



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

North Ayrshire Council Meeting

14 May 2025

VOLUME OF MINUTES

From 13 March – 23 April 2025

Date	Committee
13 March	Audit & Scrutiny Committee
18 March	Cabinet
20 March	IJB
2 April	Licensing Committee
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23 April	Planning Committee

Audit and Scrutiny Committee
13 March 2025

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

Present (Physical Participation)

John Bell, Eleanor Collier, Cameron Inglis, Davina McTiernan, Donald L. Reid and John Sweeney.

Present (Remote Participation)

Donald Reid

In Attendance (Physical Participation)

D. Hammond, Executive Director (Communities and Housing); Kerry Logan, Head of Service, (Health and Community Care) (Health and Social Care Partnership); R. McCutcheon, Executive Director, M. McNeil, Senior Manager (Waste Resources) (Place); A. McClelland, Head of Service, C. Hope, Senior Manager (Facilities Management) (Education); M. Boyd, Head of Service, D. Forbes, Senior Manager (Strategic Business Partner), J. McCallum, Senior Manager (Audit, Fraud, Safety and Risk) (Finance); F. Walker, Head of Service , J. Smillie, Senior Manager (People Services), F. Carlyle, Team Manager (HR), E. Nixon, Senior Manager (Customer Services) (People and ICT); R. Lynch, Senior Manager (Legal Services) and H. Young, Senior Committee Services Officer (Democratic Services) (Corporate Services).

Also in Attendance (Physical Participation)

D. Jamieson and F. Mitchell-Knight Audit Scotland.

Chair

Councillor Bell in the Chair.

Apologies

Tom Marshall

1. Declarations of Interest

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

2. Minutes

The Minutes of (i) the Ordinary Meeting of the Audit and Scrutiny Committee held on 23 January; and (ii) the Special Meeting held on 6 February 2025 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Sickness Absence Management

Submitted report by the Head of Service (People & ICT) on the Council's Sickness Absence policies and how these are managed, monitored and reported.

The Wellbeing@Work Supporting Attendance Policy was set out at Appendix A, Maximising Attendance Policy (Teachers) set out at Appendix B, Wellbeing@Work Supporting Attendance Policy Management Prompts set out at Appendix C, Maximising Attendance Policy (Teachers) Triggers set out at Appendix D, Absence Targets set out at Appendix E, Directorate Summary – Absence at 2024/25 set out at Appendix F and the Local Government Benchmarking Framework set out at Appendix G to the report.

Officers were heard in response to Members' questions.

The Committee agreed to a further report detailing the impact of sickness absence levels on the overtime budget of services and loss of service.

Noted.

4. Accounts Commission's Report: Local Government in Scotland: Financial Bulletin 2023/24

Submitted report by the Head of Service (Finance) informing the Committee on the findings of the recently published report with the feedback on each of the key messages identified set out at Appendix 1 to the report.

Noted.

5. Internal Audit Plan 2024/25: Progress Update

Submitted report by the Head of Service (Finance) requesting approval for an amendment to the 2024/25 Internal Audit Plan set out at Appendix A to the report.

The Committee agreed to (a) note the factors affecting the completion of the Internal Audit Plan; and (b) approve the deferral of one audit set out at Appendix A to the report.

6. Internal Audit Reports Issued

Submitted report by the Head of Service (Finance) informing on the findings of Internal Audit work completed since January 2025

Officers were heard in response to Members' questions. Noted.

7. Internal Audit and Corporate Fraud Action Plans: Quarter 3 update

Submitted report by the Head of Service (Finance) on the progress made by Council Services in implementing the agreed actions from Internal Audit and Corporate Fraud reports as at 31 December 2024. Appendix 1 to this report provides the

Committee with full details of the three actions that were not completed within the agreed timescales.

Officers were heard in response to Members' questions.

The Committee agreed to (a) note the current position with the implementation of Internal Audit and Corporate Fraud actions; and (b) challenge Services that have not implemented actions within the previously agreed timescales.

8. Internal Audit Charter 2025

Submitted report by the Head of Service (Finance) on the updated Internal Audit Charter set out at Appendix A to the report.

Officers were heard in response to Members' questions.

