



**North Ayrshire Council**

Comhairle Siorrachd Àir a Tuath

**North Ayrshire Council Meeting**

**19 September 2018**

**VOLUME OF MINUTES**

**From 24 May 2018 to 4 September 2018**

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**North Ayrshire Health and Social Care Partnership  
Minute of Integration Joint Board meeting held on  
Thursday 24 May 2018  
at 10.00am, 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 Christina Larsen, North Ayrshire Council  
Dr Janet McKay, NHS Ayrshire and Arran  
Alistair McKie, NHS Ayrshire and Arran  
Councillor John Sweeney, North Ayrshire Council

Stephen Brown, Director of Health and Social Care Partnership  
Shahid Hanif, Interim Head of Finance  
Dr Paul Kerr, Clinical Director  
Alistair Reid, Lead Allied Health Professional Adviser  
David Thomson, Associate Nurse Director/IJB Lead Nurse  
Dr. Louise Wilson, GP Representative

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

**In Attendance**

Andrew Fraser, Head of Democratic Services  
David Rowland, Head of Service (Health and Community Care)  
Eleanor Currie, Principal Manager (Finance)  
Thelma Bowers, Head of Service (Mental Health)  
Michelle Sutherland, Strategic Planning Lead  
Brenda Walker, Senior Officer - ASP  
Mark Inglis, Senior Manager  
Karen Andrews, Team Manager (Governance)  
Diane McCaw, Committee Services Officer

**Also In Attendance**

Councillor Anthea Dickson, North Ayrshire Council

**Apologies for Absence**

Dr Martin Cheyne, NHS Ayrshire and Arran  
Dr Calum Morrison, Acute Services Representative  
David MacRitchie, Chief Social Work Officer - North Ayrshire

## 1. Apologies and Chair's Remarks

Apologies were noted.

The Chair welcomed new representatives Dr. Louise Wilson (GP representative), Graham Searle (Carer representative) and Clive Shephard (Service User representative) to the IJB. The Chair also thanked Robert Steel, who had recently resigned from the IJB, for his work with the IJB and his service to the community.

## 2. Declarations of Interest

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

## 3. Minutes/Action Note

The accuracy of the Minute of the meeting held on 19 April 2018 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

**Volunteering Strategy** - Publication of the Draft Volunteering Strategy has been slightly delayed due to a minor branding issue with partners and also in terms of the engagement process. Further discussion will take place to resolve this soon. Ongoing action.

Action - V. Yuill

**Public Partnership Forum** - Officers met with Fiona Thomson and an update on actions identified for going forward was provided including an outline of work ongoing with CPPs on joint arrangements, how to work together more effectively and on mapping across existing groups across the HSCP. Once all the ongoing work has been carried out a paper will be brought to the IJB. Ongoing action.

Action - F. Thomson

**Veterans First Point Service** - The service is located in North Ayrshire and accessed by South and East. Full agreement has now been reached across the 3 Ayrshires and Ayrshire and Arran and agreement regarding funding. Veterans First Point Service will continue and so far uptake has been greater than any Veterans Service elsewhere. Action complete and to be removed.

Action - T. Bowers

**North Ayrshire Citizen's Advice Service** - David Rowland advised that the Scheme of Delegation for additional posts within Money Matters is now complete. The posts will be filled to allow this service to be sustained. Ongoing action.

Action - D. Rowland

**HSCP Challenge Fund Update** - To receive a presentation to a future meeting on the effective savings model undertaken at Elderbank and Greenwood in relation to

reducing the number of accommodated children. Presentation to today's meeting. Action complete and to be removed.

#### **4. Health and Social Care Partnership: Challenge Fund Projects**

The Board received a presentation from Mark Inglis, Senior Manager, Intervention Services on the Challenge Fund, including information on:-

- build capacity within the universal early years service and new roles to enable access to appropriate interventions for children and families;
- the expansion of the Multi Agency Assessment and Screening Hub through the creation of an additional social worker post;
- the work of the Children and Families Challenge Team within Greenwood Academy and Elderbank Primary;
- efforts to reduce the number of children placed in external placements from 23-18;
- work with children within our own residential units to prevent escalation into external placements;
- outcomes to date; and
- highlights over the past 6 months.

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

- specific training provided to family nurturers;
- the positive outcome of a 50% increase in pupil attendance at Elderbank;
- how the Children and Families Team is utilising the wellbeing web programme to track changes in relation to young people involved in the project;
- that all children are identified through the Children and Families Team;
- that the presence of the Team within the schools gives a huge boost to young people in terms of the support they receive and also to staff; and
- the development of the process to assist with the identification and mapping of any young carers.

The Board congratulated the Team for the ongoing work and the positive outcomes in relation to the Challenge Fund projects.

Noted.

#### **5. Appointment of an Interim Section 95 Officer of the Integration Joint Board (IJB)**

The Board resolved, in terms of Standing Order 13, to suspend Standing Order 12.1 to allow consideration of this item as the report involved changing a decision taken by the IJB on 15 February 2018 where proposals are no longer possible. An apology was made to the Board in this regard.

Submitted report by Andrew Fraser, IJB Monitoring Officer, on the appointment of an interim Section 95 Officer of the IJB and detailing the position with regard to professional insurance and indemnity and timescales in relation to the appointment of a Chief Finance and Transformation Officer and sign off of annual accounts for 2017/18.

The Board indicated that they hoped the appointment of a permanent Chief Finance and Transformation Officer would be treated as a matter of urgency.

The Board agreed that, pending the appointment of the permanent post of Chief Finance and Transformation Officer, North Ayrshire Council's Executive Director (Finance and Corporate Support) be appointed as Interim Section 95 Officer of the Integration Joint Board.

## **6. Appointment of Vice-Chair of the IJB Performance and Audit Committee (PAC)**

Submitted report by Stephen Brown, Director (NAHSCP) on the appointment of a Vice-Chair for the IJB PAC.

The Board was advised of a change within the report in that Councillor Robert Foster was indicated as the Chair of the PAC when this should have detailed Councillor Timothy Billings as Chair.

In April 2018, Robert Martin was appointed as Chair of the IJB which created a vacancy for the Vice-Chair of the Performance and Audit Committee. Councillor Timothy Billings currently Chairs the PAC and the Vice-Chair appointment should therefore be held by an NHS voting member. Alistair McKie was nominated for the position.

The Board agreed to appoint Alistair McKie to the position of Vice-Chair of the IJB Performance and Audit Committee.

## **7. Director's Report**

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

The report highlighted works underway in the following areas:-

- That a final report on the review of the Integration Scheme will be provided to the next meeting of the IJB on 21 June 2018;
- The visit by the Cabinet Secretary, Shona Robison, to the Largs School Campus on 18 May 2018 had to be cancelled at short notice and did not take place;
- Recent unannounced inspections by the Care Inspectorate which awarded grades of 5s (very good in all aspects and no recommendations or requirements) across our care at home services;
- The position in relation to the NAHSCP 2017/18 financial outturn and that the full financial outturn report will be provided to the meeting of the IJB on 21 June 2018;
- The pan-Ayrshire working group created to progress work in connection with a pan-Ayrshire British Sign Language Plan which will be issued for consultation in May 2018;
- Publication by the Scottish Government of the Digital Health and Care Strategy;
- That North Ayrshire has been chosen as a case study site to explore the ways self-directed support approaches are being implemented across user groups and on the potential for scaling up and fuller implementation;
- A successful visit to Wigan Council which took place on 25 April 2018; and
- Engagement with Carer Positive to gain Level 1 status as a Carer Positive Employer.

Members were further advised that the Scottish Government have requested all IJBs to provide an up-to-date position on plans for sums set aside. It was suggested that the August meeting of the IJB be converted to a private briefing on set aside in order to provide more clarity for Members.

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

## **8. Adult Support and Protection (ASP) - Thematic Inspection Feedback**

Submitted report by Brenda Walker, Senior Officer – ASP on the findings of the first Joint Thematic Inspection of Adult Support and Protection which took place at the end of October 2017 and consisted of three days of detailed file reading and two days of ‘scrutiny sessions’. The North Ayrshire report was general highly complimentary in terms of outcomes, processes and leadership.

The Board was advised that a report will be provided to a future meeting giving detail on an action plan to deliver against ratings.

Noted.

## **9. Accounting Policies 2017/18**

Submit report by Eleanor Currie, Principal Manager – Finance on accounting policies to be adopted in preparation of the Council’s annual accounts for the year to 31 March 2018. Appendix 1 to the report detailed the accounting policies and there has been no change to policies since last year.

The Board agreed to approve the accounting policies as detailed in Appendix 1 to the report.

## **10. Strategic Risk Register**

Submitted report by Eleanor Currie, Principal Manager – Finance outlining the Partnership Strategic Risk Register. Appendices A and B detailed the risks in full and the risk scoring respectively.

Members highlighted that it would be useful for the risk register to identify previous numerical risks and any changes in order to follow what has been successful or not.

The Board agreed to approve the Partnership Strategic Risk Register, including actions required to amend and control those risks.

## **11. Support Service for Adults with Enduring Mental Health Problems**

Submitted report by Norma Bell, Independent Living Manager seeking approval to tender for a service provider to deliver a support service for adults with enduring mental health problems. Due to the urgency involved, this matter has already been progressed but required to be retrospectively approved by the Board.

Members asked for clarification in terms of human resource implications and the process in terms of recruitment of a provider for the service.

The Board agreed to retrospectively direct North Ayrshire Council, on behalf of the North Ayrshire Health and Social Care Partnership, to tender for a Service Provider to deliver support services for adults with enduring mental health problems, meeting

their assessed need and outcomes, initially at the property located at 2a Nethermains Road, Kilwinning and then potentially developing the service to cover the property at 2b Nethermains Road, Kilwinning.

## **12. Strategic Planning Group Minutes**

Submitted the minutes of the Strategic Planning Group meeting held on 25 April 2018.

Noted.

## **13. Urgent Items**

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

## **14. Exclusion of the Public**

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

## **15. Private Briefing**

The Board received a private briefing to make them aware of a matter of concern which may require a decision to a future meeting of the Board.

The Meeting ended at 11.15 a.m.

Cabinet  
19 June 2018

**IRVINE, 19 June 2018** - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

**Present**

John Bell, Joe Cullinane, Alex Gallagher, Robert Foster, Louise McPhater; and Elizabeth Highton and Ian Haining (Church Representatives); and Arran McDonald and Elle Greenan (Youth Representatives) (Agenda Items 1-5).

**Also Present**

Donald L. Reid, Christina Larsen (Agenda Items 1-8), Davina McTiernan (Agenda Items 1-8) and Jean McClung (Agenda Items 1-8).

**In Attendance**

J. Butcher, Executive Director (Education and Youth Employment); L. Friel, Executive Director, M. McTeague, Category Manager (Corporate Procurement) (Finance and Corporate Support); C. Hatton, Executive Director, Y. Baulk, Head of Service (Physical Environment), D. Mackay, Senior Manager (Waste Services), D. Hammond, Senior Manager (Housing Strategy and Corporate Sustainability) (Place); K. Yeomans, Executive Director, C. McAuley, Head of Service (Economic Growth), A. Noble, Programme Manager (Inclusive Growth) and L. Kirk, Active Travel and Transport Manager (Regeneration) (Economy and Communities); and A. Fraser, Head of Democratic Services; M. Davison, Senior Manager (Democratic Services A. Todd, Senior Policy and Performance Officer, J. Hutcheson, Communications Officer and H. Clancy, Committee Services Officer (Chief Executive's Service).

