of the Care Home Commissioning Strategy;
- the 'Integrated Care Matters' webinar held by the International Foundation for Integrated Care;
- the unveiling of the art exhibition by young people from North Ayrshire with experience of the care system; and
- the publication of the final 'What Matters to You? 2018' report, a link to which was provided within the report.

Members asked questions and were provided with information on the following:-

- that details of future Ministerial Visits would be circulated to the NHS Board and published through IJBs;
- a report will be submitted to the IJB on the published outcome of the Ministerial Review;

- that a report on the work of the Money Matters Team be submitted to a future meeting covering referrals, cases which are taken forward and those which are successful; and
- work in connection with Citizens Advice Service to provide assistance to those claiming Universal Credit.

The Board agreed (a) that a report be submitted to a future meeting of the IJB on the published outcome of the Ministerial Review; and (b) to note the ongoing developments within the North Ayrshire Health and Social Care Partnership.

5. Health and Social Care Clinical and Care Governance Group Update

Submitted report by David Thomson, Associate Nurse Director/IJB Lead Nurse in relation to governance and assurance of activity reviewed via the Health and Social Care Clinical and Care Governance Group (CCGG) for the period July 2018-January 2019, reflecting the specific issues which have been requested for presentation by the CCGG to ensure appropriate challenge is made and assurance provided.

Members asked a question in relation to the reporting of pharmacy and medicines management through the current structure. An assurance was given that an invitation would be made to the Head of Pharmacy to join the Governance Group and that information on this would then be included within the update reports.

Noted.

6. Performance and Audit Committee: Terms of Reference

Submitted report by Stephen Brown, Director (NAHSCP) on the terms of reference for the Performance and Audit Committee which have been reviewed to make the role of the IJB PAC more defined in terms of the areas of responsibility, including Performance, Audit, Risk and other Governance areas and in terms of Committee Membership roles. The revised Terms of Reference were attached as Appendix 1 to the report.

The Board agreed to (a) approve the revised Terms of Reference for the IJB Performance and Audit Committee as detailed in Appendix 1 to the report; and (b) note that membership of the Committee will require to be confirmed at the IJB meeting in April 2019.

7. Social Care Charging Policy 2019-20

Submitted report by Eleanor Currie, Principal Manager (Finance) on the updated Social Care Charging Policy and approved charges for 2019-20, as detailed in the Appendices to the report.

The Board was advised that the revised charges will not be implemented until after completion of a data cleanse within the service.

Members asked questions and were provided with information on the following:-

- charges in relation to direct payments for personal assistance; and
- that issue of the charging information to providers would be useful.

Noted.

8. Veterans First Point (V1P) Service

Submitted report by Lindsay Kirkwood, Clinical Lead V1P, in consultation with Thelma Bowers, Head of Service (Mental Health), providing information on the Veterans First Point Ayrshire. Appendix 1 to the report provided details of the Veterans Pathway through the service and Appendix 2 detailed the third sector veteran support organisations operating within Ayrshire. A link to the Scottish Veterans Commissioner's (SVC) report "Veterans' Health and Wellbeing" was also provided within the report.

Members asked questions and were provided with information on the following:-

- difficulties in evaluation of any impact which the service has in relation to veterans;
- the long term sustainability of the model going forward;
- that the service is available to veterans of all Armed Services;
- prevention routes to tackle the psychological issues suffered by veterans; and
- any impact in relation to how veterans have been supported throughout their careers.

The Board agreed (a) that an update report on the long term sustainability plan be provided to a future meeting of the IJB; and (b) otherwise to note the content of the SVC Veterans' Health and Wellbeing report.

9. Community Care Occupational Therapy Report

Submitted report by Stuart Gaw, Senior Manager for Intermediate Care and Rehabilitation / Alistair Reid, Lead Allied Health Professional on (i) the current waiting time position for occupational therapy (OT) assessment within the community care teams in North Ayrshire; (ii) progress made to date to reduce these waiting times; and (iii) actions planned to further improve this position.

Members asked questions and were provided with information on the following:-

- that input from the Trade Unions would be welcomed in relation to the staff roll out of equipment training across professional groups;
- the need for publicity and communication to promote changes to services;
- training in terms of the 'housing options' approach to local housing staff to enable practitioners to have early conversations with regard to long term suitability of homes;
- recruitment in relation to filling OT positions;
- challenges around how skill sets of OTs are managed;
- that the Care Inspectorate and Health Improvement Scotland formal report will be circulated to Members once the embargo is lifted; and
- the need to tackle waiting lists.

The Board agreed (a) to approve the proposed action plan as detailed at Section 3 of the report; (b) that an update report be provided to a future meeting on progress going forward and targets; and (c) otherwise to note the content of the report.

10. Advocacy Strategy

Submitted report by Thelma Bowers, Head of Service (Mental Health) on progress in developing the Advocacy Strategy and Action Plan to meet the recommendations of the Mental Welfare Commission for Scotland. The Independent Advocacy Strategic Plan 2019-2021 was set out at Appendix 1 to the report and Appendix 2 detailed the Equality and Children's Rights Integrated Screening Form. Appendices 3 and 4 to the report detailed the Advocacy Consultation Results and the Action Plan 2019-2021, respectively.

The Board agreed to (a) approve the Advocacy Strategy and Action plan as detailed at Appendices 1 and 4 to the report; and (b) support further stakeholder engagement to develop a detailed delivery plan.

11. Budget Monitoring – Period 10 (January 2019)

Submitted report by Caroline Whyte, Chief Finance and Transformation Officer providing an update on the projected financial outturn for the financial year as at January 2019. Appendix A provided a detailed financial overview of the Partnership budgetary position while Appendix B gave a detailed variance analysis. Appendix C presented full detail on savings, with Appendix D detailing progress against the approved recovery plan and Appendix E highlighting the movement in the overall budget position.

Members asked questions and were provided with information on the following:-

- the position in relation to care home placements; and
- an assurance in terms of filling the vacant District Nursing posts urgently.

The Board agreed to (a) note the projected year-end overspend of £0.332m; (b) approve the changes in funding as detailed at section 2.11 and Appendix E to the report; and (c) note (i) the impact of the financial recovery plan and the progress being made in delivering financial balance; and (ii) the potential impact of the Lead Partnerships.

12. Budget 2019-20

Submitted report by Caroline Whyte, Chief Finance and Transformation Officer on the financial position for the Partnership for 2019-20, including the proposed delegated funding, service budget pressures and plans developed to set a balanced budget. Appendix A provided a summary of the 2019-20 budget and net budget increase while Appendices B and C detailed finance settlement funding letters issued to NHS Boards and Councils by the Scottish Government on levels of funding to be delegated to IJBs in 2019-20. Appendix D provided information on proposed service pressures and Appendix E detailed proposed savings.

Members asked questions and were provided with information on the following:-

- the increased care at home hourly rate detailed within section 3.2 of the report; and
- concern around the savings indicated in terms of the ICF project at Buckreddan Care Home.

The Board agreed to approve the budget for 2019-20 for North Ayrshire Health and Social Care Partnership, inclusive of all related pressures and savings, while noting that the funding position is subject to confirmation by NHS Ayrshire and Arran.

13. Strategic Planning Group Minutes

Submitted the minutes of the Strategic Planning Group meetings held on (i) 5 December 2018; and (ii) 23 January 2019.

Noted.

14. Chair's Remarks

The Chair indicated that Heather Malloy had resigned from her role with the IJB and thanked her for the contribution she had made to the work of the IJB

He further indicated that Alistair McKie's role as a Non Executive with the Health Service and NHS was coming to the end and thanked him for his contribution to the work of the IJB.

The Board wished both every success for the future.

15. Urgent Item

The Chair agreed that the following item be considered as a matter of urgency to allow the Board to receive up-to-date information.

16. GP Situation on Arran

Councillor Billings indicated that the Arran Strategic Group were looking at issues around the impact of new GP contracts in relation to rural practices.

Dr. Hogg, GP on Arran and Vice-Chair of the Ayrshire Rural GPs, has now resigned from the Group.

The Board agreed to investigate any implications in terms of this.

The Meeting ended at 11.35 a.m.

AYRSHIRE SHARED SERVICES JOINT COMMITTEE

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 25 April 2019 at 10.00 a.m.