The Committee agreed to (a) note the changes in Internal Audit standards and that the requirements have been incorporated into the Internal Audit Charter where necessary, (b) note the inclusion of the Integrated Joint Board within the scope of the Internal Audit Charter, (c) approve the Internal Audit Charter set out at Appendix A to the report, and (d) future amendments to the Charter will be made where a need is identified.

9. Internal Audit Plan 2025/26

Submitted report by the Head of Service (Finance) on the proposed internal audit plan for 2025/26 with the internal audit plan for quarter one and two of 2025/26 set out at Appendix A and a list of potential audit areas set out at Appendix B of the report.

The Committee agreed to approve the internal audit plan for 2025/26.

10. External Audit Plan 2024/25

Submitted report by the Head of Service (Finance) on the External Audit Plan for 2024/25 with Audit Scotland's Annual Audit Plan for the 2024/25 audit set out at Appendix 1 to the report.

Officers were heard in response to Members' questions. Noted.

11. Standing Item of Business: Consideration of Future Business for Scrutiny

Members were invited to consider potential items of scrutiny business for future meetings.

The Committee noted the request from Councillor Donald Reid for a report on supplier and quality issues of purple bin lids and the replacement process to be brought to Audit & Scrutiny.

12. Urgent Items

There were no urgent items.

The meeting ended at 11.30 a.m.

<https://north-ayrshire.public-i.tv/core/portal/home>

Cabinet
18 March 2025

IRVINE, 18 March 2025 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present (Physical Participation)

Marie Burns, Tony Gurney, Alan Hill, Margaret Johnson, Christina Larsen and Shaun Macaulay and for consideration of Education Authority Business Elizabeth Turbet, Andrew Bruce and Jacqui McKenzie.

In Attendance

C. Hatton, Chief Executive; S. Anson, Executive Director; A. McClelland, Head of Service (Education); K. McCormick, Executive Manager (Education); D. Hammond, Executive Director; and F. Ellis, Senior Manager (Housing Strategy and Development) (Communities and Housing); R. McCutcheon, Executive Director; T. Reaney, Head of Neighbourhood Services; L. Kirk, Head of Economic Development, Growth and Regeneration; L. Cree, Head of Sustainability, Transport and Corporate Property; and J. Wraith, Senior Manager (Energy and Sustainability) (Place); E. Stewart, Head of Service (Children, Families & Criminal Justice) (HSCP); D. Forbes, Senior Manager (Strategic Business Partner) and J. McCallum, Senior Manager (Audit, Fraud, Safety and Risk) (Finance); F. Walker, Head of People and ICT; and J. Smillie, Senior Manager (People Services); A. Craig, Head of Democratic Services; L. Jolly, Communications Officer (Public Relations); and H. Young, Senior Committee Services Officer (Democratic Services) (Corporate Services).

Chair

Marie Burns in the Chair.

1. Declarations of Interest

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

2. Minutes

The Minutes of the Meeting of the Cabinet held on 18 February 2025 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Education Service Digital Learning Strategy

Submitted a report by the Executive Director (Education) providing an update on the Education Directorate's 2-18 Digital Learning Strategy attached at Appendix 1 to the report.

Officers responded to Members' questions and Cabinet agreed to note the contents of the report and endorse the ambitions within the new Digital Learning Strategy attached at Appendix 1 to the report.

4. Response to Scottish Government's Call for Evidence for the Tackling Child Poverty Delivery Plan 2026 – 2031

Submitted a report by the Executive Director (Education) seeking approval for the North Ayrshire Council response to the Scottish Government's Call for Evidence attached at Appendix 1 to the report.

Cabinet agreed to the submission of the response attached at Appendix 1 to the report to the Scottish Government.

The following item was subject to the call-in procedure per the Council's Scheme of Administration. The call-in was subsequently withdrawn and the decision implemented.

5. Scottish Government Consultation: Local Authority General Power of Competence

Submitted a report by the Head of Democratic Services to advise of the Scottish Government Consultation on a possible Local Authority General Power of Competence and seeking approval for the submission of a response in accordance with the principles contained in the report and the draft response attached at Appendix 1 to the report.

