



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

North Ayrshire Council Meeting

22 June 2022

VOLUME OF MINUTES

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Audit and Scrutiny Committee
31 May 2022

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

Present (Physical Participation)

John Bell, Donald Reid, Eleanor Collier, Cameron Inglis, Tom Marshall and Matthew McLean.

In Attendance (Physical Participation)

A. Sutton, Executive Director and A. McClelland, Head of Service (Education) (Communities and Education); M. Boyd, Head of Service, D. Forbes, Senior Manager (Strategic Business Partner), L. Miller, Senior Manager (Audit, Fraud Safety and Insurance) (Finance), A. Craig, Head of Service (Democratic), H. Clancy and D. McCaw, Committee Services Officers (Chief Executive's Service).

In Attendance (Remote Electronic Participation)

C. Cameron, Director (Health and Social Care Partnership); R. Arthur, Head of Service (Connected Communities) (Communities and Education); M. Anderson, Senior Manager, Committee and Member Services and A. Little, Committee Services Officer (Chief Executive's Service).

Also in Attendance (Physical Participation)

Beth Griffin and Lynn Kirkland (NHS Ayrshire and Arran).

Also in Attendance (Remote Electronic Participation)

P. Kenny (Deloitte).

Chair

Councillor Bell in the Chair.

Apologies

Davina McTiernan, Ian Murdoch and John Sweeney.

1. Chair's Remarks

The Chair agreed, in terms of Standing Order 10.5, to vary the order of business to allow consideration of Agenda Item 3: External Audit Report on Audit Dimensions and Best Value for the year ended 31 March 2022, immediately following Agenda Item 10: Participatory Budgeting, to allow remote attendance by the External Auditor.

2. Declarations of Interest

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

3. Accounts Commission's Report: Local Government in Scotland: Financial Overview 2020/21

Submitted report by the Head of Service (Finance) on the findings of the recently published Accounts Commission report on the Financial Overview 2020/21 of Local Government in Scotland. The report analysed the annual accounts produced by Local Authorities together with the reports of each body's external auditors, to identify relative performance, highlight challenges faced and assess responses to those challenges. The relevant feedback on each of the key messages, across 3 main categories identified, was detailed in Appendix 1 to the report.

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

- Covid-19 related funding which could not be spent in the last financial year and which was, therefore, identified as earmarked reserves in the current financial year for the specified set-aside purpose; and
- section 2.3 of the report being relative to the national position across Scotland with Section 2.5 specific to North Ayrshire.

The Committee agreed to note (i) the findings of the recent Accounts Commission report; and (ii) the current position regarding North Ayrshire in relation to the findings.

4. Internal Audit Annual Report 2021/22

Submitted report by the Head of Service (Finance) on the work of Internal Audit during 2021/22, covering the 14-month period from 1 February 2021 – 31 March 2022, and detailing an opinion on the governance, risk management and internal control environment of the Council. The full report was attached at Appendix 1 to the report.

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

- the potential to reduce the number of procurement cards in operation throughout North Ayrshire in order to mitigate misuse;
- the rationale for the allocation of Procurement Cards to more than one person within a service;
- the retrospective procurement card transaction authorisation process by a designated approver;
- delays between the purchase of goods/services and approval of transactions; and
- spending level analysis information which could be provided to the Committee.

The Head of Finance undertook to confirm the current number of Procurement Cards in operation across North Ayrshire, together with options for rationalising the number being utilised, and to provide spending level analysis information to the Committee.

The Committee agreed to note (i) the content of the annual report detailed at Appendix 1 to the report and (ii) the opinion of the Senior Manager on the Council's governance, risk management and internal control environment.

5. Annual Governance Statement 2021-22

Submitted report by the Head of Service (Finance) on the Council's Annual Governance Statement for 2021-22 for inclusion within the draft Annual Accounts. The Annual Governance Statement, detailed at Appendix 1 to the report, outlined the governance framework in place and changes which had been made to strengthen the framework during 2021-22.

The Committee agreed to approve the draft Annual Governance Statement as detailed at Appendix 1 to the report.

6. Accounting Policies 2021/22

Submitted report by the Head of Service (Finance) on the accounting policies which would be adopted in the preparation of the Council's Annual Accounts for the year to 31 March 2022. The draft Accounting Policies proposed for adoption were detailed at Appendix 1 to the report.

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

- the number of leases currently held by North Ayrshire Council;
- the benefit of utilising loans to buy assets outright as opposed to leasing in the current financial climate; and
- termination benefit information being provided to the Committee on a service basis.