**Chair**

Joe Cullinane in the Chair.

**Apologies**

Jim Montgomerie and Canon Matt McManus (Church Representative).

**1. Declarations of Interest**

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

**2. Minutes**

The accuracy of the Minutes of the meeting of the Cabinet held on 29 May 2018 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.



### **3. Early Learning and Childcare Expansion Programme**

Submitted report by the Executive Director (Education and Youth Employment) on the Early Learning and Childcare (ELC) Expansion Programme. The Eligibility criteria for two year old children was set out at Appendix 1 and the Response to the Early Learning and Childcare Service Model for 2020 set out at Appendix 2 to the report.

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

- the relocation of early years' provision from Garnock Valley Early Years Centre to St Bridget's Primary Early Years Class to create a 'fit-for – purpose' ELC provision for children aged two to five years in the Garnock Valley area; and
- children aged birth to three years with additional support needs, and the provision they receive each week either in an ELC establishment or within the Day Carer service (a specialist team of childminders who have been trained by the Council to respond to, and support, children with additional support needs).

The Cabinet agreed to approve the (a) proposal that the Council phase out its provision for babies aged birth to two years within Early Years Centres from August 2018, and direct all new referrals to the Council's Day Carer service; (b) proposed schedule of phased, increased payments to its partner providers, with effect from August 2018, and from April each year thereafter; (c) proposal that the Council explores options to relocate early years' provision from GVEYC to St Bridget's Primary Early Years Class to create an ELC provision for children aged two to five years in the Garnock Valley area; and (d) Council's response to the Scottish Government consultation.

### **4. Respect for All: "Bullying, It's Never Acceptable"**

Submitted report by the Executive Director (Education and Youth Employment) on the anti-bullying policy in line with "Respect for All: The National Approach to Anti Bullying for Scotland's Children and Young People" (2017). The new policy was set out at Appendix 1 to the report.

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

- working with the local communities to prevent incidents of after school bullying;
- the view that moving children to a different school in a bullying situation did not address the issue; and
- the lack of financial implications identified in the report.

The Cabinet agreed to (a) accept the report; and (b) endorse the new policy set out at Appendix 1 to the report.

### **5. Education Support Resource Base Review**

Submitted report by the Executive Director (Education and Youth Employment) on the review of Education Support Resource Base Review provision in North Ayrshire. The revised future approach to Education Support Resource Base provision was set out at Appendix 1 to the report.

Members asked a question and were provided with further information in relation to the space available at St Bridget's Primary School to accommodate the relocation of the Education Support Resource Base provision from St Mark's Primary School.

The Cabinet agreed to (a) acknowledge the progress made in the review of Education Support Resource Base provision; and (b) support the revised model of Education Support Resource Base provision in North Ayrshire outlined in the report and set out at Appendix 1.

## **6. End of year 2017/18 Council Plan/Directorate Plan performance report**

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.

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

- 88% of measures on target or slightly adrift of target and 12% significantly adrift of target and the impact of these figures; and
- the capital expenditure figure for 2017/18 not included in the report and 2016/17 figure of 72.2%.

The Cabinet agreed to (a) approve the end of year 2017/18 Council Plan/Directorate Plan performance reports; and (b) refer the report to the Audit and Scrutiny Committee on the 25 September 2018 for further scrutiny.

## **7. Multi-Storey Tower Blocks: Proposals**

Submitted report by the Executive Director (Place) on the proposals for the seven multi-storey blocks in Irvine and Saltcoats following consultation with residents.

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

- the view that the suspension of all Council lets from the housing register in Irvine from 27 June 2018 should not impact on families as the household profiles for the tower blocks indicated the majority of tenants would require to be relocated in 1 or 2 bedroom properties; and
- further consultation planned for autumn 2018 for tenants and owners of the Saltcoats multi-storey blocks.

Councillor Cullinane thanked officers for their work in preparing the report and the proposals.

The Cabinet agreed that (a) for the Fullarton multi-storey blocks, officers (i) proceed with a rehousing strategy for all residents, (ii) prepare development proposals for 275 new homes and (iii) arrange for demolition of the blocks; and (b) the Saltcoats multi-storey blocks be retained and officers (i) prepare detailed investment proposals for the installation of sprinklers and carrying out of scheduled maintenance and (ii) consult with tenants and owners on these detailed proposals in Autumn 2018.

## **8. Creation of a new 'White Label' Energy Partnership in North Ayrshire**

Submitted report by the Executive Director (Place) on the proposals to enter into a partnership agreement for the creation of a dedicated North Ayrshire 'white label' energy partnership.

Members asked a question and were provided with clarification that the partnership agreement with Fairerpower does not require North Ayrshire Council to provide a minimum numbers of households.

The Cabinet agreed to enter into a partnership agreement with Fairerpower to establish a white label energy partnership entitled 'Fairerpower Ayrshire' to provide simple, low cost energy tariffs for North Ayrshire domestic and business customers.

## **9. Plastic Free Council**

Submitted report by the Executive Director (Place) on the Single-use Plastics Waste Prevention Action Plan to assist North Ayrshire becoming a "Plastic Free Council" by 2022 with the Plastic Waste Prevention Action Plan set out at Appendix 1 to the report.

Members asked a question and were provided with further information in relation to other Local Authorities that are also reducing the use of plastic.

The Cabinet agreed (a) to approve the Plastic Waste Prevention Action Plan (Appendix 1) to support the move towards becoming a "Plastic Free Council" by 2022; (b) that officers will continue to support the Plastic Free Coastlines Campaign and the 'Think about Plastic' initiative on Arran and across the wider North Ayrshire; and (c) that officers will continue to work proactively with community partners, local businesses and Third Sector Organisations to promote and encourage initiatives and activities to prevent and reduce the impact of single-use plastics on the local environment.

## **10. Active Travel and Transport External Funding 2018/19**

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

The Cabinet agreed to (a) approve the acceptance and expenditure of the grant offers as detailed at Appendix 2 to the report; (b) approve the acceptance and expenditure of the outstanding grant offer and additional awards identified if successful; and (c) receive a further report on the proposed projects and associated funding applications for 2019/20.

## **11. European Union Funded Programmes – Update**

Submitted report by the Executive Director (Economy and Communities) on the final phase of the EU funding in Scotland.

Members asked a question and were provided with further information in relation to underspend in match funding being used to fund other activity in the service or being re-circulated across the Council.

The Cabinet agreed to (a) note the update provided on current programmes and the opportunities for funding from 2019-2022; (b) approve the development of bids for funding to cover the period 2019-2022; and (c) note the requirement for match funding for these bids which will be quantified when proposals are submitted to Cabinet in August 2018.

## **12. Supported employment service proposed for people with disabilities**

Submitted report by the Executive Director (Economy and Communities) on the proposal for a Council Supported Employment Programme.

The Cabinet agreed (a) the Challenge Poverty Fund be used to create a new Supported Employment programme; and (b) to approve the proposals set out in the report, establishing a Supported Employment programme.

## **13. Ayrshire Regional Partnership for Inclusive Economic Growth**

Submitted report by the Executive Director (Economy and Communities) on the establishment of an Ayrshire Regional Partnership for Inclusive Economic Growth with the detailed Business Case set out at Appendix 1 to the report.

The Cabinet agreed to (a) establish a Regional Ayrshire Partnership for Inclusive Economic Growth as set out in Section 4 and Appendix 5 of the Detailed Business Case; (b) establish an Ayrshire Delivery Vehicle between East, North and South Ayrshire Councils and other stakeholders from 1 April 2019, including integrated delivery of the Ayrshire Growth Deal, Economic Growth Services and Tourism; (c) continue negotiations with the Scottish Government, its agencies, and regional partners to secure commitments to the new partnership model; (d) remit to the Chief Executive to finalise the new management structure in conjunction with the other two Chief Executives, taking account of the remit and scope of the services and the overall financial envelope, to be populated as quickly as possible and well in advance of April 2019, with final proposals to be presented to Cabinet; (e) establish a range of workstreams including service design, Human Resources, finance, legal, governance; (f) agree that the host authority be North Ayrshire Council, tasked with the oversight of day to day operational issues in relation to the Partnership; (g) transfer employees from East and South Ayrshire Councils (where agreed by their respective authorities) to the host authority on 1 April 2019 under TUPE Regulations; and (h) establish an Ayrshire Economic Development Sub-Committee of the Ayrshire Shared Services Committee for the purpose of developing an Ayrshire Regional Inclusive Economic Growth Strategy and associated implementation plan, with appropriate support and input from an Ayrshire Economic Delivery Vehicle team.

**14. NAC\1104 - Award of a Contract for provision of Housing Support for Women at Risk of Violence**

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the contract for provision of Housing Support for Women at Risk of Violence.

The Cabinet agreed to award of contract to North Ayrshire Women's Aid.

**15. NAC\1101 - Award of a Contract for support provision at Green Street & Victoria House Temporary Accommodation**

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the contract of support provision at Green Street & Victoria House Temporary Accommodation.

The Cabinet agreed to award of contracts to Simon Community Scotland for lot 1 (Green Street) and Cunninghame Housing Association for lot 2 (Victoria House).

**16. NAC\1103 - Award of a Contract for Housing Support and Children's integration**

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the contract for Housing Support and children's integration.

The Cabinet agreed to award of contract to Barnardo's Scotland.

**17. Award of Contract – Provision of Connell Court Sheltered Housing Unit, Kilbirnie: Proposed Internal and External Alterations**

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the Provision of Connell Court Sheltered Housing Unit, Kilbirnie.

The Cabinet agreed to award of contract to D. McLaughlin and Sons Ltd trading as McLaughlin Construction.

**18. Award of Contract – Council House Build in Dickson Drive, Irvine (Phase 2)**

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for Phase 2 of a Council House build in Dickson Drive, Irvine.

The Cabinet agreed to award of the contract to Ashleigh (Scotland) Limited.

The Meeting ended at 4.05 p.m.



**North Ayrshire Health and Social Care Partnership  
Minute of Integration Joint Board meeting held on  
Thursday 21 June 2018  
at 2.00 p.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 Anthea Dickson, North Ayrshire Council (Substitute for Councillor Larsen)  
Dr Janet McKay, NHS Ayrshire and Arran  
Alistair McKie, NHS Ayrshire and Arran

Stephen Brown, Director of Health and Social Care Partnership  
Laura Friel, Interim Section 95 Officer  
Dr Paul Kerr, Clinical Director  
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  
Marie McWaters, Carers Representative  
Fiona Thomson, Service User Representative  
Nigel Wanless, Independent Sector Representative

**In Attendance**

**North Ayrshire Council**

David Rowland, Head of Service (Health and Community Care)  
Eleanor Currie, Principal Manager (Finance)  
Donna McKee, Head of Service (Children, Families and Justice Services)  
Mark Gallagher, Lead Officer, Alcohol & Drugs Partnership  
Michelle Sutherland, Strategic Planning Lead  
Helen McArthur, Senior Manager, Community Care Services  
Karen Andrews, Team Manager (Governance)  
Angela Little, Committee Services Officer

**NHS Ayrshire and Arran**

Joy Tomlison, Consultant in Public Health Medicine  
Isabel Marr, Senior Manager, Long Term Conditions  
Vicki Campbell, Primary Care Facilitator  
Pamela Milliken, Head of Primary Care & Community Out of Hours Response Service

### **Apologies for Absence**

Councillor Christina Larsen, North Ayrshire Council  
Councillor John Sweeney, North Ayrshire Council  
Dr Martin Cheyne, NHS Ayrshire and Arran  
Dr. Calum Morrison, Acute Services Representative  
Louise McDaid, Staff Representative (North Ayrshire Council)  
Vicki Yuill, Third Sector Representative  
David Donaghey, Staff Representative (NHS Ayrshire and Arran)

### **1. Apologies**

Apologies were noted.