Cabinet agreed to note the ongoing consultation and (a) grant authority to the Head of Democratic Services to finalise and submit the Council's response, attached at Appendix 1 to the report, following further engagement with COSLA, in consultation with the Chief Executive and Leader in accordance with the principles set out in this report; and (b) note (i) that responses to the consultation will also be submitted by other local authorities, COSLA and the Society of Local Authority Lawyers & Administrators in Scotland (SOLAR) and (ii) that further updates will be brought to Cabinet in the event that the Scottish Government decides to introduce legislative proposals relating to local authority powers.

6. Capital Programme Performance to 31 January 2025

Submitted a report by the Head of Finance advising of progress in delivering the Capital Investment Programme 2024/25.

Officers responded to Members' questions and Cabinet agreed note (i) the revisions to budgets outlined in the report; (ii) the General Services and HRA revised budgets at 31 January 2025; and (iii) the forecast expenditure to 31 March 2025.

7. Revenue Budget 2024/25: Financial Performance to 31 January 2025

Submitted a report by the Head of Finance advising of the financial performance for the Council at 31 January 2024.

Officers responded to Members' questions and Cabinet agreed to (a) note (i) the information and financial projections outlined in the report; (ii) the latest financial projection for the Health and Social Care Partnership highlighted at 2.6; and (b) approve (i) the arrangements for the provision of interim funding to the Health and Social Care Partnership for 2024/25 as detailed at 2.7; and (ii) the virements detailed at Appendix 8 to the report.

8. Strategic Risk Register 2025/26

Submitted a report by the Head of Finance seeking approval of the Strategic Risk Register for 2025/26 attached at Appendix 1 to the report.

Officers responded to Members' questions and Cabinet agreed to approve the Council's Strategic Risk Register for 2025/26 attached at Appendix 1 to the report.

9. Workforce Strategy Refresh

Submitted a report by the Head of People & ICT providing an overview of the refreshed Workforce Strategy 2024 – 2028 attached at Appendix 1 to the report.

Cabinet agreed to approve the updated and refreshed Workforce Strategy, associated action plan and performance indicators.

10. Acquisition of Land for Council House Building

Submitted a report by the Executive Director (Communities and Housing) seeking approval for the remainder of the former St. Michael's Academy site in Kilwinning to be transferred from the General Fund to the Housing Revenue Account. The location plan for St Michael's Wynd was attached at Appendix 1 to the report.

Cabinet agreed to approve the transfer of the former St. Michael's Academy site from the General Fund to the Housing Revenue Account for the sum of £1,102,480, subject to deduction of abnormal costs.

11. Nature Network Strategy for North Ayrshire

Submitted a report by the Executive Director (Place) seeking approval of the proposed North Ayrshire Nature Network Strategy 2024 - 2045 attached at Appendix 1 to the report.

Officers responded to Members' questions and Cabinet agreed to approve the proposed Nature Network Strategy 2024 – 2045 attached at Appendix 1 to the report.

12. Roads, Structures and Street Lighting Maintenance Programme 2025/26

Submitted a report by the Executive Director (Place) seeking approval of the proposed Roads, Structures and Street Lighting Maintenance Programme for 2025/26 attached at Appendix 1 to the report.

Cabinet agreed to (a) note the approach taken to determining the asset maintenance programme for roads, structures and street lighting; (b) approve the maintenance programme for 2025/26 attached at Appendix 1 to the report and (c) note that the programme will be issued to the Locality Planning Partnerships for information.

13. Crown Estates Fund 2024/25

Submitted a report by the Executive Director (Place) seeking approval for the funding proposals for the Crown Estates Scotland Net Revenue Allocation.

Officers responded to Members' questions and Cabinet agreed to (a) approve the funding proposals for the Crown Estates Scotland Net Revenue allocations towards the creation of a North Ayrshire Islands Programme Fund and improvement and repair of Kilwinning Abbey Tower; and (b) provide delegated authority to the Executive Director (Place) to agree changes to the funding allocation in consultation with the Portfolio Lead as required.

14. Urgent Items

There were no urgent items.

The meeting ended at 3:50 p.m.