The Senior Manager (Strategic Business Partner) undertook to provide termination benefit information to the Committee on a service basis.

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

7. Corporate Fraud Team Annual Report 2021/22

Submitted report by the Head of Service (Finance) on the work of the Corporate Fraud Team during 2021/22, where 280 referrals for investigation had been received.

The Senior Manager (Internal Audit, Risk and Fraud) highlighted investigations which had been carried out across a range of areas including employee-related matters as well as Council Tax, Discretionary Housing Payments, Scottish Welfare Fund, Blue Badges and Housing tenancy issues. The Committee was advised that joint working with the DWP Single Fraud Investigation Service (SFIS) in cases where there were suspected frauds relating to both DWP Benefits and Council Tax Reduction, had been suspended during the Pandemic, but the DWP had intimated that this work would recommence. It was further highlighted that the increase in referrals was not yet back to pre Covid-19 levels.

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

- whether 'scammers' were still an issue across North Ayrshire; and

- the slight reduction in the number of blue badge misuse warning letters issued given that the Corporate Fraud Team investigated 100% of the referrals made to the Team.

Noted.

8. Internal Audit and Corporate Fraud Action Plans: Quarter 4 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 March 2022. Appendix 1 to the report provided full details of the actions which were not completed within the agreed timescale, including the most recent update information.

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

- progress with the first 2 HSCP actions on page 96 of the report Appendix, with delays being attributed jointly to the 3 Ayrshire Councils and the NHS Board; and
- the establishment of a short-life working group to progress both HSCP actions with estimated completion by December 2022

The Committee agreed to note (i) the current position with the implementation of Internal Audit and Corporate Fraud actions; and (ii) that those Services which had not implemented actions within the previously agreed timescales would be challenged.

9. Internal Audit Reports Issued

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

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

Secondary Schools

- self-assessments carried out by secondary schools due to the Covid-19 pandemic;
- the audit planning process focussing primarily on Primary Schools in the current year; and
- the use of any surplus time gained once planned audit work had been completed, to allow a focus on Secondary Schools.

Noted.

10. Participatory Budgeting

Submitted report by the Executive Director (Communities and Education) providing an update on engagement methods used in Participatory Budgeting events and on future engagement approaches following the easing of restrictions in terms of Covid-19.

The Committee agreed to approve the recommended engagement methods for use in future Participatory Budgeting events, as set out in the report.

11. External Audit Report on Audit Dimensions and Best Value for the year ended 31 March 2022

Submitted report by Head of Service (Finance), and received a verbal report by the External Auditor, on the findings from the External Audit report on Audit Dimensions and Best Value for 2021/22 which summarised the external auditor's conclusions across four audit dimensions within the scope of the 2021/22 audit work, and the review of arrangements made by the Council for securing Best Value. The full External Audit Report was attached at Appendix 1 to the report.

The Committee agreed (a) to note (i) the findings contained in the External Auditor's very positive Audit Dimensions and Best Value report detailed at Appendix 1 to the report; and (ii) the sector developments as outlined in the report; and (b) to receive the External Auditor's Annual Report on the accounts to the meeting to be held on 27 September 2022.

12. Exclusion of the Public – Para 1

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

13. Investigation Reports Issued

Submitted report by the Head of Service (Finance) on investigation reports finalised since the last meeting.

Noted.

The meeting ended at 11.05 a.m.

Licensing Committee

1 June 2022

At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m. within the Council Chambers, Irvine.

Present

Eleanor Collier, Nairn McDonald, John Bell, Stewart Ferguson, Christina Larsen, Jean McClung, Donald L. Reid and Ronnie Stalker.

In Attendance

W. O'Brien, Solicitor (Licensing) and H. Clancy, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Collier in the Chair.

Apologies

Angela Stephen

1. Chair's Remarks

The Chair agreed, in terms of Standing Order 10.5, to vary the order of business to allow earlier consideration of Agenda Item 4: Review and Fixing of Taxi Scales (Civic Government (Scotland) Act 1982, Sections 17 to 18A) and Agenda Item 5: Taxi Stance at Hamilton Street, Saltcoats (Civic Government (Scotland) Act 1982, Sections 19).

2. Declarations of Interest

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

3. Review and Fixing of Taxi Scales (Civic Government (Scotland) Act 1982, Sections 17 to 18A)

Submitted report by the Head of Democratic Services on the Review and Fixing of Taxi Scales and the proposed timetable for the Review and Fixing Process.