### **2. Declarations of Interest**

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

### **3. Minutes/Action Note**

The accuracy of the Minute of the meeting held on 24 May 2018 was confirmed and the Minute signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973, subject to the following amendment:-

#### **Also in Attendance**

Councillor Anthea Dickson, North Ayrshire Council (*for the presentation on the Health and Social Care Partnership: Challenge fund Projects only*)

#### **3.1 Matters Arising**

**Volunteering Strategy** - it is anticipated the strategy will be circulated for feedback at the end of June. Ongoing action.

Action - V. Yuill

**Public Partnership Forum** - A paper will be brought to the IJB on completion of all ongoing work. Ongoing action.

Action - F. Thomson

**North Ayrshire Citizen's Advice Service** - Some recruitment has been undertaken and further recruitment will take place once funds are released. Ongoing action.

Action - D. Rowland

**Adult Support and Protection** – No update, however a national report will be published on 3 July 2018 and a report will be brought to the August meeting.

Action – B. Walker

#### **4. Annual Governance Statement 2017/18**

Submitted report by Eleanor Currie, Principal Manager (Finance) on the HSCP's Annual Governance Statement for 2017/18 which was attached at Appendix 1 to the report. The Annual Governance Statement, which will be included within the annual accounts, explained how the Partnership complies with the Code of Governance Framework and identified the main components of the Corporate Governance Framework in place, including the systems of internal control.

Nigel Wanless advised that that had been no change to the Third and Independent Sector Representative following the Local Government Election in May 2017 and a correction was therefore required to Appendix 1 (Page 3 – Governance Development)

The Board agreed to approve the Annual Governance Statement as outlined in Appendix 1 to the report, subject to the correction in respect of the Third and Independent Sector Representative.

#### **5. 2017/18 Financial Performance Update as at 31 March 2018**

Submitted report by Eleanor Currie, Principal Manager (Finance) which provided an overview of (a) the IJB's unaudited Annual Accounts for the year to 31 March 2018; (b) the IJB's financial performance for the year; and (c) how the 2017/18 out-turn impacts on the IJB's overall financial position. The Annual Accounts were attached at Appendix A to the report. Appendix B provided the detailed year-end financial position and the 2017/18 Savings Tracker was outlined at Appendix C. Appendix D presented the Change Programme Integrated Care Fund area of spend, with details of the budget reconciliation provided at Appendix E.

The Board was advised that Page 17 of the Annual Accounts would be amended to reflect there had been no change to the Third and Independent Sector Representative.

Members were also advised of the appointment of Caroline Whyte to the post of Chief Finance and Transformation Officer for the IJB. Caroline will take up her post on 16 July 2018.

The Board agreed to (a) approve, subject to audit and amendment to Page 17 as outlined above, the IJB's Annual Accounts for 2017/18; and (b) note (i) that Deloitte plan to complete their audit of the Accounts by early September 2018 and present their annual audit report to the IJB on 13 September 2018; (ii) the unaudited position of £2.562m overspent; and (iii) that the cumulative deficit of £5.807m will be carried forward and will require the IJB to agree a recovery plan.



## **6. Director's Report**

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

The report highlighted works underway in the following areas:-

- The annual NHS Scotland Event held on 18 and 19 June 2018;
- That first birthday of Veterans 1st Point;
- Recent appointments to the Partnership to the posts of Senior Manager (Universal Early Years) and Chief Finance and Transformation Officer;
- The "What Matters To You Day?" held on 6 June 2018;
- Progress in terms of the new National Secure Adolescent In-Patient Service
- Additional Support Needs Resource developments;
- Priorities for the Change Programme for 2018/19;
- Carers Week from 11-17 June 2018;
- The opening of a new Parent and Baby Café in Kilwinning on 31 May 2018;
- A recent production by Funky Films on the impact of peer mentoring; and
- The partnership work by NAC libraries, Anam Cara and Garnock Men's Shed.

The IJB noted (a) the ongoing developments within the North Ayrshire Health and Social Care Partnership; and (b) that North Ayrshire HSCP had been well represented and received at the NHS Scotland Event in June 2018.

## **7. IJB Set Aside Arrangements**

Submitted report by Shahid Hanif, Interim Chief Finance and Transformation Officer on progress made to date in implementing the statutory guidance on establishing set aside arrangements with NHS Ayrshire and Arran. The request from the Scottish Government Finance Development Group (FDG) on what progress had been made in implementing the guidance was detailed at Appendix A to the report. Appendix B detailed the collective response from North, South and East IJBs and NHS Ayrshire and Arran on progress to date which was submitted to the Scottish Government on 18 May 2018.

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

- Further information on the national position and on the impact on other elements of Acute Services that may be provided by the Scottish Government following the submission of information from all HSCPs;
- The Strategic Planning Group that meets every 2 months and will include the new Chief Finance and Transformation Officer;
- The Unscheduled Care Group for the Crosshouse site that manages hospital stays in order to minimise these; and
- Use of the Ministerial Steering Group's (MSG) performance indicators and the MSG trajectories by all three Ayrshire Partnerships to reduce the use of unscheduled bed days and make progress on delayed discharges.

The Board agreed to (a) note the response issued to the Scottish Government Finance Development Group outlining progress in implementing statutory guidance on establishing set aside arrangements with NHS Ayrshire and Arran, which was set out in Appendix B to the report; and (b) homologate the submission to the Scottish Government.

## **8. Preventing Drug Related Deaths: A Framework for Ayrshire and Arran**

Submitted report by Joy Tomlinson, Interim Director of Public Health highlighting concern about the number of drug related deaths across Ayrshire and Arran in 2016. The Strategic Framework, attached at Appendix 1, described the principles the Alcohol and Drug Partnership will use to reduce drug related deaths and set out the overarching response of the three Alcohol and Drug Partnerships in Ayrshire. Appendix 2 provided information on the patterns of drug related hospital stays.

Members asked questions and were provided with information on the use of a template for the recording of data in respect of drug related deaths that will assist in ensuring consistency of information and identification of patterns.

The Board agreed to (a) note (i) the increase in drug related deaths across Ayrshire and Arran in 2016 and the underlying reasons contributing to this; and (ii) that the Chairs of the Alcohol and Drug Partnerships have agreed the Strategic Framework which is being presented to North, South and East Integration Joint Boards; (b) endorse the new Strategic Framework: Preventing Drug Related Deaths, which sets out the overarching response of the three Alcohol and Drug Partnerships in Ayrshire; (c) receive further annual updates on progress within the action plans from the Alcohol and Drug Partnership; and (d) commend the work of the Alcohol and Drug Partnership in Ayrshire.

## **9. Strategic Planning, Commissioning and Delivery of Health and Social Care Services within Ayrshire and Arran**

Submitted report by Stephen Brown, Director (NAHSCP) on (a) the 2017 review of arrangements for planning, commissioning and delivery of health and social care services in Ayrshire and Arran; and (b) proposals to (i) address the findings from the Review in respect of lead partnership arrangements; (ii) agree the next steps in respect of Fair Share commissioning; and (iii) future development in respect of "Directions" as the Model provided by the Public Bodies (Joint Working)(Scotland) Act for IJBs to commission services from the Council and NHS Board.

Members asked questions and were provided with information on the devolvment of budget and management of Senior Managers AHP to Partnerships for service delivery within Partnerships, in line with other delegated services.

The Board agreed to (a) note (i) the summary of findings from the first stage of the review of the North Ayrshire Integration Scheme; (ii) that the report will be considered by NHS Ayrshire and Arran Board meeting on 25 June 2018; (iii) that a similar report will be presented to East and South Ayrshire Councils on 28 June 2018; and (iv) that reports were considered and approved by East Ayrshire Integration Joint Board on 13 June 2018; and (b) agree the proposals for (i) the transfer of management arrangements for community AHP services; (ii) the implementation of the model to align financial and usage in Pan Ayrshire Mental Health Services; and (iii) the alignment of the management of the Pan Ayrshire Family Nurse Practitioner Services with lead professional partnership with South Ayrshire HSCP.

## **10. Arran Services Integrated Hub**

Submitted report by Ruth Betley, Senior Manager Arran Services on the development of an Arran Services Integrated Hub as a central requirement in the transformational change of care delivery. The draft accommodation schedule and the Strategic Assessment were detailed at Appendices 1 and 2 to the report respectively. Appendix 3 provided information on Members of the Steering Group and Appendix 4 outlined and illustrated the governance arrangements in place.

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

- The establishment of a Project Steering Group to examine a number of areas, including capital projects for GP practices on Arran and the mainland;
- A commitment by the Scottish Government to the provision of 4G for Arran and the opportunities to use technology where possible that will be taken;
- Usage data over the past year that informed the specification for the capacity of the new hub building;
- Costs of £50,000 that will not be funded by the IJB; and
- Involvement of the Third and Independent sector in the review of Arran services.

The Board agreed (a) to approve the Strategic Assessment for an Arran Integrated Hub as detailed at Appendix 2 to the report; and (b) that a report be provided to IJB on the full Initial Assessment in February 2019.

## **11. Carer (Scotland) Act 2016 – Eligibility, Assessment and Waiving of Charges**

Submitted report by Kimberley Mroz, Team Manager (Self Directed Support/Unpaid Carers) on the proposed eligibility criteria to meet duties under the Carer (Scotland) Act 2016. The North Ayrshire Carer's Eligibility criteria and Support Plan were detailed at Appendices 1 and 2 to the report respectively. Appendix 3 outlined the proposal on Waiving of Charges for all carers.

The Board agreed (a) the North Ayrshire Carer's Eligibility criteria and Support Plan as outlined in Appendices 1 and 2 to the report; and (b) the Waiving of Charges, as detailed in Appendix 3.

## **12. Mental Welfare Commission for Scotland: Report on the Right to Advocacy**

Submitted report by Thelma Bowers, Head of Service, Mental Health, on the proposed local response to the recommendations made within the Mental Welfare Commission for Scotland's report on the right to Advocacy.

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

- A request to South and East HSCPs for their views on the development of strategic advocacy plans on a pan Ayrshire basis;
- Rights for advocacy for carers; and
- Further consultation with people who use, or may require, advocacy to understand the need for advocacy within North Ayrshire.

The Board agreed to (a) note the findings detailed in the report by the Mental Welfare Commission; and (b) approve the proposed actions, including the preparation of a Strategic Advocacy Plan, in collaboration with partner organisations.

Councillor Billings left the meeting at this point.

### **13. Primary Care Improvement Plan: Implementation of new 2018 General Medical Contract**

Submit report by Vicki Campbell, Programme Manager for Primary Care Transformation on (a) the requirements set out in the Memorandum of Understanding for implementing the new General Medical Services (GMS) Contract, set out in Appendix 1 to the report; and (b) the draft Primary Care Improvement Plan (PCIP), outlined at Appendix 2.