- Present: Councillors Ian Cochrane (Chair), Bob Pollock, Alec Clark and Philip Saxton (all South Ayrshire Council); and Councillors Tom Cook, John McGhee, Douglas Reid and Jim Roberts (all East Ayrshire Council).
- Attending: Catriona Caves, Head of Regulatory Services; and Kevin Carr, Executive Manager – Place Directorate (both South Ayrshire Council); Stewart Turner, Head of Roads, and Kerr Chalmers, Traffic and Road Safety Manager (both Ayrshire Roads Alliance); and Eillen Wyllie, Committee Services Officer (South Ayrshire Council).

Opening Remarks

It was noted that the APSE Award photo call which had been scheduled to take place at the start of the meeting had been cancelled due to two of the award winners undertaking an exam today. The photo call would be re-arranged at another time.

1. Declarations of Interest.

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

2. Minutes of previous meeting.

The Minutes of 15 February 2019 ([issued](#)) were submitted and approved.

Matters arising.

In relation to the use of drone technology to undertake bridge inspections, it was noted that this technology had now been used successfully on a number of bridge sites with its use being continued on future inspections.

3. Risk Report and Register.

There was submitted a report ([issued](#)) of 27 March 2019 by the Head of Roads, Ayrshire Roads Alliance advising of the management of risk associated with the Ayrshire Roads Alliance.

The Head of Roads advised that the Register had been updated as per the discussion at the previous meeting on 15 February 2019. He commented on the ongoing discussions with Transport Scotland in relation to Britain exiting the EU. A full discussion took place around the exit from the EU including matters such as potential queuing at ports and congestion on road networks. In terms of staffing matters and obtaining goods and products such as fuel, salt and vehicle parts, it was noted that there should be little risk to the ARA. Any road impacts on the trunk roads were the responsibility of Transport Scotland. In terms of the Scottish Transport Strategy, it was asked whether there was scope to strengthen the case around the road networks in light of Britain leaving the EU.

The Head of Roads would further discuss any impacts emerging from the Ports, including the Port of Ayr, with Transport Scotland although it was thought that the risk could be minimal. Members would be updated at a future meeting as the leaving date and exit situation became clearer.

A question was asked by a Member of the Joint Committee in relation to whether risks associated with grass / forest fires should be incorporated within the Risk Register and the Head of Roads advised that he would include this within the Register.

The Joint Committee, having otherwise noted the content of the report

Decided:

- (1) to note the risk register presented in the report;
- (2) to continue to receive updates on progress including a new risk associated with grass / forest fires; and

4. Business Case Update.

There was submitted a report ([issued](#)) of 10 April 2019 by the Head of Roads, Ayrshire Roads Alliance advising of the progress being made against the Ayrshire Roads Alliance Business Case.

The Head of Roads presented the report and gave an overview of progress made at the half way stage of the Business Case which had another five years to run. He commented that although budgets had reduced over the time of the ARA, performance had been improving partly due to the introduction of new technology and sharing arrangements.

Following various questions by Members of the Joint Committee, the Head of Roads responded as follows:-

- (1) in relation to the sharing of equipment and whether the savings from this arrangement could be used, for example, to cut hedge growth around signage, the Head of Roads commented that savings were utilised for a prioritised work programme and that there was also a sign cleaning programme in place. It was noted that other / additional pieces of equipment were being reviewed for purchase leading to greater effectiveness as well as further efficiencies. It was suggested that resultant savings should be re-invested into ARA;
- (2) in respect of the purchase of new equipment / replacements and whether this was part of the Business Case, the Head of Roads advised that fleet was contained within the Business Case and that the service were currently reviewing a move to the use of electric vehicles. It was noted that there was a Fleet Management Business Plan. In terms of plant / machinery, this came from revenue budgets. Although included within reports, future reporting would highlight these matters;
- (3) in terms of community work locations to boost local economies, the Head of Roads commented on the concept of smarter and flexible working which would support this approach;

- (4) in relation to signage, sandbags etc. left on site once contractors had completed work and, as this was not the fault of ARA, could uplift costs be recouped. The Head of Roads advised that this was a problem not only with contractors but also with other public bodies / utilities, possibly through forgetting to uplift signage. It was noted that the charging approach could be undertaken but currently was not due to resources. It was suggested that a 'sign-off' approach by a Clerk of Works could assist in this matter and the Head of Roads would investigate this option; and
- (5) in terms of self-promotion and publicity to celebrate the winning of awards and other good news stories, it was noted that efforts were made to publicise and officers would try to be more proactive in this regard.

Further questions were asked about the white lining and hot box vehicles and the Head of Roads responded on the current provision.

A discussion took place in relation to the replacement LED lighting programme and the progress being made by the Project Manager with each design conforming to the British Standard.

The Joint Committee, having otherwise noted the content of the report

Decided:

- (a) to request further updates at a future stage in relation to the delivery of the Ayrshire Roads Alliance Business Case;
- (b) to note the significant progress made to deliver the Business Case which had been presented to both Councils on 27 June 2013;
- (c) to note, from a financial perspective, that the budgets had been realigned to ensure the Business Case savings targets of £8.634 million would be achieved; and
- (d) to note that regular progress updates would continue to be provided to the Joint Committee on Works Programmes; Service Performance; Risk Issues; and progress against the Service Plan.

5. Update on Transport (Scotland) Bill.

There was submitted a report ([issued](#)) of 10 April 2019 by the Head of Roads, Ayrshire Roads Alliance, advising of the progress made on the Transport (Scotland) Bill.

A full discussion took place in relation to Part 4 of the Bill relating to Pavement Parking and Double Parking and how could this be implemented in practice and who would enforce it. It was noted that some residential streets were narrow and it would be difficult for a bus / bin lorry to negotiate around parked cars, otherwise. The Traffic and Road Safety Manager commented that similar concerns had been raised with the Parking Standards Group and that further detail on this matter would be sought over the next month.

Comments were made in relation to Part 5 – Road Works regarding roadwork inspections and the quality of works with a view to recovering charges where works have not been completed satisfactorily. Further comments were made in respect of Council employees exposed to roadside dangers when uplifting rubbish from verges and, if this was as a result of work undertaken by Transerve, then would it have responsibility for uplift.

Concerns were made in respect of Part 2 – Bus Services and whether local councils might have to subsidise routes where bus companies were not providing an adequate service.

It was noted that Officers would keep the above comments and concerns in mind as discussions evolved with the Scottish Parliament on the next stages of the Bill.

The Joint Committee, having otherwise noted the content of the report

Decided:

- (1) to instruct the Head of Roads to continue engagement with the Scottish Parliament on this matter; and
- (2) to request further updates as the position on the developing Transport (Scotland) Bill became clearer.

6. Roadworks Programme 2018/19.

There was submitted a report ([issued](#)) of 9 April 2019 by the Head of Roads, Ayrshire Roads Alliance advising of the final position with the road improvement programmes within East Ayrshire and South Ayrshire for financial year 2018-2019.

Various questions were raised by Members of the Joint Committee and the Head of Roads advised that he would provide an update in due course to relevant members on matters raised. He would also circulate details around the costs associated with the LED programme.

Following a question, it was noted that white lining requirements were not included in this programme as this was undertaken by sub-contractors and, therefore, classed as revenue expenditure. The Head of Roads asked members to advise him though of any white lining issues.

The Joint Committee, having otherwise noted the content of the report

Decided: to note the Ayrshire Roads Alliance works progress for 2018/19.

Councillor Saxton left the meeting during consideration of the above item

7. Update on Performance Scorecard.

There was submitted a report ([issued](#)) of 10 April 2019 by the Head of Roads, Ayrshire Roads Alliance advising of the progress made to date against the Performance Scorecard.

A question was asked about complaint tracking within the WDM system and the Head of Roads responded that this element was to be installed and the system was work in progress.

The Joint Committee, having otherwise noted the content of the report

Decided:

- (1) to note the performance scorecard presented in this report; and
- (2) to continue to receive performance scorecard updates.

8. Development Control Update – Road Bonds.

There was submitted a report ([issued](#)) of 10 April 2019 by the Head of Roads, Ayrshire Roads Alliance providing an update on the position regarding road bonds held by the Ayrshire Roads Alliance on behalf of East Ayrshire Council and South Ayrshire Council as outlined within the appendices to the report.