The full meeting proceedings can be viewed at
<https://north-ayrshire.public-i.tv/core/portal/home>



North Ayrshire Health and Social Care Partnership
Minute of Integration Joint Board meeting held on
Thursday 20 March 2025 at 10.00 a.m.
involving participation by remote electronic means and physical attendance
within the Council Chambers, Irvine.

Present (Physical Participation)

Voting Members

Councillor Margaret Johnson, North Ayrshire Council (Chair)
Joyce White, NHS Ayrshire and Arran (Vice-Chair)
Councillor Nairn Angus- McDonald, North Ayrshire Council
Councillor Anthea Dickson, North Ayrshire Council
Councillor Tom Marshall, North Ayrshire Council
Sharon Morrow, NHS Ayrshire and Arran
Tom Hopkins, NHS Ayrshire and Arran

Professional Advisers

Thelma Bowers, Head of Service (Mental Health) (NAHSCP)
Darren Fullarton, Associate Nurse Director/ Lead Nurse
Eleanor Currie, Interim Section 95 Officer
Scott Hunter, Chief Social Work Officer

Stakeholder Representative

Loretta Galloway, Unity Enterprise
Lynda McFarlane, Staff Representative
Paul Smith, Carer Representative

Present (Remote Participation)

Professional Advisers

Caroline Cameron, Director of Health and Social Care Partnership
Iain Jamieson, Clinical Director

Stakeholder Representative

Lorna Sim, Staff Representative NHS Ayrshire and Arran
Vicky Yuill, Third Sector Representative

In Attendance (Physical Participation)

Elizabeth Stewart, Head of Service (Children, Families and Justice)
Kerry Logan, Head of Service (Health and Community Care)
Michelle Sutherland, Partnership Facilitator (Health & Community Care)
Karen Andrews, Team Manager (Governance)
Raymond Lynch, Senior Manager (Legal Services)
Shannon Wilson, Committee Services Officer
Claudia Cheung, Digital, Media and Marketing Analyst

Apologies

Sharon Hackney, Lead Allied Health Professional
Lynne McNiven, Public Health Representative
Aileen Craig, IJB Monitoring Officer
Marc Mazzucco, NHS Ayrshire and Arran

1. Apologies for Absence

Apologies for Absence were noted.

2. Declarations of Interest

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

3. Minutes

The accuracy of the Minutes of the meeting held on 6 February 2025 were confirmed and the Minutes signed in accordance with Paragraph 7(10) of Schedule 7 of the Local Government (Scotland) Act 1973.

4. Director's Report

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

Officers responded to members' questions on various aspects of the report.

Noted.

5. North Ayrshire HSCP Clinical and Care Governance bi-annual Report 2024-25

Submitted report by Darren Fullarton, Lead Nurse/Associate Nurse Director NHS on the Clinical and Care Governance bi-annual Report 2024-25.

Officers responded to members' questions on various aspects of the report.

Noted.

6. 2024-25 Month 10 Financial Performance

Submitted report by Eleanor Currie, Interim Chief Financial Officer (HSCP) on the Integration Joint Board's financial performance as at month 10 (January). Appendix A to the report detailed the financial overview of the Partnership position, while Appendix B provided an overview of those service changed which did not have financial savings attached. Appendix C highlighted the movement in the budget position following the initial approved budget.

Officers responded to members' questions on various aspects of the report.

The Board agreed to (a) note the overall integrated financial performance report for the financial year 2024-25 and the current overall projected yearend overspend of £4.980m which includes the recovery plan reductions anticipated until the year-end; (b) note the progress with delivery of agreed savings; (c) note the actions which are being taken to progress financial recovery and the benefit of £4.002m achieved in-year; and (d) note the remaining financial risks for 2024-25.

7. Revenue Budget 2025-26 and beyond

Submitted report by Eleanor Currie, Interim Chief Financial Officer (HSCP) on the financial position for the Partnership for 2025-26, including the proposed delegated funding, service budget pressures, plans developed to set a budget and the associated risks.

Officers responded to members' questions on various aspects of the report.

Councillor Angus-McDonald proposed an amendment in the following terms:

"IJB notes the lateness in which members received today's budget papers; and that the Equality Impact Assessments have not been published as part of them.