Members asked questions and were provided with information on the total allocation and split across the three Ayrshire IJBs of the Primary Care Improvement Fund, allocated on an NHSScotland Allocation Resource Committee (NRAC) basis through Health Boards to IJBs

The Board agreed (a) the requirements and responsibilities set out in the Memorandum of Understanding between the Scottish Government, British Medical Association, Integration Authorities and the NHS Board for implementing the new General Medical Services Contract; and (b) to approve the content, actions and financial spend set out in the Primary Care Implementation Plan for implementing the new GMS contract before 2021.

### **14. Award of Framework Contracts for the Provision of Care at Home Services**

Submitted report by Helen McArthur, Senior Manager, Community Carer Services on the procurement exercise for the Framework Contracts for the Provision of Care at Home Services that awarded contracts to (a) Inverclyde and North Ayrshire Care Services trading as Carewatch; (b) Mears Care; (c) Rainbow Services (UK) Ltd; (d) Ayrshire Quality Care and Support, Community Interest Company (CIC); and (e) First Homecare. The contracts are for a period of 2 years with the option to extend for up to a further two 12 month periods.

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

- Two new Care at Home providers to North Ayrshire who have started recruitment for staff; and
- The value of the framework for a two year period, with the option to extend for up to a further two, 12 month periods.

Noted.

## **15. Chair of Kilwinning Locality Forum**

Submitted report by Stephen Brown, Director (NAHSCP) on (a) a review of the current Locality Partnership Forum (LPF) arrangements, following the resignation of the Chair of the Kilwinning Locality Forum; (b) the new Terms of Reference for LPFs that will be presented to the Strategic Planning Group and LPF Chairs and then to the IJB in the autumn and (c) an invitation to the Kilwinning LPF to nominate a lead member to act as the interim Chair of the LPF and non-voting member of the IJB.

The Board agreed to (a) note the resignation of the current Chair; and (b) invite the Kilwinning LPF to nominate an interim Chair, who will attend future IJB meetings.

The meeting ended at 4.05 p.m.

**Police and Fire and Rescue Committee**  
**21 August 2018**

**Present**

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

**In Attendance**

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

**Also In Attendance**

Chief Superintendent P. Main and Chief Inspector B. Shaw (Police Scotland); Area Manager J. Scott and Station Managers R. Fallon and K. Murphy (Scottish Fire and Rescue Service); and Eleanor Gaw, Community Accountability Manager (Scottish Police Authority).

**Chair**

Councillor Donald L. Reid in the Chair.

**Apologies**

Group Manager K. Hankinson.

**1. Chair's Remarks**

The Chair took the opportunity to welcome Station Managers Raymond Fallon and Kevin Murphy to the meeting and also Eleanor Gaw from the Scottish Police Authority.

**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 Ordinary Meeting of the Committee held on 15 May 2018 was confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**4. Chair and Vice Chair Verbal Updates**

The Chair provided a brief verbal report, intimating his thanks to Area Manager Jim Scott for the opportunity for Members to view the new rapid response unit vehicle which will be housed on Arran and his hope that the new unit would work well for the retained firefighters on the Island.

The Chair also reported on the appointment of Iain Livingstone as Chief Constable for Scotland and advised that a letter would be issued expressing the best wishes of the Committee.

The Chair concluded his report by commenting on the Annual Police Awards which took place in Ayr on 28 June, acknowledging the individual and team awards gained by officers across Ayrshire, and advised that Karyn McClusky of Community Justice Scotland would make a presentation to the meeting of the Committee to be held on 20 November 2018.

The Vice Chair had no update for this meeting, but commented on the recent baseball bat attack in Kilwinning.

The Committee agreed (a) that the Clerk make the necessary arrangements to issue a letter to the new Chief Constable for Scotland expressing the best wishes of the Committee; and (b) to note the update provided.

### **5.1. Performance Report: Scottish Fire and Rescue Service**

Submitted report by the Scottish Fire and Rescue Service which provided an update for quarter 1 on 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 30 June 2018 was set out in Appendix 1 to the report.

The report identified a 3% decrease in activity levels across North Ayrshire compared with the corresponding period in 2017, and a 9% increase in terms of the preceding three year average. False alarms accounted for 46.4% of all activity within North Ayrshire, with fire related activity and special service activity accounting for 43.4% and 10.2%, respectively. Review of performance against the six agreed performance indicators noted that four indicators were above the three year average due to a rise in activity, one had seen a reduction in the respective three year average of more than 5%, one indicator remained unchanged over the three year rolling average and four indicators have seen an increase in activity levels.

The Audit Scotland report from a follow-up inspection of the Scottish Fire and Rescue Service was attached at Appendix 2 to the report. Findings reported the need for modernisation of the Service to reflect the different risks faced by Scotland's population and to tackle the inherited capital backlog of £389m required to maintain and invest in property, vehicles and equipment.

The report also provided an update in terms of (i) the retirement of Chief Officer Hay in March 2019 and the process to appoint his successor; (ii) the Fire Board succession planning arrangements; and (iii) trainee firefighter programmes and staff resilience.

Area Manager Jim Scott also reported verbally on:-

- ward based activity data which was now provided within the performance report;
- comparator information on where North Ayrshire sits in relation to East and South Ayrshire;
- a letter from the Director of Prevention and Protection to Council Chief Executives and NHS premises around unwanted fire alarm signals, a copy of which was available for the Committee's information; and

- the confirmation of a full time rural firefighting post for North Ayrshire which should see the Garnock Valley as the principal location for the successful applicant, while retaining the flexibility to be utilised where needed.

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

- an explanation on the meaning of unwanted fire alarm signals;
- continuing efforts with partners and local councillors to tackle the issue of deliberate fires;
- reasons for the high instances of deliberate fire setting within the Stevenston area;
- the number of females who have passed out this year, information on which would be provided to the Clerk for Members of the Committee;
- the level of counselling and support services provided within the Fire Service;
- the activity levels at Dreghorn retained station being attributable to its status as a whole time appliance station;
- methods for assessing risk in terms of home safety fire visits;
- the anticipation of no capital investment changes for North Ayrshire arising from the inherited capital backlog of £389m;
- effective working with Police Scotland and the Scottish Ambulance Service;
- measures to ensure the workforce have the right skills and capacity to deliver the transformation programme;
- the possibility of a national performance management system for the whole of Scotland allowing for more tailored reports based on locality rather than electoral wards; and
- whether statistics for Ardrossan and Arran could be further broken down.

The Committee agreed that (a) Area Manager Scott provide to the Clerk (i) a copy of the Director of Prevention and Protection's letter to Council Chief Executives and NHS premises around unwanted fire alarm signals and (ii) information on the number of females who passed out this year; and (b) that the Clerk then circulate the information in question to Members of the Committee.

## **5.2 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 2017 to 31 July 2018.

The report provided details of North Ayrshire's positive performance over the course of 2017/18, including a reduction of 2.3% in terms of total crime. Contextual information was provided in respect of domestic abuse incidents which are now nearer to the Scottish average, reporting of hate crime, violence, disorder and antisocial behaviour where 40% of robberies are carried out by friends or acquaintances, serious organised crime, protecting people at risk from harm, road safety and road crime, public confidence and house breakings.

Members were advised of the success of the recent visit to the local area by President Trump, which represented a challenging operation for Police Scotland at a time when



major sporting events were also taking place. Members commented on the professionalism and courtesy of the local Police when dealing with the visit.

Chief Superintendent Paul Main also reported verbally on:-

- the commitment to provide a more detailed breakdown around hate crime for all Ayrshire Local Authorities;
- differences around common and serious assaults;
- the reduction in drug supply cases from the same period last year;
- future reports to Committee outlining successes in terms of the volume of drugs and cash seized and court sentences;
- the increase in drink and drug driving across North Ayrshire and more publicity around speeding activity;
- campus officers in place for the start of the new school year;
- staffing changes within the local service, including the retiral of Chief Inspector John Hogg in October 2018; and
- forthcoming community events.

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

- Scottish Government data to be provided in October/November around domestic abuse incidents which will update the graph provided to the next meeting;
- how the Syrian refugees are integrating within local communities;
- the recent Safer Shores operation which engaged with British Transport Police in terms of young people visiting the local areas of Troon and Irvine;
- the congregation of youths in the Kerelaw area;
- community policing work with charities and partners and integration with local communities; and
- information on the carriage and use of tasers.

Noted.

The meeting ended at 3.50 p.m.

**Licensing Committee  
22 August 2018**

At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

**Present**

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

**In Attendance**

E. Anderson, Private Sector Team Manager and G. Tolmie Policy Officer (Private Sector) (Place); W. O'Brien, Solicitor, (Licensing), S. Montgomery, Solicitor, C. Pollock, Licensing Administration Officer, A. Toal, Administrative Assistant (Legal Services), D. Robertson, Enforcement Officer and A. Little, Committee Services Officer (Chief Executive's Service).

**Chair**

Councillor McNicol in the Chair.

**Apologies**

John Easdale and Angela Stephen.

**1. Declarations of Interest**

In terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors, Councillor Ferguson declared an indirect non-pecuniary interest in Hearing 7 Newton Leisure Ltd, the circumstances being that the applicant was personally known to him, and left the meeting for that item of business.

Councillor McTiernan declared an indirect, non-pecuniary interest in Agenda Item 6, Landlord Registration, the circumstances being that the landlord was personally known to her, and left the meeting for that item of business.

**2. Minutes**

The Minutes of the meeting of the Committee held on 6 June 2018 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973, subject to the following amendment:-

Item 4 – Exclusion of the Public – the word Section should read Schedule.

### **3. Licensing of Taxis: List of Designated Taxis**

Submitted report by the Chief Executive on the process of adoption of a List of Designated Taxis, which would require any driver of a vehicle on the list to have duties to disabled passengers who use wheelchairs. A Medical Exemption Certificate is required to exempt taxi drivers from carrying out the duties to disabled passengers who use wheelchairs. A draft list of wheelchair accessible taxis was attached as an appendix to the report.

Mr Reid, a driver of a wheelchair accessible taxi was in attendance and made representations in respect of safety issues. Mr. Reid told the Committee that he would usually comply with the 'wheelchair duties' imposed on drivers by Section 165, but in the particular circumstances of a prospective passenger he was unable to do so safely. The Solicitor (Licensing) drew the Committee's attention to the potential defence created by Section 165(9) available to drivers prosecuted for alleged breach of the statutory offence, and advised Mr. Reid of this.

The Committee considered Mr. Reid's representation but did not determine that it was appropriate to exclude the Taxi in question from the List, given that its inclusion was otherwise appropriate since the vehicle met the "Accessibility requirements" referred to in Section 167(5). The Committee was satisfied that the concern raised by Mr. Reid was sufficiently addressed by the possibility that the statutory defence created by Section 165(9) might be available to drivers who faced being prosecuted for alleged commission of the Section 165(7) offence.

The Committee (a) agreed to adopt a List of Designated Taxis for the purposes of Section 165 to 167 of the Equality Act 2010, and (b) directed that the Solicitor (Licensing) (i) publish the List on the Council website, with a summary of the relevant Law; and (ii) provide Mr. Reid with a summary of the statutory defence created by Section 165(9).

### **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 3 (Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters) and Agenda Item 5 (Landlord Registration under the Antisocial Behaviour, etc (Scotland) Act 2004, Part 8), on the grounds that they involved the likely disclosure of exempt information as defined in Section 50J of, and Schedule 7A to, the Local Government Act 1973, Paragraphs, 3, 6, 14 and 15.