A discussion took place in relation to various road bonds and the Traffic and Road Safety Manager advised of a number of legacy issues associated with some of these bonds which were being actively pursued. He commented on a key change to the procedures whereby the road construction consent would no longer be issued to a developer until the associated road bond security was lodged with ARA.

A question was asked about damage to existing road infrastructures by developers. The Head of Roads commented on additional monies. Also, it was noted that there were planning and transport protocols around site obligations by developers as per the Roads (Scotland) Act 1984.

In terms of governance arrangements and following a request from the Head of Regulatory Services, the Head of Roads advised that he would include her in future information sharing between officers from ARA and both internal audit sections for East and South Ayrshire Councils.

The Joint Committee, having otherwise noted the content of the report

Decided: to note

- (1) the position regarding road bonds currently held by the Ayrshire Roads Alliance on behalf of East Ayrshire Council and South Ayrshire Council;
- (2) the recommendations from the internal audit of road bonds;
- (3) the updated development control and road bond procedures put in place to address the matters raised in the internal audit report;
- (4) that progress updates would be provided to future meetings of the Joint Committee on an annual basis.

The meeting ended at 12 noon.

Cabinet
14 May 2019

IRVINE, 14 May 2019 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Joe Cullinane, John Bell, Robert Foster, Alex Gallagher, Louise McPhater and Jim Montgomerie; Elizabeth Higon and Babs Mowat (Church Representatives); and Jaymie Haswell and Elle Greenan (Youth Representatives) (Agenda Items 1-4).

Also Present

Donald L Reid

In Attendance

L. Friel, Executive Director, A. Lyndon, Team Manager (Corporate Procurement) and J. Smillie, Senior Manager (Finance and Corporate Support); A. Sutton, Head of Service (Connected Communities), C. McAuley, Head of Service (Economic Growth) and N. McIlvanney, Manager (Economy and Communities); C. Amos, Head of Service (Inclusion) and A. McClelland, Head of Service (Schools) (Education and Youth Employment); R. McCutcheon, Head of Service (Commercial) and D. Hammond Senior Manager (Energy and Sustainability) (Place); and A. Fraser, Head of Democratic Services, L. Cameron, Policy Officer, N. Sugden, Policy and Performance Officer, M. Shields, Leader's Office Co-ordinator, M. Sugden, Communications Officer and H. Clancy, Committee Services Officer (Chief Executive's Service).

Chair

Joe Cullinane in the Chair.

1. Declarations of Interest

In terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors, Councillor McPhater as an employee of Vineburgh Community Centre declared an interest in Agenda Item 8. Councillor McPhater agreed to take no part in the decision for Fullarton Community Association Community Investment Fund Application and agreed to withdraw from the meeting for this item consideration of the application.

2. Minutes

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

3. School Attainment Results 2018

Submitted report and received presentation by Head of Service (Schools) on the overall performance of the 2018 North Ayrshire Council school leavers as highlighted in the INSIGHT benchmarking tool and Curriculum for Excellence attainment levels in literacy and numeracy for 2018. Attainment in Literacy and Numeracy charts were set out at Appendix 1, Improving attainment for all charts were set out at Appendix 2 and Attainment vs. Deprivation charts were set out at Appendix 3 to the report.

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

- Children within our Care to be included in future reports;
- the Council's performance over the past 5 years and the trends that are moving in an upwards direction;
- the fact that North Ayrshire school leavers' performance is better than learners from similar areas at the national level, when taking deprivation into account; and
- the gap between the attainment of leavers from the 20% most SIMD deprived areas and the rest of the SIMD areas which continues to reduce and is smaller than the gap at a national level.

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

4. Early Learning and Childcare Expansion Programme

Submitted report by the Head of Service (Inclusion) on the outcome of the statutory consultation on the early learning and childcare expansion programme. The statutory consultation report was set out at Appendix 1 to the report.

Members asked a question and were provided with clarification that a full consultation with parents and staff would be undertaken.

The Cabinet agreed to close Garnock Valley Early Years Centre and relocate the provision for 2 – 3-year olds to newly refurbished provision within St Bridget's Primary School Early Years Class in August 2020.

5. Local Government Benchmarking Framework

Submitted report by the Chief Executive on the results of the LGBF indicators for 2017/18. The priorities identified by Directorates were set out at Appendix 1 and a comparison of the Council Plan against the National Performance Framework was set out at Appendix 2 to the report.

Members asked a question and were provided with further information in relation to Education and Youth Employment performance being calculated differently to North Ayrshire School Attainment results.

The Cabinet agreed to (a) continue work within Directorates to identify improvement activity in the priority areas; and (b) that the report be submitted to the Audit and Scrutiny Committee.

6. Millport Coastal Flood Protection Scheme

Submitted report by the Head of Service (Commercial Services) on the proposed next steps in the development of the Millport Coastal Flood Protection Scheme.

The Cabinet agreed (a) to note the work carried out which includes extensive engagement, and which has helped to develop community support for the proposed Scheme; (b) to note the mostly positive feedback on the preferred option following the engagement process; (c) that a final non-statutory engagement event will take place in August 2019; (d) to receive a further progress report in early 2020 with the intention of considering formally notifying the Scheme at that time; and (e) note the outline Scheme delivery timeline detailed at section 2.15 to the report.

7. North Ayrshire Local Biodiversity Action Plan 2019-2031

Submitted report by the Head of Service (Physical Environment) on the publication and implementation of the North Ayrshire Local Biodiversity Action Plan 2019-2031. The draft Local Biodiversity Action Plan was set out at Appendix 1 to the report.

The Cabinet agreed (a) to approve the draft Local Biodiversity Action Plan 2019-2031 set out at Appendix 1 to the report; (b) to instruct officers to include biodiversity within the scope of their future declaration of a climate emergency given the interconnection between biodiversity and climate change; (c) that biodiversity questions be included in the Council's climate emergency engagement process which will lead to a refresh of the Council's Sustainability and Climate Change Strategy; and (d) following the engagement process, that a LBAP update to be published to ensure alignment with the refreshed Sustainability and Climate Change Strategy.

8. Proposals for Community Investment Fund (CIF) Expenditure

Submitted report by the Executive Director (Economy and Communities) on the applications by the Locality Partnerships to allocate Community Investment Fund (CIF) funding to a range of proposed projects. The applications were set out at Appendix 1 to the report.

The Cabinet agreed to approve the enclosed application from the Garnock Valley Locality Partnerships set out at Appendix 1 to the report.

Councillor McPhater left the meeting at this point.

The Cabinet agreed to approve the enclosed application from the Irvine Locality Partnerships set out at Appendix 1 to the report.

Councillor McPhater re-joined the meeting at this point.

9. Town Centre Fund

Submitted report by the Executive Director (Economy and Communities) on the approach being developed for the new Scottish Government Town Centre Fund.

The Head of Service (Economic Growth) undertook to write to the Scottish Government to seek clarification for future years funding on the Town Centre Fund.

The Cabinet agreed (a) to the development and implementation of a strategic regeneration programme in Stevenston and Dalry; (b) to the creation of a fund to support a programme of town centre minor improvements, asset acquisition, environmental works or development of community capacity; (c) to the creation of a temporary town centre officer post for 1 year to support the development and implementation of projects; (d) that delegated authority be granted to the Head of Economic Growth to progress projects following engagement with the Portfolio Lead for Economic Growth and ward Members whose ward contained proposals relating to the Fund.

10. Kyle Road Phase 2

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for Phase 2, Kyle Road, Irvine – building of an Industrial Unit.

The Cabinet agreed to approve the award of the Contract to Robinsons Scotland Ltd.

11. Proposed Extension and M&E upgrade - Annick Primary School

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the Proposed Extension and Mechanical & Electrical Upgrade to Annick Primary School, Irvine.

The Cabinet agreed to approve the award of the contract to Emtec Group Limited.

12. Award of Contract - Pan Ayrshire Occupational Health

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the Pan-Ayrshire Framework for Provision of Occupational Health and Welfare Services.

The Cabinet agreed to approve the award of the contract to Working on Wellbeing trading as Optima Health.

The Meeting ended at 3.35 p.m.

Police and Fire and Rescue Committee
21 May 2019

IRVINE, 21 May 2019 - At a Meeting of the Police and Fire and Rescue Committee of North Ayrshire Council at 2.00 p.m.