The IJB expresses concern about the impact some of the budget proposals will have on the most vulnerable in our community; the financial risks of approving a deficit budget for 2025/26; the 'debt' that the IJB will owe to partners in respect of the 2024/25 overspend; and that the HSCP holds no financial reserves.

IJB therefore asks:

1. Officers to publish the Equality Impact Assessments alongside today's agenda online;
2. That members receive future reports to the IJB monitoring the impact of the proposals on our communities;
3. Officers to bring a paper on addressing the 2025/26 deficit to the next IJB;
4. That the CEOs of both North Ayrshire Council and the NHS Ayrshire & Arran are invited as compulsory members of the IJB Officer/Member Working Group on Finance; and
5. The Chief Officer to write directly to the Cabinet Secretary highlighting the precarious financial position of the HSCP; the impact of the proposals within today's paper on the most vulnerable; and the risk of more savage cuts in future years if the underlying deficit is not addressed by all funding partners including the Scottish Government."

The Chair agreed to a recess at 12.08 p.m. to consider the amendment, reconvening at 12.33 p.m.

Councillor Marshall left the meeting at this point.

Councillor Angus-McDonald withdrew the amendment and in terms of Standing Order 15.1 the Committee voted on the recommendation. On a division and a roll call vote, there voted in agreement: Councillor Margaret Johnson, Councillor Anthea Dickson, Tom Hopkins, Sharon Morrow and Joyce White (5); and Councillor Nairn Angus-McDonald (1) disagreeing with the Officer's recommendation.

The Board therefore agreed to (a) approve the budget for 2025-26 for the Partnership inclusive of all pressures, savings and reserves, noting that the funding position is subject to confirmation by NHS Ayrshire and Arran; (b) note the NHS Renewal submission by North Ayrshire via NHS AA and that if additional funding is received plans may be subject to change; (c) receive a further update on the budget for 2025-26 when further information is received in respect of NHS pressures and funding; (d) approve the new hourly rates for commissioned providers and Personal Assistants; and (e) note the risks associated with this budget.

8. Strategic Risk Register

Submitted report by Eleanor Currie, Interim Chief Financial Officer (HSCP) on the IJB Strategic Risk Register.

Officers responded to members' questions on various aspects of the report.

The Board agreed to approve the updated IJB Strategic Risk Register including the addition of two new risks and the removal of one risk.

9. Valedictory

On behalf of the Committee, the Vice-Chair thanked Councillor Johnson for her Chairmanship of the Integration Joint Board, highlighting the excellent work and leadership given to the Committee in those two years and acknowledged the ongoing partnership as Councillor Johnson assumes the Vice-Chair position. The Committee joined the Vice-Chair in paying tribute to Councillor Johnson.

Councillor Johnson thanked the Vice-Chair and the Committee for their kind words.

The meeting ended at 12.50 pm.

The full meeting proceedings can be viewed at
<https://north-ayrshire.public-i.tv/core/portal/home>

Licensing Committee
2 April 2025

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

Present (Physical Participation)

Eleanor Collier, Nairn Angus-McDonald, Christina Larsen, Jean McClung, Matthew McLean and Ronnie Stalker.

Present (Remote Participation)

Donald L. Reid.

In Attendance (Physical Participation)

D. Grier, Solicitor (Legal Services); D. Robertson, Civic Licensing Standards Officer, C. Pollock, Licensing Manager, A. Kellas, Administration Assistant and S. Dalgoutte (Licensing); S. McKenzie, Senior Manager (Protective Services) and C. Stewart, Committee Services Officer (Corporate Services).

In Attendance (Remote Participation)

R. Lynch, Senior Manager (Legal Services).

Chair

Councillor Collier in the Chair.

Apologies

John Bell, Cameron Inglis and Angela Stephen.

1. Declarations of Interest

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

2. Minutes

The accuracy of the Minutes of the Meeting of the Licensing Committee held on 5 March 2025 were confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

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

3.1 Public Entertainment Licence: PEL/789 (Temporary): Wesley Smith

The applicant, having been duly cited to attend, was present. The applicant was also accompanied by a member of Ardrossan Community Development Trust. A representative from Environmental Health was also present to answer questions in relation to the application.