The Committee agreed to approve (i) the proposed timetable for the Review and Fixing Process and (ii) the suggested process of Trade Consultation with Taxi Operators to take place on 13 June 2022 at 10.00 a.m. with Councillors Collier, McDonald and Stalker.

4. Taxi Stance at Hamilton Street, Saltcoats (Civic Government (Scotland) Act 1982, Sections 19)

Submitted report by the Head of Democratic Services on the Taxi Stance at Hamilton Street, Saltcoats.

The Committee agreed to approve (i) the Taxi Stance at Hamilton Street, Saltcoats; (ii) the Taxi Stance operating hours of 6pm – 3am for 6 spaces; and (iii) appropriate alterations to signs and road markings.

5. Exclusion of the Public

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

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

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

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

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

Appendix A: Hearings

6.1 Taxi Driver's Licence: TDL/02293 (New): John Welsh

The Committee at its meeting held on 9 March 2022 agreed, to proceed to a Hearing in terms of Paragraph 4(2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

The Committee agreed to continue consideration of this item to a future meeting.

Appendix B: Applications for Licences/Renewal of Licences

6.2 PEL/670 (Temporary): Kelburn Arts Ltd

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

6.3 TDL/00422 (Renewal): James Cunninghame

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

The meeting ended at 11.15 a.m.

Cabinet
7 June 2022

IRVINE, 7 June 2022 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Marie Burns, Scott Davidson, Tony Gurney, Alan Hill, Margaret Johnson, Christina Larsen and Shaun Macaulay; and Elizabeth Turbet (Church Representative) and Jackie MacKenzie (Teaching Representative) (Agenda Items 2-3).

In Attendance

C. Hatton, Chief Executive, M. Boyd, Head of Service (Finance), F. Walker, Head of Service (People & ICT), D. Forbes, Senior Manager (Finance Management) and L. Miller, Senior Manager (Audit, Fraud, Safety and Insurance) (Chief Executive's Service); R. McCutcheon, Executive Director, C. McAuley, Head of Service (Economic Development and Regeneration), L. Kirk, Senior Manager (Regeneration) and L. Neill, Senior Manager (Employability) (Place); A. Sutton, Executive Director, R. Arthur, Head of Service (Connected Communities), A. McClelland, Head of Service (Education), K. Herron, Senior Manager (Education) and L. Forsyth, Senior Manager (Information and Culture); C. Cameron, Director (Health and Social Care Partnership); J. Hutcheson, Senior Communications Officer and C. Stewart, Committee Services Officer (Democratic Services).

Apologies

Andrew Bruce, Church Representative.

Chair

Marie Burns in the Chair.

1. Chair's Remarks

Councillor Burns, Chair, welcomed those present to the first meeting of the Cabinet under the new Administration and advised that due to a technical issue this meeting of Cabinet was unable to be webcast. The Chair also reminded Members that all decisions were subject to the Call In Procedure detailed at Standing Order 26.

2. Declarations of Interest

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

3. School Attainment Results 2021

Submitted a report by the Executive Director (Communities and Education) on (a) the overall performance of the 2021 North Ayrshire Council school leavers as highlighted in the INSIGHT benchmarking tool; and (b) Curriculum for Excellence attainment levels in literacy and numeracy for 2021. Improving attainment in Literacy and Numeracy was shown in the charts in Appendix 1 to the report; Improving Attainment for All was shown in the charts in Appendix 2; Attainment vs. Deprivation

was shown in the charts in Appendix 3; Increasing Post-School Participation was shown in the charts in Appendix 4 and Attainment in Broad General Education – Attainment of Curriculum for Excellence Level (ACEL) in P1, P4 and P7 was shown in Appendices 5 and 6 to the report.

Members asked questions and were provided with further information in relation to Pupil Equity Funding (PEF) and the measurable outcomes in this respect.

The Cabinet agreed to (a) note (i) the content of the report, including the progress being made by learners, specifically in literacy and numeracy, (ii) the achievements of school leavers in SQA examinations in 2021; and (b) approve the measures being taken to make further improvements to attainment and achievement levels across all schools.