Present

Donald L. Reid, Todd Ferguson, John Glover, Ellen McMaster, Davina McTiernan and Jimmy Miller.

In Attendance

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

Also In Attendance

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

Chair

Councillor Donald L. Reid in the Chair.

Apologies

Angela Stephen.

1. Chair's Remarks

The Chair advised on the forthcoming retirement of Area Manager James Scott. He referred to Area Manager Scott's long and varied career and took the opportunity to thank him for his contribution to the work of the Committee, wishing him well in his retirement.

2. Declarations of Interest

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

3. Minutes

The accuracy of the Minutes of the Meeting of the Committee held on 22 January 2019 was confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4. Presentation

The Committee received a presentation by Area Manager Iain McMeekin on the Scottish Fire and Rescue Service 3-Year Strategic Plan.

The presentation highlighted the following: -

- SFRS values and the four outcomes in working together for a safer Scotland:
 - Outcome 1 – Our collaborative and targeted prevention and protection activities improve community safety and wellbeing and support sustainable economic growth;
 - Outcome 2 – Our flexible operational model provides an effective emergency response to meet diverse community risks across Scotland;
 - Outcome 3 – We are a great place to work where our people are safe, supported and empowered to deliver high performing innovative services;
 - Outcome 4 – We are fully accountable and maximise our public value by delivering a high quality, sustainable fire and rescue service for Scotland;
- the consultation exercise which is open from 9 May to 18 July 2019 with the Strategic Plan to be published in October 2019.

Noted.

5. Chair and Vice Chair Verbal Updates

The Chair provided a verbal update on his attendance at a Scottish Fire and Rescue Service Headquarters presentation.

The Vice-Chair provided a verbal update on the 61 Scottish Fire and Rescue Service recruits who have recently graduated.

Noted.

6.1 Performance Report: Scottish Fire and Rescue Service

Submitted report by the Scottish Fire and Rescue Service (SFRS) which provided an update on the progress against the North Ayrshire Local Fire and Rescue Plan and gave other key Fire and Rescue updates. A copy of the North Ayrshire Performance report from 1 April 2018 to 31 March 2019 was set out in Appendix 1 to the report.

The report identified an 8% increase in activity levels across North Ayrshire from the corresponding activity period 1 April 2017 to 31 March 2018 and a 6% increase in terms of the preceding three-year average. False alarms accounted for 52% of all activity within North Ayrshire, with fire related activity and special service activity accounting for 34% and 14%, respectively.

Review of performance against the six agreed performance indicators noted that three indicators were above the three-year average due to a rise in activity, one had seen a reduction in the respective three-year average of more than 5%, one indicator had reduced by less than 5% and one indicator remained unchanged.

On the 9 May 2019, the Scottish Fire and Rescue Service launched a public consultation on its draft Strategic Plan for the period 2019 – 2022. The consultation is scheduled to last for 10 weeks and the consultation document was attached at Appendix 2 to the report.

The report also detailed that Chief Officer Martin Blunden has formally taken up his role within the Scottish Fire and Rescue Service following the retirement of Chief Officer Alisdair Hay. As a result of Deputy Chief Officer Iain Bushell's resignation and the forthcoming retirement of Assistant Chief Officer Lewis Ramsay, Principal Manager selection processes have taken place which resulted in Assistant Chief Officer David McGown being appointed to the Deputy Chief Officer role and Deputy Assistant Chief Officers Ross Haggart and John Dickie being appointed as Assistant Chief Officers.

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

- the increase in false alarm calls and how this can be reduced;
- fire safety audits and the high number being carried out;
- deliberate fire setting in the Stevenston area and a way forward in partnership with Police Scotland;
- the issue of youth disorder in this area of Stevenston; and
- the regular educational visits to schools which SFRS undertake to highlight dangers.

Noted.

6.2 Performance Report: Police Scotland

Submitted report by Police Scotland on performance in relation to the North Ayrshire Local Police Plan for the period from 1 April 2018 to 31 March 2019.

The report provided details of North Ayrshire's performance including a 2.3% rise in the total number of crimes. Contextual information was provided in respect of domestic abuse incidents, reporting of hate crime, an increase in violence, disorder and antisocial behaviour, serious organised crime, terrorism and domestic extremism, protecting people at risk from harm (including the increase in reporting of sexual crimes which is in line with other areas of Ayrshire and elsewhere in Scotland), road safety and road crime, public confidence and house breakings.

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

- partnership links to education in schools through the campus cops and the locality policing teams;
- a reduction in the number of drug supply offences detected but a marked increase in the number of person detected for possession of drugs;
- a rise in sexual crime figures due to historical sexual crime being reported; and
- the use of drones by Police Scotland.

Noted.

7. Police Scotland Survey/Consultation: Shaping our direction and delivery 2019-2022 survey

Submitted report by the Senior Manager, Legal Services on the response submitted to the Police Scotland Survey/Consultation. The response was set out at Appendix 1 to the report.

The Committee agreed to homologate the response submitted to Police Scotland.

8. Scottish Police Authority Annual Review of Policing Consultation

Submitted report by the Senior Manager, Legal Services on the annual review and response to the consultation. The consultation questions were set out at Appendix 1 to the report.

The Committee agreed that it be remitted to the Senior Manager, Legal Services in consultation with the Chair, to prepare a final response to the questions set out at Appendix 1 to the report.

9. Scottish Fire & Rescue Service – Consultation on 3 Year Strategic Plan

Following the presentation on the 3-year strategic plan by SFRS Area Manager, Iain McMeekin, the Committee noted the consultation request and discussed issues arising from the presentation.

The Committee agreed that it be remitted to the Senior Manager, Legal Services in consultation with the Chair, to prepare a final response and submit to the SFRS by 9 July 2019. A copy of the final submission will be reported to the next meeting on 3 September 2019.

The meeting ended at 4.30 p.m.

Planning Committee
22 May 2019

Irvine, 22 May 2019 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

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

In Attendance

J. Miller, Senior Manager (Planning), T. Ledingham, Planning Officer, and A. Gemmell, Planning Officer (Economies and Communities); A. Craig, Senior Manager (Legal Services); and E. Gray, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Marshall in the Chair.

Apologies for Absence

None.

1. Declarations of Interest

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

2. Minutes

The Minutes of the special meeting of the Planning Committee held on 24 April 2019 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Enforcement Procedures under Section 127 of the Town and Country Planning (Scotland) Act 1997: Land to North East of Birchbrae, Corrie, Isle of Arran KA27 8JP

Submitted a report by the Executive Director (Economy and Communities) which provided an update on an item continued from the Planning Committee meeting held on 24 April 2019 pending a site investigation of land to the north east of Birchbrae, Corrie, Isle of Arran, KA27 8JP

A report was submitted to a previous meeting of the Planning Committee which sought approval to serve a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997, as amended, to seek the removal of a quantity of spoil material from a nearby approved development site which had been deposited on an area of wild hillside to the north east of Birchbrae, Corrie. At the last meeting the Committee were informed that work set out in the proposed notice had been carried out, following which they agreed to continue consideration pending a site inspection.

The committee were advised of a site inspection which was conducted by Planning Officers on 29 April 2019 which concluded that the material had been removed with the contours of the site restored to the previous wild hillside state.

The Committee unanimously agreed to note the findings of the site visit report and that the serving of an enforcement notice is no longer required.

4. Grouping of Trees adjacent to the A841 between Rosa and Cnocan Bridge, near Brodick, Arran

Submitted a report by the Executive Director (Economy and Communities) on the process and merits of protecting a group of trees along the A841.

The Senior Manager (Planning) informed the Committee that a number of trees which run along the A841 had been marked suggesting that works were due to be carried out. The Committee were asked to consider the merits of issuing a temporary Tree Preservation Order (TPO) for six months to allow a further investigation to take place to establish the intention of the markings.

Councillor McMaster questioned if it would be possible to extend the proposed TPO to include the trees on the south side of the A841 between Brodick Primary School and the B880 as a number of these have also been marked.

The Committee agreed to postpone consideration to later in the meeting to allow an updated location plan showing the proposed extent of the TPO from Cnocan Bridge to Brodick Primary School to be produced and circulated.