The objector to the application was not in attendance but their written objection was taken into consideration by the Committee.

The representative from Environmental Health was heard in clarification of certain matters.

The Committee agreed that it had sufficient information available to allow it to make a decision in respect of this matter.

Decision

Councillor Stalker, seconded by Councillor Angus-McDonald, moved that the application be granted. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to grant the application subject to the Council's standard conditions in terms of Paragraph 7(1) of Schedule 1 of the Civic Government (Scotland) Act 1982.

3.2 Public Entertainment Licence: PEL/791 (Temporary): John Thomson

The applicant, having been duly cited to attend, was present. A representative from Environmental Health was also present to answer questions in relation to the application.

An objector to the application was in attendance and addressed the Committee and responded to questions.

The representative from Environmental Health was heard in clarification of certain matters as well as in answer to questions by Members.

The Committee agreed that it had sufficient information available to allow it to make a decision in respect of this matter.

The applicant and objector then withdrew to allow the Committee to deliberate. Thereafter the applicant and objector re-joined the meeting, with the same Members and Officers present and in attendance, to hear the Committee's decision.

Decision

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

Accordingly, the Committee agreed to grant the applications subject to the Council's standard conditions in terms of Paragraph 7(1) of Schedule 1 of the Civic Government (Scotland) Act 1982.

3.3 Short Term Let: NA00824N: Ian Kirsop

The applicant, having been duly cited to attend, was present and addressed the Committee and responded to questions. It was noted that one of the objectors had withdrawn their objection, but another written objection remained which was taken into consideration by the Committee.

The Committee agreed that it had sufficient information available to allow it to make a decision in respect of this matter.

Decision

Councillor Angus-McDonald, seconded by Councillor McLean, moved that the application be granted. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to grant the application under The Civic Government (Scotland) Act 1982 (Licensing of Short-Term Lets) Order 2022 No. 32 ("the STL Order") subject to (a) the Mandatory Conditions set out in Schedule 3 to the STL Order and (b) the additional local condition set out as "The First Exception" in Paragraph 10(b) of the Committee's "Licensing Policy Statement on Short-Term Let Licensing".

3.4 Short Term Let: NA00841N: Mark Tracey

The applicant, having been duly cited to attend, was present and addressed the Committee and responded to questions. The objectors were not present but their written objections were taken into consideration by the Committee.

The Committee agreed that it had sufficient information available to allow it to make a decision in respect of this matter.

Decision

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

Accordingly, the Committee agreed to grant the application under The Civic Government (Scotland) Act 1982 (Licensing of Short-Term Lets) Order 2022 No. 32 ("the STL Order") subject to (a) the Mandatory Conditions set out in Schedule 3 to the STL Order and (b) the additional local condition set out as "The First Exception" in Paragraph 10(b) of the Committee's "Licensing Policy Statement on Short-Term Let Licensing".

4. Urgent Items

There were no urgent items.

The meeting ended at 11.05 a.m.

The full meeting proceedings can be viewed at
<https://north-ayrshire.public-i.tv/core/portal/home>

Appeals Committee
3 April 2025

IRVINE, 3 April - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.00 a.m

Present

Alan Hill, Shaun Macaulay and Donald Reid.

In Attendance

J. Smillie, Senior Manager (People Services) (People and ICT) and R. Wilson, Team Manager (Litigation/Legal Services) (Democratic Services).

Also In Attendance

L. Morris, Executive Manager (Education); C Murray, HR Adviser (People Services) the appellant and their representative.

Chair

Councillor Reid in the Chair.

1. Declarations of Interest

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

2. Exclusion of the Public

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

3. Disciplinary Procedure: Appeal Against Dismissal

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

The service representative presented the grounds for the Disciplinary outcome as previously advised to the appellant in writing. The appellant was given the opportunity to respond to the issues raised and to ask questions of the service representative. Members of the Committee were also given the opportunity to ask questions.

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

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

Following deliberation, the Committee agreed that (a) the grounds of the appeal have not been substantiated and the appeal is not upheld; and (b) that the appellant be so advised within 14 days.

The Meeting ended at 11:20 a.m.