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

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

## **PART A: Hearings**

### **5.1 Public Entertainment Licence PEL/067 (Variation) North Ayrshire Council Education Services**

The licence holder has applied for a temporary variation of the licence in respect of the Volunteer Rooms, High Street, Irvine to allow an extension by an extra one hour on Marymass Saturday, 25 August 2018 until 2.00 a.m.

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

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

#### **Decision**

The Committee agreed to (a) grant the application; and (b) authorise the Solicitor (Licensing) to determine under delegated powers any future variation applications relating to the Volunteer Rooms, High Street, Irvine where these were intended to affect a licensed period starting on Marymass Saturday and where the proposal was to extend this to any time up to 2.00 a.m. the next day. The Committee confirmed to the applicant that notwithstanding this delegation an Application for Variation would still have to be lodged in the usual way each year.

### **5.2 Public Entertainment Licence PEL/548 (Temp): North Ayrshire Council Education Services**

An application for a temporary Public Entertainment Licence has been received for Williamsfield, Irvine for 22 – 25 August 2018 (Wednesday and Thursday 6.00 p.m. – 10.00 p.m., Friday 6.00 p.m. – 10.15 p.m. and Saturday noon – 10.15 p.m.).

The applicant, having been duly cited to attend, was present at the hearing and accompanied.

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

#### **Decision**

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

### **5.3 Taxi Driver's Licence: TDL/01539 (Renewal) Gordon McKenzie**

The Committee at its meeting held on 6 June 2018 agreed on the basis of the information presented, to proceed to a hearing in terms of Paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

The licence holder, having been duly cited to attend, was present at the hearing and accompanied.

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

#### **Decision**

The Committee unanimously agreed (a) to grant the application subject to the Council's standard conditions in terms of Paragraph 5 (1) (a) of Schedule 1 of the Civic Government (Scotland) Act 1982; and (b) that the licence holder advise the Licensing Office if a scheduled medical examination to take place later that week led to an unfavourable report.

### **5.4 Public Charitable Collection: Hugh O'Brien (Soldiers Off the Street)**

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

The Solicitor (Licensing) set out the background to the application for a Public Charitable Collection permission on 1, 2, 8 and 9 September 2018 in Largs.

Members asked questions and received clarification from the applicant in respect of the area for the collection being the Gallowgate area of Largs.

#### **Decision**

The Committee unanimously agreed to grant the application in terms of Section 119(5) of the Civic Government (Scotland) Act 1982 subject to (a) the Council's Standard Conditions; and (b) a special condition under Section 119(5)(b) specifying Gallowgate Street in Largs as the area within which the collection was to take place.

### **5.5 Public Charitable Collection: Patrick Murphy (Royal British Legion)**

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

The Solicitor (Licensing) set out the background to the application for a Public Charitable Collection permission on 1, 2, 8 and 9 September 2018 in Largs.

Members asked questions and received clarification from the applicant in relation to the area for the collection being the market area of the festival in Largs.

## **Decision**

The Committee unanimously agreed to grant the application in terms of Section 119(5) of the Civic Government (Scotland) Act 1982 subject to (a) the Council's Standard Conditions; and (b) a special condition under Section 119(5)(b) specifying the market area of the festival in Largs as the area within which the collection was to take place.

### **5.6 Public Charitable Collection: Sheila Gillan (Asthma U.K. Scotland)**

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

The Solicitor (Licensing) set out the background to the application for a Public Charitable Collection on 1 and 8 September 2018 in Largs.

Members asked questions and received clarification in relation to the area for the collection being the Main Street in Largs.

## **Decision**

The Committee unanimously agreed to grant the application in terms of Section 119(5) of the Civic Government (Scotland) Act 1982 subject to (a) the Council's Standard Conditions; and (b) a special condition under Section 119(5)(b) specifying the Main Street in Largs as the area within which the collection was to take place.

### **5.7 Street Trader Operator STL/O/482 (Temp): Newton Leisure Ltd**

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

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

## **Decision**

The Committee unanimously agreed to grant the application in terms of Schedule 5 (1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982, subject to the relevant permissions being agreed with Physical Environment Services in respect of the location of the vehicle in Millport.

Councillor D L Reid left the meeting at this point.

### **5.8 Street Trader Operator STL/O/455: James Taberner**

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

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

## **Decision**

The Committee unanimously agreed to continue the application to the next meeting to allow the Solicitor (Licensing) to consult with Physical Environment Services in respect of the site on Millport.

### **5.9 Late Hours Catering Licence LHCL/129: Parminder Singh**

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

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

## **Decision**

The Committee unanimously agreed to continue the application to the next meeting to allow for further information to be provided by Environmental Health.

In terms of Standing Order 5.7, the Chair adjourned the meeting for a short recess at 11.15 a.m. The meeting reconvened at 11.25 a.m. with the same Members and officers present and in attendance.

## **Part B: Applications for Licences/Renewal of Licences**

### **5.10 MDL/063 (New) (Itinerant): Blair Skipper**

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

### **5.11 SPTL/046 (New): Louise Walker**

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.

### **5.12 SHDL/199 (New): William Neill**

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.

### **5.13 TDL/00314 (Renewal): James McCallum**

The Committee unanimously agreed to grant the application in terms of Schedule 5 (1)(a) of Schedule 1 to the Civic Government (Scotland) Act 1982 for a period of three years subject to (a) the Council's Standard Conditions; and (b) the Special Condition: within 14 days after the Licence-Holder's 70th birthday, and within 14 days of each later birthday, then he/she must give the Licensing Office evidence that he/she continues to have a driving entitlement under an 'ordinary' Driving Licence granted by DVLA.

### **5.14 TDL/00365 (Renewal): Robert Thallon**

The Committee unanimously agreed to grant the application in terms of Schedule 5 (1)(a) of Schedule 1 to the Civic Government (Scotland) Act 1982 for a period of three years subject to (a) the Council's Standard Conditions; and (b) the Special Condition: within 14 days after the Licence-Holder's 70th birthday, and within 14 days of each later birthday, then he/she must give the Licensing Office evidence that he/she continues to have a driving entitlement under an 'ordinary' Driving Licence granted by DVLA.

### **5.15 TDL/02105 (New) Brian Spiers**

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.

### **5.16 TDL/02110 (New): Derek Murdoch**

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.

### **5.17 TDL/02114 (New): Andrew Dysart**

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;

### **5.18 TDL/02125 (New): John Murphy**

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.



#### **5.19 TL/125 (Renewal): Claire and Anton Docherty**

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.

#### **5.20 TL/159 (Renewal): John Bruce Snr and John Bruce Jnr**

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;

#### **5.21 TL/407 (Renewal): Angela Murray and Julie Whiteman and Catherine Wilkie**

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;

#### **5.22 TL/422 (New): Russell Drummond**

The Committee, being satisfied that the particular circumstances of the application merited an exception to be made to the Taxi Numbers Limitation Policy adopted under Section 10(3) of the Civic Government (Scotland) Act 1982, (a) determined in principle that the application should be granted; and (b) unanimously agreed to delegate authority 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, provided that the applicant proposed a vehicle which complied with the requirements of Section 10(2) as to suitability, safety and insurance.

#### **5.23 TL/423 (New): Alexander Davidson**

The Committee, being satisfied that the particular circumstances of the application merited an exception to be made to the Taxi Numbers Limitation Policy adopted under Section 10(3) of the Civic Government (Scotland) Act 1982, (a) determined in principle that the application should be granted; and (b) unanimously agreed to delegate authority 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, provided that the applicant proposed a vehicle which complied with the requirements of Section 10(2) as to suitability, safety and insurance.

**Part C: Preliminary consideration of matters arising possible revocation or suspension complaint (Civic Government (Scotland) Act 1982, Schedule 1, Paragraph 11)**

**5.24 J.C.**

The Committee heard from the Enforcement Officer regarding a breach of the Dress Code condition of the Taxi Driver's Licence.

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

**5.25 A.J.**

The Committee heard from the Enforcement Officer regarding a breach of the Dress Code and Smoking conditions of the Taxi Driver's Licence.

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

**5.26 C.B.**

The Committee heard from the Enforcement Officer regarding a breach of the Dress Code condition of the Taxi Driver's Licence and failure to allow an authorized inspection of the vehicle.

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

**5.27 S.R.**

The Committee heard from the Enforcement Officer regarding a breach of the Dress Code condition of the Taxi Driver's Licence.

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

**5.28 S.R.**

The Committee heard from the Enforcement Officer regarding a breach of vehicle specification (full wrap on all windows except the front driver and passenger window).

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

Councillor D L Reid rejoined the meeting.

## **5.29 G.L.**

The Solicitor (Licensing) advised the Committee of a complaint made relating to taxi driver G.L. and that the circumstances have been reported to Police Scotland.

The Committee unanimously agreed to continue to a future meeting to allow Police Scotland to conclude their enquiries.

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

Submitted report by the Chief Executive on Landlord Registration matters.

### **6.1 Mr and Mrs S**

The Registered Landlord, having been cited to attend, was present and accompanied by his property manager.

The Solicitor (Licensing) advised on information received in respect of the registered landlord which raised the question of whether or not his registration should be removed.

The Team Manager (Private Sector Housing) and Policy Officer (Private Sector) then addressed the Committee on the terms of a report on the condition of a tenanted property owned by the landlord. Thereafter the landlord addressed the Committee on the issues raised and responded to questions.

Both parties then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

### **Decision**

Councillor Barr, seconded by Councillor Reid moved to continue consideration of this matter to the meeting on 24 October 2018 to allow the landlord a further opportunity to provide to the Private Sector Housing Team evidence confirming all necessary work had been completed to the satisfaction of all legal standards. There being no amendment, the motion was declared carried.

### **6.2 A. M.**

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

The applicant had previously been registered but his registration was removed in 2018 due to failures in the legal duties applying to Landlords, and at the time the Committee had issued Notices under Section 94 (commonly known as 'Rent Penalty Notices') on several of the Landlord's houses. He was now seeking a grant of Landlord Registration, his application related to 7 houses, and the removal of the Rent Penalty Notices over those houses.

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 Team Manager (Private Sector Housing) and Policy Officers (Private Sector) then addressed the Committee on the terms of a report on the condition of a number of tenanted properties owned by the applicant. Thereafter the applicant addressed the Committee on the issues raised and responded to questions.

Both parties then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

### **Decision**

Councillor Barr seconded by Councillor Gallagher, moved the Committee (a) to grant the Application for Landlord Registration; (b) to revoke the Rent Penalty Notices for six of the seven houses; and (c) to continue consideration of the Application to recall the seventh Rent Penalty Notice to allow the Anti-Social Behaviour Team to further investigate the allegations relating to the tenant of this property and report their findings to a future meeting of the Committee. There being no amendment, the motion was declared carried.

The meeting ended at 1.15 p.m.

Staffing and Recruitment Committee  
24 August 2018

**Present**

Joe Cullinane, John Bell, Marie Burns and Alan Hill.

**In Attendance**

E. Murray, Chief Executive; L. Friel, Executive Director, M. Boyd, Head of Finance, F. Walker, Head of Service People and Transformation) (Finance and Corporate Support); A. Fraser, Head of Service (Democratic Services) and H. Clancy, Committee Services Officer (Chief Executives).

**Chair**

Councillor Cullinane in the Chair.