5. Clyde Regional Marine Plan

Submitted a report by the Executive Director (Economy and Communities) on the preparation of a Regional Marine Plan for the Clyde which is currently at the pre-consultation stage.

The Senior Manager (Planning) outlined the report and displayed supporting slides which provided information on the five guiding principles, aims, visions, objectives and policies of the plan as well as the role of the Clyde Marine Planning Partnership, how the regional plan feeds into Scotland's National Marine Plan and the progress of other Marine Planning Partnerships.

A number of comments which will form the basis of the Council's response to the Clyde Marine Planning Partnership were also discussed including resourcing implications on Local Authorities. Discussion also took place around the relationship between the Regional Marine Plans and the Islands Bill and why there was no mention of the bill in the plan.

The Committee unanimously agreed:

- (a) to support the general themes of the content of the pre-consultation draft Clyde Regional Marine Plan;

- (b) that the comments set out in the report, plus one additional comment about links with the Islands Bill, form the basis of the Council's response to the Clyde Marine Planning Partnership on the draft Plan, including the recommendation that greater prominence within the plan is given to both the Clyde's major assets and its existing plans, programmes and proposals, including the Ayrshire Growth Deal and North Ayrshire Tourism Action Plan; and
- (c) that further detail is sought on the future implementation and monitoring of the Plan, specifically, the anticipated role and responsibilities of Local Authorities.

6. Planning Enforcement Charter

Submitted a report by the Executive Director (Economy and Communities) on the updated Planning Enforcement Charter. A copy of the charter was appended to the report.

The Senior Manager (Planning) outlined the report and highlighted that the charter, which requires updating every two years, sets out a statement of the authority's policies with regards to taking enforcement action. Members were informed that no major changes had been made to the previous version.

Councillor Billings suggested that clarity had to be provided around how suspected planning breaches should be reported, namely that reports in person or by phone must be followed up in writing.

The Committee unanimously agreed to approve the updated Planning Enforcement Charter subject to the minor clarification around how suspected planning breaches should be reported.

7. Grouping of Trees adjacent to the A841 between Rosa and Cnocan Bridge, near Brodick, Arran

The Committee agreed to give further consideration of Agenda Item 4 - Grouping of Trees adjacent to the A841 between Rosa and Cnocan Bridge, near Brodick, Arran following the production and circulation of a location plan displaying the proposed update to the TPO boundary.

The Committee unanimously agreed to serve a temporary Tree Preservation Order with respect to a grouping of trees adjacent to the south side of the A841 between Brodick Primary School the junction with the String Road and also on both sides of the A841 from the junction with the String Road to the Cnocan Bridge, Arran under Section 160 of the Town and Country Planning Act (Scotland) 1997 to allow for further investigation as to whether a permanent TPO is required.

8. Urgent Items

8.1 Standards Commission Update

The Senior Manager (Legal Services) provided a verbal update on a Standards Commission case which involved Councillors from Midlothian whose misconduct related to Planning.

The case involved two Councillors who carried out unofficial site visits in relation to a planning application due to be determined by officers and spoke only to objectors and not the applicant. The application was then called in by one of these members who also spoke negatively of the application at the committee meeting. Following a report to the Standards Commission both members were found to have breached the Code of Conduct by inspecting the site from only an objector's property and giving the appearance of being unfair and biased towards one of the parties. Both members were suspended for one month following an investigation.

The Committee were asked to note the update and remain mindful of the Standards Commission's guidance at all times.

Noted.

The Meeting ended at 2.30 p.m.

**Local Review Body
22 May 2019**

Irvine, 22 May 2019 - At a Meeting of the Local Review Body of North Ayrshire Council at 2.30 p.m.

Present

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

In Attendance

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

Chair

Councillor Marshall in the Chair.

Apologies for Absence

None.

1. Declarations of Interest

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

2. Minutes

The Minutes of the special meeting of the Local Review Body held on 24 April 2019 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Notice of Review: 18/00992/PP – Kirkton Caravan Park, Golf Road, Millport, Isle of Cumbrae, KA28 0HB

Submitted a report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of an application for planning permission refused by officers under delegated powers for the variation of Condition 1 of Planning Permission CH/87/746/S to allow the land to be used to store touring caravans between 1 November and 28/29 February at Kirkton Caravan Park, Golf Road, Millport.

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

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

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

Members asked questions and were provided with further information on condition 1 of planning permission CH/87/746/S and the reasons why this was included. Members also discussed the touring caravans which would be stored on the site and whether these were essentially being used as static caravans and the state of repair of a boundary fence at the site.

Councillor Foster, seconded by Councillor McMaster, moved that the Local Review Body uphold the decision taken by the Planning Officer to refuse the application for planning permission. There being no amendment the motion was declared carried.

Accordingly, the Local Review Body agreed to uphold the Planning Officer's decision to refuse planning permission on the following grounds:

1. That the proposed development would be contrary to criterion (a) and (b) of the General Policy and part (d) of TOU1 in the adopted North Ayrshire Council Local Development Plan, on the grounds that the year-round use would have a negative impact on the visual amenity of the area, with the loss of a visual buffer between residential properties and the larger caravan park beyond. The year-round use would also impact on the amenity of nearby residential properties by virtue of proximity to residential windows, and disturbance from traffic movements.

The Meeting ended at 2:55 p.m.

**Audit and Scrutiny Committee
28 May 2019**

IRVINE, 28 May 2019 - At a Meeting of the Audit and Scrutiny Committee of North Ayrshire Council at 10.00 a.m.

Present

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

In Attendance

M. Boyd, Head of Service (Finance) D. Forbes, Senior Manager (Finance) and P. Doak, Senior Manager (Internal Audit, Risk and Fraud) (Finance and Corporate Support); S. Brown, Director (Health and Social Care Partnership); R. McCutcheon, Head of Service (Commercial) (Place); A. McClelland, Head of Service (Learning, Teaching and Curriculum) (Education and Youth Employment) and A. Fraser, Head of Democratic Services, N. Sugden, Policy and Performance Officer, A. Hale, Health Improvement and Equalities Officer and A. Little, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Burns in the Chair.

Apologies

Alan Hill.

1. Declarations of Interest

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

2. Minutes

The Minutes of the meeting of the Audit and Scrutiny Committee held on 26 March 2019 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Ministerial Strategic Group Review of Progress with the Integration of Health and Social Care – Self Evaluation

Submitted report by the Chief Finance and Transformation Officer on the self-evaluation undertaken to rate progress against the Scottish Government's Review of progress by integration authorities. The completed self-evaluation was attached at Appendix 1 to the report and outlined the progress against the key features and principles and identified improvement actions.

Noted.

4. Local Government Benchmarking Framework

Submitted report by the Chief Executive on the Local Government Benchmarking Framework indicators for 2017/18. Appendix 1 to the report highlighted the priorities identified by directorates and the mapping exercise of the Council Plan against the National Performance Framework was attached at Appendix 2.

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

- SCQF awards (grades A – D) and SCQF passes (grades A – C);
- That a decline in some measures has not impacted on the overall upward trend;
- Insight indicators that are calculated using a slightly different methodology from LGBG indicators;
- The refresh of priorities in 2019 to better align to the Performance Framework;
- The setting of priorities by Executive Directors following discussion by the Executive Leadership Team;
- a lower than target sickness level for Teachers and work that continues to monitor attendance; and
- The remit of the Committee that includes setting its own work programme to undertake reviews.

Noted.

5. Equality Mainstreaming and Outcome

Submitted report by the Chief Executive on the Equality Mainstreaming and Equality Outcome Reports 2017 – 2018. The Equality Mainstreaming report outlined how the Council are mainstreaming the equality duty, equality outcomes and the assessment and review of policies. The Equality Outcome report provided information on the progress being made towards the shared equality outcomes, actions by partners and other equality relation work being carried out across the Council.

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

- The development of on-line Equality Awareness Training to staff and information that will be gathered on the number of staff who complete the training;
- Discussions that will take place with the Learning and Development Team to ensure manual workers, without access to computers, are able to access this training; and
- Work that is underway with IT to increase access to digital facilities for manual workers.

Noted.

6. Annual Governance Statement

Submitted report by the Executive Director (Finance and Corporate Support) on the Council's Annual Governance Statement for 2018-19 which was attached at Appendix 1 to the report. The Annual Governance Statement, which will be included within the annual accounts, explained how the Council complies with the Code of Governance Framework and outlined the governance framework in place and changes made to strengthen the framework during 2018/19.