4. Educational Achievement of Care Experienced Learners in North Ayrshire in 2021

Submitted a report by the Executive Director (Communities and Education) on (a) Curriculum for Excellence Broad General Education (BGE) attainment levels of care experienced learners in 2021; (b) Senior Phase attainment of care experienced school leavers in 2021; and (c) Postschool participation of care experienced learners. The total number of care experienced young people in North Ayrshire at the annual census date in September each year was shown in the charts in Appendix 1 to the report; Attainment in Literacy and Numeracy in Broad General Education for care experienced leavers was shown in the charts in Appendix 2; Attainment in Literacy and Numeracy and overall attainment in all qualifications at Senior Phase level for care experienced school leavers was shown in the charts in Appendices 3-5 and Post-school participation of care experienced school leavers was shown in the charts in Appendix 6 to the report.

Members asked questions and were provided with further information in relation to the types of positive outcomes for care experienced learners.

The Cabinet agreed to note (i) the content of the report, including the progress being made by learners, specifically in literacy and numeracy and (ii) the achievements of school leavers in SQA examinations in 2021.

5. Community Asset Transfer

Submitted a report by the Executive Director (Communities and Education) seeking approval for the transfer of ownership of Thornhouse Avenue Tennis Courts, Irvine to Irvine Tennis Club. A location plan was attached at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to the development plans and number of full-time members of the Tennis Club.

The Cabinet agreed to (a) the asset transfer of Thornhouse Avenue Tennis Courts, Irvine from North Ayrshire Council to Scottish Incorporated Charitable Organisation (SCIO), "Irvine Tennis Club"; (b) approve the recommended terms of transfer on this occasion at 1% of the property valuation of £113,000 (totalling £1130); and (c)

authorise officers to conclude the associated legal and community asset transfer processes for Thornhouse Avenue Tennis Courts.

6. Child Poverty Report 2021/22 & Action Plan 2022/23

Submitted a report by the Executive Director (Communities and Education) seeking approval for (a) The North Ayrshire Child Poverty Report 2021-22 and Action Plan 2022-23; (b) the submission of the report to the Scottish Government and the publication on the North Ayrshire Community Planning Partnership website; (c) the proposal to develop a strategy to tackle child poverty, covering the period 2023-26; (d) the introduction of a “Tackling Child Poverty” Board to agree, monitor and deliver our local strategy in relation to the wide-ranging proposals within the Scottish Government’s Tackling Child Poverty Delivery Plan, to be chaired by the Council Leader; and (e) Permission to propose North Ayrshire as a “Pathfinder” local authority in tackling child poverty, as described in the Scottish Government delivery plan (Best Start, Bright Futures: tackling child poverty delivery plan 2022 to 2026). The draft North Ayrshire Local Child Poverty Action Plan and Report 2022-23 was attached as Appendix 1 to the report.

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

- income maximisation to focus on the maximum take up of all supports available in North Ayrshire;
- ‘pathfinder’ areas designed to tackle child poverty and which would commence work on a phased approach to develop a whole system, person-centred support; and
- the range of payments and supports already in place which were being taken forward by Local Government.

The Cabinet agreed (a) to approve the North Ayrshire Child Poverty Report 2021-22 and Action Plan 2022-23; (b) that the report could be submitted to the Scottish Government and published on the North Ayrshire Community Planning Partnership website; (c) to approve the proposal to develop a strategy to tackle child poverty, covering the period 2023-26; (d) to approve the introduction of a “Tackling Child Poverty” Board to agree, monitor and deliver our local strategy in relation to the wide-ranging proposals within the Scottish Government’s Tackling Child Poverty Delivery Plan, to be chaired by the Council Leader; and (e) to grant permission to propose North Ayrshire as a “Pathfinder” local authority in tackling child poverty, as described in the Scottish Government delivery plan (Best Start, Bright Futures: tackling child poverty delivery plan 2022 to 2026).

7. Appointment of Champions

Submitted a report by the Head of Service (Democratic Services) on the appointment of five Champions to represent Young People, Mental Health, Older People, Veterans and Carers.

Having heard the Chief Executive advise of a change in nomination to the Veterans Champion contained in the report, the Cabinet agreed to make the following appointments:

Young People's Champion - Councillor Chloe Robertson
Mental Health Champion - Provost Anthea Dickson
Older People's Champion - Councillor Donald L. Reid
Veterans Champion – Councillor Jim Montgomerie
Carers Champion - Councillor Nairn McDonald

The following item is subject to the call-in procedure per the Council's Scheme of Administration and will be considered at a meeting of Audit & Scrutiny Committee.