**1. Declarations of Interest**

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

**2. Minutes**

The accuracy of the Minutes of the meeting of the Staffing and Recruitment Committee held on 6 April 2018 was confirmed 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. Reshaping the Workforce**

Submitted report by the Executive Director (Finance and Corporate Support) on the financial implications of reshaping the workforce.

The Committee agreed to note the progress to date as detailed in the report.

## **5. Chief Officer Structure**

Submitted report by the Chief Executive on the Chief Officer structure.

The Committee agreed to approve the recommendation as detailed in the reports.

The Meeting ended at 3.05 p.m.

**Planning Committee  
29 August 2018**

**Irvine, 29 August 2018** - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

**Present**

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

**In Attendance**

J. Miller, Senior Manager (Planning) (Economy and Communities); M. Barbour, Solicitor (Legal Services); and E. Gray, Committee Services Officer (Chief Executive's Service).

**Chair**

Councillor Marshall in the Chair.

**Apologies for Absence**

Ian Clarkson and Shaun Macaulay

**1. Declarations of Interest**

In terms of Standing Order 10 and Section 5 of the Code of Conduct, Councillor Billings, as a Council representative on North Ayrshire Leisure Ltd., declared an indirect interest in Agenda Item 4.1 (18/00522/PPM: East Park, Quarry Road, Irvine) and took no part in the decision making process for this item.

**2. Minutes**

The Minutes of the meeting of the Planning Committee held on 23 May 2018 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Isle of Arran**

Submitted reports on the following applications:

**3.1 18/00570/PP: Bay News, Whiting Bay, Brodick, Isle Of Arran**

Tim Hodkinson has applied for a change in use from Class 1 (Retail) to Class 2 (Financial & Professional Services), and the removal of condition 1 of a planning permission (ref. 13/00612/PP) to remove an occupancy restriction of an associated dwelling flat and discharge of the Section 75 Agreement at Bay News, Whiting Bay, Brodick, Isle Of Arran.

The Senior Manager (Planning) outlined the terms of the planning report, including narrating the relevant planning history of the site. On 4 August 2009, the Planning Committee agreed to grant planning permission for alterations to the roof of the shop to form a dwelling flat and the erection of a balcony to the rear (ref. 09/00199/PP), subject to the applicants entering into a Section 75 Agreement to limit the occupation of the dwelling flat to the owner or an employee of the retail premises on the ground floor. On 16 May 2014, the Planning Committee agreed to amend the terms of the Section 75 Agreement and condition 1 of planning permission 09/00199/PP to include use of the 1<sup>st</sup> floor accommodation for holiday letting (ref. 13/00612/PP).

The Committee unanimously agreed to grant the application.

### **3.2 18/00489/PP: Site to The East Of Linevern Silverhill, Whiting Bay, Brodick, Isle Of Arran**

Stuart Heaney has applied for planning permission for road upgrading, the erection of a dwellinghouse and temporary siting of a caravan in the Upper Silverhills area of Whiting Bay. Four letters of objection and three letters of support were received and were detailed in the report.

The Senior Manager (Planning) outlined the terms of the planning report, including narrating that there has been a history of refusals of planning applications for housing development in the Upper Silverhills area, due to concerns over the unsuitability of the road provision in the area.

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

1. That prior to the commencement of the development hereby approved, the developer shall submit for the written approval of North Ayrshire Council as Planning Authority:
  - Full details and/or sample of the proposed external finishes of the buildings;
  - Full details of the proposed boundary enclosures; and
  - Full details of the proposed drainage scheme for the site.

If approved, the development shall thereafter be completed only in accordance with the approved details, to the satisfaction of North Ayrshire Council as Planning Authority.

2. That prior to the commencement of development the developer shall submit for the written approval of North Ayrshire Council as Planning Authority, full details of the proposed upgrading of the access road and turning hammerhead, as outlined on plan 1704/02-Rev F, hereby approved. For the avoidance of doubt the access road shall be upgraded to an adoptable standard to the satisfaction of North Ayrshire Council as Planning Authority. The access road upgrade shall be completed, prior to the commencement of the development of the dwellinghouse, hereby approved, to the satisfaction of North Ayrshire Council as Planning Authority, unless otherwise agreed in writing, by North Ayrshire Council as Planning Authority.



3. That the first 2 metres of the driveway access shall be hard surfaced in order to prevent loose material being carried onto the carriageway and shall be designed in such a way that no surface water shall issue from the access onto the carriageway, all to the satisfaction of North Ayrshire Council as planning authority.
4. That notwithstanding the details within the approved plans the proposed residential caravan is temporary and shall be removed from the application site by 28th August 2020 or on first occupation of the dwellinghouse hereby approved, whichever occurs first, all to the satisfaction of North Ayrshire Council as planning authority. Details of the resiting of the caravan shall be submitted for the approval in writing of North Ayrshire Council as planning authority.

### **3.3 18/00542/PP: Plot 3, Greenhill Torbeg, Blackwaterfoot, Brodick, Isle Of Arran**

Ms Janet Murchie has applied for planning permission for the erection of a house on a site known as Plot 3 Greenhill in Torbeg, north of Blackwaterfoot. Five letters of objection and 20 letters of support were received and were detailed in the report.

The Senior Manager (Planning) provided details of a representation which had been received following the publication of the agenda and a copy was circulated to Members. This representation highlighted concerns regarding the requirements for a visibility splay to the north of the site, use of the current septic tank and the impact of the development on the skyline.

The Senior Manager (Planning) outlined the terms of the planning report, including narrating the responses detailed in the report, some of which raised similar concerns to the most recent representations.

The Committee was informed of a letter received from the applicant's solicitor advising that the existing north visibility splay is owned by all five plots on a pro-indiviso basis as is the existing access road; meaning that each plot owner owns an equal share in the property which can be sold but which cannot be divided physically. These rights being set out in a Deed of Conditions granted in 1996 and include the following burdens:-

- 1 a condition that all buildings must be drained and sewered via one septic tank;
- 2 a right of an outflow pipe for the 5 plots' septic tank; and
- 3 the right to build 5 houses.

The Senior Manager (Planning) highlighted an amendment to the second recommended condition which should read:-

*“That the private road, as detailed on the approved plan 1807/11 to include a passing place and visibility splays of 2.5m by 90m in both directions at the junction with the public road, shall be upgraded to adoptable standard prior to the commencement of the development hereby approved, to the satisfaction of North Ayrshire Council as planning authority, unless otherwise agreed in writing by the planning authority. A road construction consent shall require to be obtained prior to the commencement of the development hereby approved, all to the satisfaction of North Ayrshire Council as planning authority.”*

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

1. That prior to the commencement of the development hereby approved, the developer shall submit for the written approval of North Ayrshire Council as Planning Authority:

- Full details and/or sample of the proposed external finishes of the buildings;
- Full details of the proposed boundary enclosures; and
- Full details of the proposed drainage scheme for the site.

If approved, the development shall thereafter be completed only in accordance with the approved details, all to the satisfaction of North Ayrshire Council as Planning Authority.

2. That the private road, as detailed on the approved plan 1807/11 to include a passing place and visibility splays of 2.5m by 90m in both directions at the junction with the public road, shall be upgraded to adoptable standard prior to the commencement of the development hereby approved, to the satisfaction of North Ayrshire Council as planning authority, unless otherwise agreed in writing by the planning authority. A road construction consent shall require to be obtained prior to the commencement of the development hereby approved, all to the satisfaction of North Ayrshire Council as planning authority.
3. That the first 2 metres of the driveway access shall be hard surfaced in order to prevent loose material being carried onto the carriageway and shall be designed in such a way that no surface water shall issue from the access onto the carriageway, all to the satisfaction of North Ayrshire Council as planning authority.
4. That, for the avoidance of doubt, the detached garage hereby approved shall be used for domestic purposes incidental to the enjoyment of the associated dwellinghouse only and for no other purpose.

### **3.4 18/00541/PP: Plot 5, Greenhill Torbeg, Blackwaterfoot, Brodick, Isle Of Arran**

Mr Donald Murchie applied for planning permission for the erection of a house on Plot 5 Greenhill in Torbeg, north of Blackwaterfoot. Five letters of objection and 20 letters of support were received and were detailed in the report.

The Senior Manager (Planning) provided details of a representation which had been received following the publication of the agenda and a copy was circulated to Members. This representation highlighted concerns regarding the requirements for a visibility splay to the north of the site, use of the current septic tank and the impact of the development on the skyline.

The Senior Manager (Planning) outlined the terms of the planning report, including narrating the responses detailed in the report some of which raised similar concerns to the most recent representations and consideration of these representations.

The Committee were informed of a letter received from the applicant's solicitor advising that the existing north visibility splay is owned by all five plots on a pro-indiviso basis as is the existing access road; meaning that each plot owner owns an equal share in the property which can be sold but which cannot be divided physically. These rights being set out in a Deed of Conditions granted in 1996 and include the following burdens:-

- 1 a condition that all buildings must be drained and sewered via one septic tank;
- 2 a right of an outflow pipe for the 5 plots' septic tank; and
- 3 the right to build 5 houses.

The Senior Manager (Planning) highlighted an amendment to the second recommended condition which should read:-

*“That the private road, as detailed on the approved plan 1807/11 to include a passing place and visibility splays of 2.5m by 90m in both directions at the junction with the public road, shall be upgraded to adoptable standard prior to the commencement of the development hereby approved, to the satisfaction of North Ayrshire Council as planning authority, unless otherwise agreed in writing by the planning authority. A road construction consent shall require to be obtained prior to the commencement of the development hereby approved, all to the satisfaction of North Ayrshire Council as planning authority.”*

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

1. That prior to the commencement of the development hereby approved, the developer shall submit for the written approval of North Ayrshire Council as Planning Authority:
  - Full details and/or sample of the proposed external finishes of the buildings;
  - Full details of the proposed boundary enclosures; and
  - Full details of the proposed drainage scheme for the site.

If approved, the development shall thereafter be completed only in accordance with the approved details, all to the satisfaction of North Ayrshire Council as Planning Authority.

2. That the private road, as detailed on the approved plan 1807/11 to include a passing place and visibility splays of 2.5m by 90m in both directions at the junction with the public road, shall be upgraded to adoptable standard prior to the commencement of the development hereby approved, to the satisfaction of North Ayrshire Council as planning authority, unless otherwise agreed in writing by the planning authority. A road construction consent shall require to be obtained prior to the commencement of the development hereby approved, all to the satisfaction of North Ayrshire Council as planning authority.
3. That the first 2 metres of the driveway access shall be hard surfaced in order to prevent loose material being carried onto the carriageway and shall be designed in such a way that no surface water shall issue from the access onto the carriageway, all to the satisfaction of North Ayrshire Council as planning authority.
4. That, for the avoidance of doubt, the detached garage hereby approved shall be used for domestic purposes incidental to the enjoyment of the associated dwellinghouse only and for no other purpose.

#### **4. Irvine**

Submitted reports on the following applications:

##### **4.1 18/00522/PPM: East Park, Quarry Road, Irvine**

Hub SW/North Ayrshire Council has applied for planning permission for the erection of a building to accommodate an indoor artificial pitch, erection of changing rooms (linked to existing building from phase 1); the formation of an external all-weather sports pitch and three tennis courts, to include associated boundary enclosures; the erection of a storage building; the formation of a 750m cycling loop together with associated car parking provision, SuDs and drainage infrastructure and the demolition of an existing workshop building. Two representations were received and were detailed in the report.