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

7. Strategic Risk Register

Submitted report by the Executive Director (Finance and Corporate Support) on the Council's Strategic Risk Register, which provided information on Very High Risks, High Risks, Risks removed from the register and Risks added to the register. The Register was attached as Appendix 1 to the report.

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

- Controls being implemented in relation to flooding and the removal of the risk relating to climate change;
- The risk assessments that were undertaken at the beginning of 2019; and
- That the risk entry relating to a no deal Brexit was still accurate.

Noted.

8. Accounting Policies

Submitted report by the Executive Director (Finance and Corporate Support) on the Council's Accounting Policies to be adopted in the preparation of the Council's Annual Accounts for the year to 31 March 2019. Appendix 1 to the report, highlighted the most significant changes to the Accounting Policies.

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

9. Internal Audit Annual Report

Submitted report by the Executive Director (Finance and Corporate Support) on the work of Internal Audit during 2018-19, attached at Appendix 1, that outlined the role of Internal Audit, the performance of the section during the year, the key audit findings and the annual audit assurance statement.

Noted.

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

Submitted report by the Executive Director (Finance and Corporate Support) on the progress made by Council services in implementing the agreed actions from Internal Audit and Corporate Fraud reports as at 31 March 2019. Appendix 1 to the report provided full details of seven actions which were not started or only partially complete as at 31 March 2019.

Noted.

11. Internal Audit Reports Issued

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

Noted.

12. Corporate Fraud Annual Statement

Submitted report by the Executive Director (Finance and Corporate Support) on the work carried out by the Corporate Fraud Team during 2018-19, which included information on the internal and external investigations undertaken, proactive work during 2018/19 and a number of awareness raising events held across North Ayrshire.

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

- Data from the Council Tax Team that assists investigations;
- A range of property related investigations and referrals, such as property abandonment, Houses of Multiple Occupation and empty domestic properties in receipt of Council Tax Relief, that requires staff to visit individuals and properties;
- Joint working with the DWP in relation to cases with Housing Benefit and Council Tax Reduction elements;
- The National Fraud Initiative that includes investigations into the Single Person's Discount; and
- An exercise that was previously undertaken in relation to non-domestic properties.

Noted.

13. 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.

13.1 Corporate Fraud Reports Issued

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

The Committee discussed the timeline of the investigation in relation to Case 1 and anonymisation of gender in future reports.

The Committee agreed to (a) receive a report, outlining the timeline of the investigation of Case 1, to a future meeting; and (b) that future reports are gender anonymous.

The meeting ended at 11.05 a.m.

Licensing Committee
5 June 2019

IRVINE, 5 June 2019 - At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

Present

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

In Attendance

S. McKenzie, Senior Manager and P. Brennan, Environmental Health Officer (Economy and Communities); W. O'Brien, Solicitor (Licensing), A Toal, Administrative Assistant (Legal Services) and A. Little, Committee Services Officer (Chief Executive's Service).

Also in Attendance

Inspector David Cameron and Sergeant David Dougan (Police Scotland).

Chair

Councillor McNicol in the Chair.

Apologies

Davina McTiernan.

1. Declarations of Interest

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

2. Minutes

The Minutes of the meeting held on 8 May 2019 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Civic Government (Scotland) Act 1982: Taxi Fare Scales Review

Submitted report by the Head of Democratic Services on the Taxi Fare Scales Review process. A meeting with interested parties was held on 29 March 2019 and the Minute of that meeting was circulated as Appendix A to the report. Appendix B to the report detailed the possible tariff increases previously issued to Elected Members and the attendees at the trade consultation. The Consumer Price Index was outlined in Appendix C to the report and Appendix D detailed the draft taxi fare scales.

The Committee agreed (a) to fix the new scales as detailed in Appendix D to the report; and (b) that the new taxi fare scales become effective from 22 July 2019.

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

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

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

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/01754: Derek J Boyd

The applicant, having been duly cited, was not present. Representatives from Police Scotland were in attendance.

At its meeting on 8 May 2019, the Committee considered a request by Police Scotland and agreed to the suspension of the licence under Paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982. The Committee further agreed to proceed to a Hearing in terms of Paragraph 11 (7) of Schedule 1 of the Civic Government (Scotland) Act 1982.

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

Decision

Councillor Ferguson, seconded by Councillor Barr, moved the Committee (a) to hold that the ground of revocation specified in Paragraph 11(2)(a) of Schedule 1 to the Civic Government (Scotland) Act 1982 was established; (b) to revoke the Licence; and (c) to direct under Paragraph 11(10) that the revocation should have immediate effect. There being no amendment, the motion was declared carried.

5.2 Skin Piercing/Tattooing Licence SPTL/053 (New): Gemma Irvine

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

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

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

Decision

Councillor Reid, seconded by Councillor McClung moved that the Committee grant the application, subject to the Council's standard conditions in terms of Paragraph 5 (1) (a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

5.3 Public Entertainment Licence PEL/593 (Temp): Kelburn Arts Ltd

The Committee was advised that an amendment to the Public Entertainment Licence application had been received.

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

The applicant, having been duly cited, was present and accompanied by members of Kelburn Arts Ltd Management Team. Representatives from Police Scotland and Environmental Health were also in attendance.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant. He advised that an amendment to the application had now been received requesting the numbers permitted to attend the event be increased from 4,999 people to 6,000.

The representatives from Police Scotland then addressed the Committee on a letter setting out a representation in respect of the application. They considered that the request to increase attendees to 6,000 would require further examination.

Representatives from Environmental Health outlined concerns that the event had grown to such an extent that more formal arrangements and procedures required to be put in place to control noise. They considered that a multi-agency meeting should be arranged to consider areas such as Heras fencing, fire safety, attendance levels, stewarding levels, policing and noise levels.

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

Decision

Councillor Reid, seconded by Councillor McClung moved that the application be continued to a future Special Meeting of the Committee, to allow a multi-agency meeting to be arranged to examine the areas discussed and to report to the Special Meeting on the arrangements that would be put in place for the event. There being no amendment, the motion was declared carried.

Councillor Easdale and Police Scotland representatives left the meeting at this point.

5.4 Public Entertainment Licence PEL/597 (Temp): Peter McNamara

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

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

Decision

The Committee agreed to continue the application to a future Special Meeting to allow the applicant to attend and respond to questions.

5.5 Private Hire Car Operator's Licence PHCL/369 (New): Kelly Scott

The applicant, having been duly cited, was present.

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

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

Decision

Councillor Reid, seconded by Councillor Ferguson moved that the Committee treat the proposed vehicle as an exception to the Committee's Vehicle Specification Policy under Section 10(2) of the Civic Government (Scotland) Act 1982, and that power should be delegated to the Clerk to grant the application, subject to the Council's standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 to the Civic Government (Scotland) Act 1982, if satisfied that the proposed vehicle meets the inspection standards under Section 10(2). There being no amendment, the motion was declared carried.

5.6 Street Trader Operator's Licence STL/O/413: Malgorsata Lipinska

The licence holder, having been duly cited, was present and accompanied by a friend.

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

The licence holder 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.

5.7 Street Trader Operator's Licence STL/O/493 (New): Yvonne Lynch

The Committee was advised that the application had been withdrawn.

Appendix B: Applications for Licences/Renewal of Licences

5.8 Private Hire Car Licence PHCL/370 (New) Edward McCallie and Pauline Alexander

The Committee agreed to treat the proposed vehicle as an exception to the Committee's Vehicle Specification Policy under Section 10(2) of the Civic Government (Scotland) Act 1982, and delegated to the Solicitor (Licensing) to grant the application, subject to the Council's standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 to the Civic Government (Scotland) Act 1982, if satisfied that the proposed vehicle meets the inspection standards under Section 10(2).

5.9 Taxi Driver Licence TDL/00657 (Renewal): Ronald McCulloch

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

5.10 Taxi Driver Licence TDL/01539 (Renewal): Gordon McKenzie

The Committee 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.

5.11 Window Cleaner Licence WCL/089 (Renewal): David Clarkson

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

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

5.12 Taxi Driver Licence TDL/00675: William Hamilton

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

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

6.1 C.S.

The Solicitor (Licensing) advised on information received in respect of the applicant, which raised the question of whether or not the applicant was a 'fit and proper' person to be entered on the Register.