Planning Committee 23 April 2025

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

Present (Physical Participation)

Robert Foster, Cameron Inglis, Stewart Ferguson and Chloé Robertson.

Present (Remote Participation)

Scott Davidson, Davina McTiernan and Ian Murdoch

In Attendance

A. Finlayson, Chief Planning Officer; and I. Davies, Senior Development Management Officer (Communities and Housing); C. Leslie, Solicitor (Legal Services); S. Wilson, Committee Services Officer; and C. Cheung, Digital, Media and Marketing Analyst (Communications) (Democratic Services) (Corporate Services).

Chair

Councillor Foster in the Chair.

Apologies

Amanda Kerr, Jim Montgomerie and Ronnie Stalker.

1. Declarations of Interest

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

Councillor Murdoch made a transparency statement in relation to Agenda Item 3 (24/00588/PPM : Hunterston Construction Yard, Fairlie, North Ayrshire) as a member of the Hunterston Parc Liaison Committee. Having applied the objective test, Councillor Murdoch assessed that it was not an interest in terms of the Councillors' Code of Conduct.

2. Minutes

The Minutes of the Meeting held on 19 March 2025 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. 24/00588/PPM : Hunterston Construction Yard, Fairlie, North Ayrshire

Submitted a report by the Chief Planning Officer seeking planning permission for the creation of a RAS (Recirculated Aquaculture System) Complex to include all buildings, access roads, parking, landscaping and other required infrastructure.

The Committee noted no deputation requests were received for this application.

Officers responded to Members' questions on various aspects of the report and Councillor Inglis, seconded by Councillor Ferguson proposed a motion to approve planning permission subject to the conditions detailed in the report.

Councillor Davidson proposed an amendment that a condition be applied for the applicant to provide further information on the quantity of fish, the process of recycling and cleaning of water and management of waste from the tanks.

The Chief Planning Officer confirmed that these were not material planning considerations and not within the remit of the Planning Committee to apply such conditions and therefore deemed that this was not a competent amendment.

There being no further amendments, planning permission was granted subject to the following conditions:

1. Prior to the commencement of the development, a Construction Environment Management Plan (CEMP) shall be provided to North Ayrshire Council, as Planning Authority, for written approval. The CEMP shall include details of flood resilient construction methods and preclude the use of the C26 and local unclassified roads, the B780/B781 and A78 through Fairlie as a route for construction vehicles. Thereafter all works are to be carried out in accordance with any CEMP as may be approved, to the satisfaction of the Council, as Planning Authority.
2. Prior to commencement of the development an independent ecological clerk of works (ECoW) shall be appointed. The contact details, credentials and terms of reference shall be submitted to the Council, as Planning Authority, for approval. For the avoidance of doubt, the ECoW will audit the CEMP, and the construction practices contained therein. The ECoW will have the authority to halt any works not in accordance with the CEMP and report such incidences to the Council, as Planning Authority.
3. Prior to the commencement of the development, a Habitat Management Plan (HMP) shall be submitted to North Ayrshire Council, as Planning Authority, for written approval. The HMP will take cognisance of the outline management plan set out in the Preliminary Ecological Appraisal dated July 2024, by Atlantic Ecology, and submitted as part of this application, and provide details of the steps to be taken through construction and operation of the site for the management and enhancement of habitats.
4. Prior to the commencement of the development, details of landscaping shall be submitted to North Ayrshire Council, as Planning Authority, for written approval. The details shall be based on draft drawings LO1 Rev C and LO2 Rev C, submitted as part of this application, and will include details of all soft landscaping including grasscrete or similar paving areas and maintenance details. Any details as may be approved shall be carried out prior to the occupation of the complex or in the first planting season following completion of the buildings, whichever is soonest. Any landscaping which dies, becomes diseased, is removed or otherwise fails within 5 years of planting shall be reinstated in the first available planting season.

5. That the rated noise level, as defined in BS 4142:2014+A1:2019, from the operation of the development, as defined by the approved location plan, shall not exceed the background noise level at the curtilage of any noise sensitive premises existing or consented as of the date of the permission.

4. Urgent Items

There were no urgent items.

The meeting ended at 2.55 p.m.

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