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

1. That, for the duration of the land engineering and construction operations hereby approved, an area of ground within the site equivalent to the size of an existing full size grass pitch shall be retained for public use at all times, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority..
2. That, prior to the commencement of any land drainage works hereby approved, confirmation shall be submitted in writing to North Ayrshire Council as Planning Authority and certified by a suitably qualified person that a scheme to treat the surface water arising from the site has been prepared in accordance with the principles and practices contained in 'The SuDS Manual' (CIRIA report C753, published November 2015), and that the site would be drained in accordance with the details contained in the submitted Flood Risk Assessment, Drainage Strategy and Landscaping Proposals. Thereafter, the

certified scheme shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

3. That, prior to commencing the construction of the buildings hereby approved, the applicant/agent shall submit for the written approval of North Ayrshire Council as Planning Authority a detailed schedule of the proposed external finishes to be used.
4. That the presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of Environmental Health. Thereafter a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.

#### **4.2 18/00466/PPM: Dundonald Links, Ayr Road, Irvine**

Loch Lomond Golf Club have applied under Section 42 of Town and Country Planning (Scotland) Act 1997 to vary conditions 1, 2 and 3 of planning permission in principle ref. 15/00705/PPPM for housing development and visitor accommodation at Dundonald Links Golf Course.

Conditions 1 and 2 of 15/00705/PPPM relate to the timing of submission of technical studies in advance of considering matters specified in conditions application for development. Condition 3 sets out the need for a detailed masterplan and development brief.

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

1. That along with the submission of the first application for the approval of matters specified in conditions (MSC), a programme of archaeological works in accordance with a written scheme of investigation, the results of which shall inform the layout of the detailed masterplan required by Condition 3, shall be submitted for the approval of North Ayrshire Council as Planning Authority. Thereafter, the developer shall ensure that the approved programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of North Ayrshire Council as Planning Authority.
2. That along with the submission of the first application for the approval of matters specified in conditions (MSC) a scheme to treat the surface water arising from the site in accordance with the principles and practices contained in CIRIA's SuDS Manual (C753) (published 11th November 2015), the results of which shall inform the layout of the detailed masterplan required by Condition 3, shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the scheme as may be approved shall be implemented during the course of development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

3. That along with the submission of the first application for the approval of matters specified in conditions (MSC), a detailed masterplan for the site and a development brief shall be submitted for the approval of North Ayrshire Council as Planning Authority. The detailed masterplan and development brief shall take into account the findings of the archaeological investigations and the detailed SuDS scheme required by conditions 1 and 2 respectively, and shall indicate:
- the means of access to the site, including multi-user link(s) to public transport at Ayr Road;
  - the development layout;
  - the housing designs for the development;
  - structural landscaping including earthworks to mitigate road noise from the A78 and industry;
  - areas of open space;
  - areas for children's play and
  - phasing.

For the avoidance of doubt, the maximum number of housing units within the development hereby approved shall not exceed 45. In addition, the housing development area shall be limited to the land generally to the south of the replacement clubhouse consented under the terms of planning permission ref. 15/00558/PP.

Thereafter, the details contained in the MSC application(s) shall accord with the detailed masterplan and development brief as may be approved, to the satisfaction of North Ayrshire Council as Planning Authority.

4. That the approval of North Ayrshire Council as Planning Authority with regard to the siting, design and external appearance of, landscaping, means of access to the proposed development and affordable housing contribution shall be obtained before the development is commenced.
5. That application(s) for the approval of matters specified in conditions (MSC) shall include details of the noise mitigation measures in accordance with PAN 1/2011 'Planning and Noise' and the associated Technical Advice Note (TAN) - 'Assessment of Noise'. The assessment shall take into account all noise related details contained in the consultation response of Environmental Health dated 9th December 2015. Thereafter, the findings arising from the noise impact assessment as may be approved shall be implemented prior to any of the houses being occupied to the satisfaction of North Ayrshire Council as Planning Authority.
6. That application(s) for the approval of matters specified in conditions (MSC) shall include measures to implement the findings and recommendations of the Extended Phase 1 Habitat Survey prepared by Energised Environments Ltd dated October 2015. Thereafter, the development shall be implemented only in accordance with the measures as may be approved unless North Ayrshire Council as Planning Authority gives written consent to any variation.

7. That application(s) for the approval of matters specified in conditions (MSC) shall include a biodiversity action plan, which shall include details of bat hibernacula, bird boxes, wildflowers and other measures to promote/safeguard biodiversity and nature conservation. Thereafter, the action plan as may be approved shall be implemented prior to the completion or occupation of the development, whichever is the sooner, to the satisfaction of North Ayrshire Council as Planning Authority.
8. That visibility splays of 4.5m x 215m shall be provided and maintained on land within the applicant's control, such that there is no obstruction to visibility above a height of 1.05 metre measured above the adjacent carriageway level to the satisfaction of North Ayrshire Council as Planning Authority.
9. That, prior to the commencement of the development, hereby approved, full details of proposed treeworks and tree protection measures for the development shall be submitted for the written approval of North Ayrshire Council as Planning Authority. The details shall comply with the principles and practices contained in "BS 5837:2012 - Trees in relation to design, demolition and construction - Recommendations." Detailed plans indicating tree protection fencing to be erected, an Arboricultural Impact Assessment and an Arboricultural Method Statement shall be submitted for written approval. For the avoidance of doubt:
  - there shall be no treeworks undertaken during the main bird breeding season (March - September);
  - all tree protection measures to be erected shall be maintained in a satisfactory condition for the duration of all engineering and construction operations until the completion of the development.

The development shall be implemented only in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.
10. That, during the implementation of the development hereby approved, all recommendations contained within the report titled "Residential Development - Dundonald Links, Geo-Environmental Desk Study Report" by Fairhurst, Report No. 111895 and dated November 2015 shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority.
11. That the presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of Environmental Health. Thereafter a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.
12. That the clubhouse, as previously approved under the terms of planning permission ref. 18/00465/PP, shall be erected to the satisfaction of North Ayrshire Council as Planning Authority prior to the commencement of the housing development hereby approved, unless otherwise agreed in writing.

## **5. North Coast and Cumbraes**

Submitted reports on the following applications:

### **5.1 18/00518/PP: 48 Gallowgate Street, Largs**

Stephen McDonald has applied for the extension of an outdoor seating area (in retrospect) at 48 Gallowgate Street, Largs. Three letters of support and one letter of support were received and were detailed in the report.

The Senior Manager (Planning) provided details of three further representations (two objections and one of support) which were received following the publication of the agenda and copies were circulated to members. The objections raised concerns around expanding areas for the sale of alcohol and size of the seating area. The letter of support was concerned with supporting jobs and businesses in the area.

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

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

### **5.2 18/00393/PPPM: Site To South East Of 41 Tarbert Avenue, West Kilbride**

Robert McMillan has applied for planning permission in principle for residential development of the site to the south east of 41 Tarbert Avenue, West Kilbride. Seven letters of objection were received and were detailed in the report.

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

1. That prior to the submission of the first application for the approval of matters specified in conditions (MSC), a programme of archaeological works in accordance with a written scheme of investigation, the results of which shall inform the layout of the detailed masterplan required by Condition 3, shall be submitted for the approval of North Ayrshire Council as Planning Authority. Thereafter, the developer shall ensure that the approved programme of archaeological works is fully implemented and that all recording and recovery



of archaeological resources within the development site is undertaken to the satisfaction of North Ayrshire Council as Planning Authority.

2. That prior to the submission of the first application for the approval of matters specified in conditions (MSC), a water and drainage assessment shall be for the approval of North Ayrshire Council as Planning Authority which actions all relevant recommendations of the Flood Risk Assessment. The water and drainage assessment shall demonstrate that:
  - (i) the development will not be at high medium or low likelihood of flooding or will increase the likelihood of flooding elsewhere;
  - (ii) run-off to the site from adjacent steeply sloping ground shall be intercepted and appropriately attenuated and treated before discharging to the water environment or to a suitable piped system;
  - (iii) in the event that surface water will discharge to the existing culvert at the site's Western edge, there would be no notable negative impact in terms of flood risk and water quality; and,
  - (iv) full details of the parties responsible for the maintenance of all drainage assets are provided in a suitably detailed plan and that all associated maintenance operations are identified on an accompanying schedule.

The water and drainage assessment shall detail a scheme to treat the surface water arising from the site in accordance with the principles and practices contained in CIRIA's SuDS Manual (C753) (published 11th November 2015), the results of which shall inform the layout of the detailed masterplan required by Condition 3. Thereafter, the scheme as may be approved shall be implemented during the course of development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

3. Prior to the commencement of development on site, a further application(s) for the approval of the matters specified in this condition (MSC) must be submitted to and approved by North Ayrshire Council as Planning Authority. These matters are as follows:
  - (a) the layout of the site, including all roads, footways, shared paths, car parking areas, and open spaces;
  - (b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials;
  - (c) a detailed flood risk assessment, including cross-sections of existing and proposed ground levels, details of under-building and finished floor levels in relation to a fixed datum, preferably ordnance datum, and detailing how flood issues are addressed.
  - (d) the means of drainage and surface water strategy and methodology for sewage disposal, including Sustainable Urban Drainage Systems (SUDS), all set out in a comprehensive Drainage Assessment, including maintenance. Such SUDS shall be self-certified by a suitably qualified person;
  - (e) the means of access to the site including an updated Transport Strategy;
  - (f) the design and location of all boundary treatments including walls and fences;

- (g) the landscaping and associated maintenance proposals for the site, including details of existing trees, hedgerows and other planting to be retained and tree protection measures together with proposals for new planting specifying number, size and species of all trees and shrubs and a woodland management implementation programme;
- (h) details of the phasing of development (covering all relevant aspects of development detailed in (a) above);
- (i) a design and access statement with the design issues addressed in the formulation of the proposals, set out in line with the relevant supplementary design guidance approved by North Ayrshire Council.

For the avoidance of doubt the illustrative masterplan provided with this application is not approved. The layout of the site shall take into account archaeological investigations, the detailed SuDS scheme, water and drainage assessments required by conditions 1 and 2 respectively, and shall take into account the principles of the Scottish Government's 'Designing Streets' and 'Designing Places' policy documents to the satisfaction of North Ayrshire Council as Planning Authority.

### **5.3 18/00315/PP: Site To North Of Seaview Caravan Park, Ardrossan Road, Seamill**

Iain McClain has applied for the formation of extension to Seaview Caravan Park, Ardrossan Road, Seamill. 14 letters of support were received and were detailed in the report.

The Senior Manager (Planning) highlighted an amendment to the second recommended condition which should read:-

*“That the site shall only be used as a caravan site for non-permanent occupation for holiday or tourism use only to the satisfaction of North Ayrshire Council as Planning Authority.”*

Councillor Barr, seconded by Councillor McNicol, moved that the application be granted with no conditions.

As an amendment, Councillor Reid, seconded by Councillor Foster, moved that the application be granted subject to the conditions set out in the report.

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

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

1. That prior to the commencement of development the developer shall ensure that all planting and seeding, comprised in approved drawing LS01, shall be carried out in the first planting season and seeding seasons to the satisfaction of North Ayrshire Council as Planning Authority. Any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the

next planting season with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation. For the avoidance of doubt, the trees and planting shall be protected with fencing during the construction of the development.