The Committee agreed to grant the application for Landlord Registration.

7. 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.

7.1 Overcrowding of Private Rented Property

The Committee discussed the recent reporting in the press of overcrowding of privately rented property in North Ayrshire.

The Committee agreed that the Solicitor (Licensing) investigate further and if appropriate provide a report to a future meeting of the Committee.

The meeting ended at 12.15 p.m.

Staffing and Recruitment Committee
6 June 2019

IRVINE, 6 June 2019 – At the Meeting of Staffing and Recruitment of North Ayrshire Council at 2 p.m

Present

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

In Attendance

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

Apologies

Chair

Joe Cullinane in the Chair.

1. Declarations of Interest

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

2. Minutes

The accuracy of the Minutes of the meeting of the Staffing and Recruitment Committee held on 8 May 2019 was confirmed and the Minute and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Exclusion of the Public and Press

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

4. Executive Director - Communities Recruitment

The Committee considered applications for position of Executive Director – Communities.

The Committee agreed not to proceed with the recruitment of this position.

5. Executive Director - Place Recruitment

The Committee considered applications for position of Executive Director – Place.

The Committee agreed to progress five candidates to the Assessment Centre stage.

The Meeting ended at 2.45 p.m.

Cabinet
11 June 2019

IRVINE, 11 June 2019 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Joe Cullinane, John Bell, Robert Foster, Alex Gallagher and Jim Montgomerie; and Elizabeth Higton, Babs Mowat (Church Representatives) and Gordon Smith (Teaching Representative) (Agenda Items 1-4).

Also Present

Robert Barr, Tom Marshall, Jean McClung, Ronnie McNicol, Davina McTiernan and John Sweeney.

In Attendance

C. Hatton, Chief Executive; L. Friel, Executive Director, D. Forbes, Senior Manager - Strategic Business Partner, P. Doak, Senior Manager (Internal Audit and Corporate Fraud), J. Smillie, Senior Manager (Human Resources and Organisational Development), B. Quigley, Senior Manager (ICT), J. Walls, Team Manager (Health and Safety), F. Carlyle, Senior Advisor (Human Resources and Organisational Development)(Finance and Corporate Support); K. Yeomans, Executive Director, A. Sutton, Head of Service (Connected Communities), C. McAuley, Head of Service (Economic Growth), G. Robson, Senior Manager (Employability), L. Kirk, Manager (Regeneration) (Economy and Communities); C. Amos, Head of Service (Inclusion) and L. Taylor, Senior Manager (Education and Youth Employment); R. McCutcheon, Head of Service (Commercial), Y. Baulk, Head of Service (Physical Environment), D. Hammond, Senior Manager (Housing Strategy and Corporate Sustainability), C. Dempster, Senior Manager (Roads) (Place); and A. Fraser, Head of Democratic Services, J. Hutchison, Senior Communications Officer (Media and Internal Communications), L. Cameron, Policy Officer, N. Sugden, Policy and Performance Officer, M. Shields, Leader's Office Co-ordinator, and E. Gray and H. Clancy, Committee Services Officers (Chief Executive's Service).

Also In Attendance

D. Rodger, Petitioner (Agenda Item 3).

Chair

Joe Cullinane in the Chair.

Apologies

Louise McPhater.

1. Declarations of Interest

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

2. Minutes

The accuracy of the Minutes of the meeting of the Cabinet held on 14 May 2019 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Ardrossan Community Hub - Statutory Public Consultation

3.1 Petition

Submitted report by the Chief Executive on a Petition received, opposing the proposed closure of Auchenharvie Swimming Pool and Gym.

The Head of Democratic Services summarised the terms of the petition and the procedure for considering it in the context of a separate report on the proposed development of new Education and Community provision in Ardrossan

The principal petitioner, David Rodger, set out the background to, and reasons for, the campaign and the importance of keeping the swimming pool and gym in Stevenston. Mr Rodger advised the facility was where many people went not only to get fit, but to enjoy themselves and socialise and that many people in Stevenston could not afford to travel to the inaccessible area of Ardrossan where it was proposed the new community hub would be located.

Councillor John Sweeney also spoke on behalf of the campaign, outlining the pre-consultation process which was focused on Ardrossan, with 363 responses in total, 131 of which came from Ardrossan residents. Councillor Sweeney pointed out that one of the Three Towns Locality Partnership's priorities was to tackle social isolation and it was, therefore, relevant that many of those who used the pool did so to counter social isolation, while 40% of participants in the KA Leisure Mind and Be Active programme were from the Three Towns area.

The Cabinet agreed to note the petition and take into account the petitioners' presentation when considering the report by the Head of Service (Inclusion).

The following item is subject to the call-in procedure per the Council's Scheme of Administration and will be considered at the Scrutiny and Petitions Committee on Thursday 27 June 2019.

3.2 Proposed Development of new Education and Community Provision in Ardrossan

Submitted report by the Head of Service (Inclusion) which provided information on the pre-consultation engagement activities undertaken so far, early public feedback in respect of the proposal and a petition in respect of the proposed relocation of leisure facilities. The school pre-consultation responses were set out at Appendix 1a and the wider community pre-consultation responses were set out at Appendix 1b to the report.

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

- the schools involved in the consultation; and
- the suitability of the Ardrossan site and the ongoing investigations.

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

4. Early Learning and Childcare Expansion Programme

Submitted report by the Head of Service (Inclusion) on the progress of the Early Learning and Childcare Expansion (ELC) programme in North Ayrshire and the plans to move to implementation of the confirmed delivery and staffing models from August 2020.

Members asked a question and were provided with clarification that North Ayrshire Council would provide 1140 hours of early learning and childcare if any private providers were unable to offer this service.

The Cabinet agreed to (a) note the progress made by the Early Learning and Childcare Expansion Programme Board on the implementation of the ELC Expansion programme; and (b) approve the changes made to the delivery and staffing models.

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

Submitted report by the Chief Executive on the Local Child Poverty Action Plan 2018/19. The draft North Ayrshire Local Child Poverty Action Plan Report 2018/19 was set out at Appendix 1 to the report.

Members asked a question and were provided with further information in relation to the improvement in the Kilwinning area.

The Cabinet agreed (a) to approve the draft Local Child Poverty Action Plan; and (b) that the report be submitted to the Scottish Government and published on the Community Planning Partnership website.

6. Performance End of year 2018/19 Council Plan/Directorate Plan

Submitted report by Chief Executive on the end of year 2017/18 Council Plan/Directorate plan performance reports. The Council Plan status summary was set out at Appendix 1, detailed explanations for those measures adrift of target were provided at Appendix 2 and the Directorate performance reports set out at Appendices 3-8 of the report.

Members were advised of a correction to the figures in section 2.12 of the report, which should have read 57% of short-term indicators had improved and 43% of long-term indicators.

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

- the new directorate plan template which would include trend graphs; and
- funding to deliver further electric charging infrastructure throughout North Ayrshire.

The Cabinet agreed to (a) approve the end of year 2018/19 Council Plan/Directorate Plan performance reports; and (b) refer the report to the Audit and Scrutiny Committee on the 10 September 2019 for further scrutiny.

7. Domestic Abuse Policy Review

Submitted report by the Executive Director (Finance and Corporate Support) on the proposed changes to the Domestic Abuse Policy in the relation to the introduction of Safe Leave. The Policy was set out at Appendix 1 to the report.

The Cabinet agreed to approve the revised Domestic Abuse Policy set out at Appendix 1 to the report, which included provision for 10 days Safe Leave.

8. Health and Safety Annual Report 2018/19

Submitted report by the Executive Director (Finance and Corporate Support) on the Health and Safety performance within Council Services during 2018/19. The Health and Safety Annual report was set out at Appendix 1 to the report.

Noted.

9. ICT Infrastructure Strategic Review

Submitted report by the Executive Director (Finance and Corporate Support) on the Council's ICT Infrastructure Strategic Review.

Members asked a question and were provided with clarification on the 7-year replacement period for the wide Area Network, Local Area Network, Telephony and Wireless LAN.

The Cabinet agreed to (a) note progress on the Infrastructure Strategic Review; (b) approve the allocation of capital funding of £1,692,362 to be spent across a three year period from 2019/20 to 2021/22; and (c) approve progression to the tender phase.

10. Revenue Budget 2018/19: Financial Performance to 31 March 2019

Submitted report by the Executive Director (Finance and Corporate Support) on the performance for the Council for 2018/19. Service Financial Performance details were set out at Appendices 1-7, the Housing Revenue Account at Appendix 8, a schedule of the budget transfer, or virements, at Appendix 9 and the Health and Social Care Partnership financial performance at Appendix 10 to the report.

Members asked a question and were provided with clarification on the Health and Social Care Partnership overspend.

The Cabinet agreed to (a) note the information and financial performance outlined in the report; (b) approve the earmarking of £0.566m identified at section 2.4 of the report to meet future year commitments; and (c) note the current financial performance of the Health and Social Care Partnership at section 2.5 of the report.

11. Capital Programme Performance to 31 March 2019

Submitted report by the Executive Director (Finance and Corporate Support) on the progress in delivering the Capital Investment Programme for 2018/19. The progress of all projects was set out at Appendix 1 and the Housing Revenue Account set out at Appendix 2 to the report.

Members asked a question and were provided with clarification on the funding of capital from revenue.

The Cabinet agreed to (a) note the revisions to budgets outlined in the report; (b) approve the reallocation of the underspend within Largs Academy to support the ASN school project; and (c) note the General Services and HRA expenditure to 31 March 2019.

The following item is subject to the call-in procedure per the Council's Scheme of Administration and will be considered at the Scrutiny and Petitions Committee on Thursday 27 June 2019.

12. Maximising Opportunities from Advertising on North Ayrshire Land Assets

Submitted report by the Head of Service (Commercial Services) on the proposed pilot approach to maximising resources from the sale of advertising opportunities on Council assets – land assets (roundabouts).

Members asked a question and were provided with clarification on the aim to secure agreements for each location on a minimum contract period of 6-12 months.

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

13. Acquisition of Land for Council House Building

Submitted report by the Head of Service (Physical Environment) on the proposed purchase of land at Ayrshire Central, Irvine for Council House Building. A map of the site was attached at Appendix 1 to the report.

The Cabinet agreed to approve the acquisition of land at Ayrshire Central, Irvine from the NHS for a sum of £2,700,000, subject to the deduction of abnormal development costs.

14. Declaration of a Climate Change Emergency

Submitted report by the Head of Service (Physical Environment) to declare a climate change emergency and initiate public debate on the next steps in tackling climate change in North Ayrshire.

The Cabinet agreed to (a) approve the Council's declaration of a climate change emergency; (b) instruct officers to undertake public consultation, with a particular focus on engaging young people, on the next steps for a collective response to tackling climate change in North Ayrshire; and (c) instruct that officers initiate preparation of an updated Environmental Sustainability and Climate Change Strategy for publication in Autumn 2020.

15. Scottish Government Consultation: Short Term Lets

Submitted report by the Head of Service (Physical Environment) on the Scottish Government consultation on short-term let accommodation. The draft response to the Scottish Government was set out at Appendix 1 to the report.

Members asked questions and were provided with clarification on holiday and short-term lets on Islands.

The Cabinet agreed to approve the draft response set out at Appendix 1 to the report for submission to Scottish Government.

The following item is subject to the call-in procedure per the Council's Scheme of Administration and will be considered at the Scrutiny and Petitions Committee on Thursday 27 June 2019.

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

Submitted report by the Head of Service (Commercial Services) which advised of an application to Scottish Government to introduce Decriminalised Parking Enforcement within North Ayrshire and which proposed the introduction of car parking charges. The short stay car park maps were set out at Appendix 1 to the report.

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

17. Gaelic Language Plan

Submitted report by the Executive Director (Economy and Communities) on the second edition of the North Ayrshire Gaelic Language Plan. The Plan was set out at Appendix 1 to the report.

The Cabinet agreed (a) to approve the second edition of North Ayrshire's Gaelic Language Plan; and (b) that it be remitted to officers to continue to work with Bòrd na Gàidhlig and partners on the development of Gaelic.

18. Proposal for Community Investment Fund (CIF) Expenditure

Submitted report by the Executive Director (Economy and Communities) on an application by the Three Towns Locality Partnership. The application was set out at Appendix 1 to the report.

The Cabinet agreed to (a) approve the application from the Locality Partnership in line with CIF criteria; (b) approve an award of £50,000 to the Training Station; and (c) accept future reports on the progress of the initiatives at dates to be agreed with the Locality Partnerships.

19. National Islands Plan and Island Communities Impact Assessment Consultation

Submitted report by the Executive Director (Economy and Communities) on North Ayrshire Council's response to the Scottish Government's consultation on the National Islands Plan and Island Communities Impact Assessment. The response was set out at Appendix 1 to the report.

The Cabinet agreed to approve (a) the proposed North Ayrshire Council response to the National Islands Plan and Island Communities Impact Assessment consultation; and (b) the inclusion of the responsibility for islands matters in North Ayrshire within the portfolio of the Cabinet Member for Economic Growth.

20. West of Scotland Loan Fund

Submitted report by the Executive Director (Economy and Communities) on the proposals to wind up West of Scotland Loan Fund (WSLF) Limited.

The Cabinet agreed to approve (a) winding-up the West of Scotland Loan Fund Limited (WSLF) as a member authority; (b) the transfer of North Ayrshire Council's West of Scotland Loan Fund assets to Business Loans Scotland (BLS); and (c) an amendment to the BLS Articles of Association, to allow BLS to pay surplus funds back to member local authorities, with authority delegated to the Head of Economic Growth to agree the draft resolution and sign in accordance with requirements of BLS.

21. Better Off North Ayrshire update

Submitted report by the Executive Director (Economy and Communities) on the latest performance and financial position.

The Cabinet agreed to (a) note (i) the update provided on Better Off North Ayrshire, (ii) the issues raised with regard to the financial risks to the Council and (iii) the steps being put in place to mitigate those risks and reduce projected spend by £300k; and (b) receive a further update report in 6 months, with an update to be provided on the financial position and the future service arrangements for financial inclusion services.

22. Regeneration Capital Grant Fund – Funding Applications for 2020/21

Submitted report by the Executive Director (Economy and Communities) on the Regeneration Capital Grant Fund applications for 2020/21.

The Head of Economic Growth advised of a correction to the report, clarifying a contribution of £0.5M towards the £2M cost of the redevelopment of Millport Town Hall, rather than the £3M stated in the report.

The Cabinet agreed to submit applications for projects at Lochshore, Annickbank (Irvine Enterprise Area) and Millport Town Hall as detailed in the report.

23. Active Travel and Transport External Funding 2019/20

Submitted report by the Executive Director (Economy and Communities) on grant offers to allow the implementation of projects. The active travel and transport Priorities were set out at Appendix 1 and the active travel and transport projects were set out at Appendix 2 to the report.

The Cabinet agreed to (a) approve the acceptance and expenditure of the successful grant offers as detailed at Appendix 2 to the report; (b) approve the acceptance and expenditure of the outstanding grant offers and additional awards identified if successful; and (c) receive a further report on the proposed projects and associated funding applications for 2020/21.

24. Community Wealth Building

Submitted report by the Executive Director (Economy and Communities) on the recent work to progress Community Wealth Building in North Ayrshire. The proposed remit was set out at Appendix 1 to the report.

The Cabinet agreed (a) to note (i) the progress of developing Community Wealth Building proposals and plans for North Ayrshire and (ii) the update on the inclusion of a Community Wealth Building Fund as part of the Ayrshire Growth Deal Heads of Terms; (b) that a new Community Wealth Building Commission be established to lead the development of this work; (c) the Leader of Council chair the Commission; and (d) to approve the participation of proposed Elected Members.

25. A738 Kilwinning Road, Stevenston Experimental Traffic Regulation Order

Submitted report by the Executive Director (Economy and Communities) on the Experimental Traffic Regulation Order to enable the trial of taxis utilising the Bus Lane in Kilwinning Road, Stevenston.

The Cabinet agreed to (a) approve the promotion of an Experimental Traffic Regulation Order to enable the trial of taxis utilising the Bus Lane; and (b) receive a future report on the outcome of the Experimental Traffic Regulation Order.

The Meeting ended at 4.50 p.m.