2. That the site shall only be used as a caravan site for non-permanent occupation for holiday or tourism use only to the satisfaction of North Ayrshire Council as Planning Authority.

The meeting ended at 3:30 p.m.

Cabinet  
4 September 2018

**IRVINE, 4 September 2018** - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

**Present**

Joe Cullinane, John Bell, Alex Gallagher, Louise McPhater, Jim Montgomerie; and Gordon Smith (Teaching Representative) and Ian Haining (Church Representative); (Agenda Items 1-3).

**Also Present**

Jean McClung, Davina McTiernan and Donald L. Reid.

**In Attendance**

E. Murray, Chief Executive; L. Friel, Executive Director, M. Boyd, Head of Service (Finance), D. Forbes, Senior Manager and A. Lyndon, Senior Manager (Corporate Procurement) (Finance and Corporate Support); C. Hatton, Executive Director, R. McCutcheon, Head of Service (Commercial) and T. Reaney Senior Manager (Streetscene) (Place); A. McClelland, Head of Service (Learning, Teaching and Curriculum) (Education and Youth Employment); A. Sutton, Head of Service (Connected Communities), C. McAuley, Head of Service (Economic Growth), L. Kirk, Active Travel and Transport Manager (Regeneration) and M. Ritchie (Economy and Communities); C. Whyte, Chief Finance and Transformation Officer (Health and Social Care Partnership); and A. Fraser, Head of Democratic Services, M. Davison, Senior Manager (Democratic Services), A. Hale, Equality and Health Policy Officer, L. Cameron, Policy and Performance Officer, J. Hutcheson, Communications Officer and H. Clancy, Committee Services Officer (Chief Executive's Service).

**Chair**

Joe Cullinane in the Chair.

**Apologies**

Robert Foster and Elizabeth Higon (Church Representative).

**1. Declarations of Interest**

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

**2. Minutes**

The accuracy of the Minutes of the meeting of the Cabinet held on 19 June 2018 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

### **3. South West Educational Improvement Collaborative (SWEIC)**

Submitted report by the Head of Service (Learning, Teaching and Curriculum) on the priorities and content of the SWEIC Annual Plan (September 2018 update). The proposed next steps for each of the workstreams were set out at Appendix 1 to the report.

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

- the proposed funding bid to the Scottish Government that will bring additional resource to support the work of the collaborative; and
- the expectation that the Lead Officer meets with the four Local Authorities to discuss the proposed funding bid.

The Cabinet agreed to (a) approve the updated SWEIC Annual Plan 2018; and (b) note progress to date.

### **4. Establishment of a Policy Advisory Panel**

Submitted report by the Chief Executive on the establishment of an Elected Member Policy Advisory Panel to assist in the preparation of policy proposals. The proposed remit for the new panel was set out at Appendix 1 to the report.

The Cabinet agreed to (a) accept the report; and (b) endorse the remit of the new Policy Advisory Panel set out at Appendix 1 to the report.

### **5. British Sign Language Plan**

Submitted report by the Chief Executive on the Ayrshire Shared British Sign Language (BSL) Local Plan. The draft plan, in a summarised context, was set out at Appendix 1 and a more detailed plan to aid performance management of the agreed actions set out at Appendix 2 to the report.

Members asked a question and were provided with clarification that Makaton, used in Special Schools, is designed to help hearing people with learning or communication difficulties and uses signs and symbols, and British Sign Language is the commonly used language.

The Cabinet agreed to endorse the Local British Sign Language Plan set out at Appendix 2 to the report.

### **6. Public Performance Reporting 2017/2018**

Submitted report by Chief Executive on the 2017/18 public performance reporting and the draft Annual Performance Report 2017/18. The status of the Council's performance indicators was set out at Appendices 1 – 3 and the Annual Performance Report 2017/18 set out at Appendix 4 to the report.

The Cabinet agreed to (a) note the status of the Council's performance indicators at Appendices 1-3; (b) endorse the Annual Performance Report 2017/18 set out at Appendix 4; (c) note that this report would be referred to the Audit and Scrutiny Committee for further consideration; and (d) congratulate staff on their work in helping to ensure the delivery of high performance.

## **7. Consultation on a Proposal for a Bill to incorporate the European Charter of Local Self Government into law in Scotland**

Submitted report by the Chief Executive on the response to the consultation on a proposed private member's Bill to incorporate the European Charter of Local Self-Government into law in Scotland. The proposed response was set out at Appendix 1 to the report.

Members asked a question and were provided with further information in relation to the outcome when we leave the European Union.

The Cabinet agreed to approve the response attached at Appendix 1 to the report.

## **8. Revenue Budget 2018/19: Financial Performance to 30 June 2018**

Submitted report by the Executive Director (Finance and Corporate Support) on the financial performance for the Council at 30 June 2018. Service Financial Performance details were set out at Appendices 1 – 7, the Housing Revenue Account was set out at Appendix 8, a schedule of the budget transfer, or virements set out at Appendix 9 and the Health and Social Care Partnership financial performance set out at Appendix 10 to the report.

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

- the major risk to the forecast underspends relating to the local government and teachers' pay awards for 2018/19; and
- the IJB's reaffirmation of its ability to secure financial balance in 2018/19.

The Cabinet agreed to (a) note the information and financial projections outlined in the report; (b) approve the earmarking of £2.720m identified at section 2.4 of the report (iii) to meet future year capital programme commitments; (c) note the current financial projection for the Health and Social Care Partnership and approve the actions at section 2.5 of the report; and (d) approve the virements detailed in Appendix 9.

## **9. Capital Programme Performance to 30 June 2018**

Submitted report by the Executive Director (Finance and Corporate Support) on the progress in delivering the Capital Investment Programme as at 30 June 2018 with information on the progress of all projects set out at Appendix 1 to the report.

Members asked a question and were provided with clarification on the delays in the Largs Promenade Seawall project.

The Cabinet agreed to (a) approve the revisions to budgets outlined in the report; and (b) note (i) the General Services and HRA expenditure and revised budgets to 30 June 2018; and (ii) the forecast of expenditure to 31 March 2019.

#### **10. Barclay Implementation: A consultation on non-domestic rates reform**

Submitted report by the Executive Director (Finance and Corporate Support) on the proposed response to the Scottish Government's consultation on non-domestic rates reform, with the proposed response set out at Appendix 2 to the report.

Members asked a question and were provided with clarification on the establishment of rates liability for commercial activity on parks and how this is defined.

The Cabinet agreed to approve the response to the Scottish Government's consultation on non-domestic rates reform, as set out at Appendix 2 to the report.

#### **11. Charges for Children's Burials & Cremations**

Submitted report by the Executive Director (Place) on the agreed fees and charges in respect of children's burials.

The Cabinet agreed (a) to approve (i) the amendment of current fees through the removal of charges for interments for children aged 16 to 17 years of age, with the fee charged for an interment amended to adults aged 18 and over; (ii) the removal of charges for foundations and associated permits for burials of children (aged under 18) and (iii) the removal of charges for the Exclusive Right of Burial where the parent/guardian does not own an existing lair and requires a new lair to inter their child (aged under 18); and (b) that officers will work with the two private crematoriums within North Ayrshire, namely Holmsford Bridge in Dreghorn and Clyde Coast & Garnock Valley Crematorium in Dalry to agree a funding mechanism to support private providers to abolish their fees for the cremation of children under 18 years of age.

#### **12. Scottish Government Consultation: A Deposit and Return Scheme for Scotland**

Submitted report by the Executive Director (Place) on the response to the Scottish Government Consultation on a Deposit and Return Scheme for Scotland with the draft consultation response set out at Appendix 1 to the report.

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

#### **13. Ayrshire Shoreline Management**

Submitted report by the Executive Director (Place) on the Draft Ayrshire Shoreline Management Plan which outlines a 100 year management strategy for the Ayrshire Coastline.

Members asked a question and were provided with clarification on joint working with other Local Authorities also examining shoreline management.

The Cabinet agreed to (a) note the work carried out; (b) approve the Draft Ayrshire Shoreline Management Plan and its recommendations, referred to in the report and (c) agree to receive further progress updates on the implementation of the Plan when appropriate.

#### **14. Rural Economy and Connectivity Commission consultations: Transport (Scotland) Bill and Investment in Clyde and Hebrides ferry**

Submitted report by the Executive Director (Economy and Communities) on the response to the Rural Economy and Connectivity Commission's consultations on the Transport (Scotland) Bill and Investment in Clyde and Hebrides Ferry Services. The Transport (Scotland) Bill overview was set out at Appendix 1. The proposed consultation responses were set out at Appendices 2 and 3 to the report.

Members asked a question and were provided with further information in relation to the recent Islands (Scotland) Act 2018 which requires relevant authorities to have regard to island communities in carrying out their functions. This includes the production of island communities' impact assessments in relation to policies and strategies of services which may have an effect on an island community.

The Cabinet agreed to approve the submission to the Rural Economy and Connectivity Commission of the draft response on (i) The Transport (Scotland) Bill provided as Appendix 2 to the report; and (ii) Investment in Clyde and Hebrides ferry services provided as Appendix 3.

#### **15. Cultural Strategy for Scotland**

Submitted report by the Executive Director (Economy and Communities) on the response to the Cultural Strategy for Scotland: Draft for Consultation with the draft strategy set out at Appendix 1 to the report.

The Cabinet agreed to approve the response to the Cultural Strategy for Scotland: Draft for Consultation, as set out at Appendix 1 to the report.

#### **16. Tax Incremental Finance**

Submitted report by the Executive Director (Economy and Communities) on the proposed investment in Irvine Enterprise Area through the Tax Incremental Finance mechanism, with the Principles of the Business Case set out at Appendix 1 to the report.

The Cabinet agreed to (a) note the Scottish Government's views on the business case submitted for investment in Irvine Enterprise Area through the Tax Incremental Finance mechanism; (b) request that a decision on the Tax Incremental Finance business case be deferred pending the outcome of the Ayrshire Growth Deal; and (c) review the approach to securing investment at i3 in light of the decision not to locate the Medicines Manufacturing and Innovation Centre in Irvine.



## **17. Proposals for Community Investment Fund (CIF) Expenditure**

Submitted report by the Executive Director (Economy and Communities) on the applications by Locality Partnerships to allocate CIF funding to a range of proposed projects. The Garnock Valley Locality Partnership application for the creation of Men's Shed was set out at Appendix 1, the Irvine Locality Partnership application for the appoint of a "Digital Irvine" Project Officer at Appendix 2 and the Three Towns Locality Partnership application for a feasibility study to develop a community development trust in Ardrossan at Appendix 3 to the report.

The Cabinet agreed to (a) approve the applications from the Locality Partnerships which comply with CIF criteria and are recommended by the relevant Partnership as set out in the Appendices to the report; (b) approve expenditure where relevant; (c) accept future reports on the progress of the initiatives at dates to be agreed with the relevant Locality Partnership; and (d) receive future applications from Locality Partnerships for CIF funding.

## **18. Award of Contract NAC-1091 - Provision of Platform Technology**

Submitted report by the Executive Director (Finance and Corporate Support) on the tender and the award of the contract to 3 co-bidders: Lot 1 – Salesforce, Lot 2 – Samanage and Lot 3 – XCD HR.

The Cabinet agreed to note the award of contract which had been concluded as an urgent matter during recess under the Scheme of Delegation to Officers.

The Meeting ended at 3.55 p.m.