8. Revenue Budget 2021/22: Financial Performance to 31 March 2022

Submitted a report by the Head of Service (Finance) on the financial performance for the Council at 31 March 2022. Detailed explanations of the significant variances in service expenditure compared to the approved budgets, together with information on funding to be carried forward to support expenditure during 2022/23 were provided in Appendices 1-5 of the report. A full list of the proposed carry forward of earmarked funds was included at Appendix 5. Information in respect of the Housing Revenue Account (HRA) was set out in Appendices 6 and 6a to the report.

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

- the position in relation to unearmarked reserves; and
- energy efficiency measures including heating support funding, scheduled to be in place prior to the start of the Autumn/Winter heating season.

The Cabinet agreed (a) to note (i) the information and financial performance outlined in the report and its associated appendices, (ii) the transfer of the net in-year underspend of £3.073m to supplement the Investment Fund, (iii) the financial performance of the Health and Social Care Partnership at paragraph 2.7 of the report and (iv) the IJB cumulative deficit position of £2.320m at 31 March 2022; and (b) to approve the additional earmarking of £11.833m identified at section 2.5 of the report to meet future year commitments.

9. Capital Programme Performance to 31 March 2022

Submitted a report by the Head of Service (Finance) on progress in delivering the Capital Investment Programme for 2021/22.

Members asked questions and were provided with further information on issues affecting Capital Programme projects, including inflationary pressures in relation to increases in materials and construction costs.

The Cabinet agreed to (a) note (i) the revisions to budgets outlined in the report, and (ii) the General Services and HRA expenditure to 31 March 2022.

10. Strategic Risk Register 2022/23

Submitted a report by the Head of Service (Finance) seeking approval of the Strategic Risk Register for 2022/23. The Strategic Risk Register was set out at Appendix 1 to the report.

The Cabinet agreed to approve the Council's Strategic Risk Register for 2022/23 as set out at Appendix 1 to the report.

The following item is subject to the call-in procedure per the Council's Scheme of Administration and will be considered at a meeting of Audit & Scrutiny Committee.

11. Regeneration Delivery Plan Funding Proposals 2022/23

Submitted a report by the Executive Director (Place) seeking approval for the 2022/23 Regeneration Delivery Plan funding proposals.

Members asked questions and were provided with further information in relation to timescales for submitting applications to the Scottish Government's Regeneration Capital Grant Fund (RCGF).

The Cabinet agreed (a) to approve the Regeneration Delivery Plan funding proposals for 2022/23 provided at Appendix 1 to the report; (b) that delegated authority be granted to the Executive Director (Place) to agree changes to the funding allocations in consultation with the Portfolio Lead, as required; and (c) to note the update on the previously agreed Levelling Up Fund (LUF) bid for the 'Gateway to the West Coast and Clyde Islands strategic regeneration package' and that this LUF bid would now be solely based on the development of Lochshore.

12. North Ayrshire's Local Employability Partnership - No One Left Behind Delivery Plan

Submitted a report by the Executive Director (Place) on North Ayrshire's Local Employability Partnership and seeking approval of the proposed North Ayrshire 'No One Left Behind' Delivery Plan.

Members asked questions and were provided with further information in relation to employability and fair and sustainable work.

The Cabinet agreed to (a) note the update on the work of North Ayrshire's Local Employability Partnership; (b) approve (i) the North Ayrshire 'No One Left Behind' Delivery Plan attached at Appendix 3 to the report, and investment priorities detailed therein and (ii) the submission of the North Ayrshire Delivery Plan to the Scottish Government as requested to support the 'No One Left Behind' Offer of Grant.

13. UK Shared Prosperity Fund

Submitted a report by the Executive Director (Place) on the UK Shared Prosperity Fund (SPF) and seeking agreement on the Council's approach to developing an investment plan to secure funding from the three-year programme.

The Cabinet agreed to (a) note the proposed local approach to the Shared Prosperity Fund (SPF); (b) support the production of a North Ayrshire SPF Investment Plan that reflected future aspirations for a regional investment plan; (c) the Ayrshire Regional Economic Joint Committee as the 'SPF partnership group'; (d) note the timelines indicated and supports the request to UK Government (UKG) for an extension period until the 31 August 2022; and (e) receive a further report to the next meeting of the Cabinet presenting and seeking approval of North Ayrshire Council's proposed SPF Investment Plan submission to UKG.

The following item is subject to the call-in procedure per the Council's Scheme of Administration and will be considered at a meeting of Audit & Scrutiny Committee.

14. North Ayrshire Economic COVID Recovery Fund

Submitted a joint report by the Executive Director (Place) and the Executive Director (Communities & Education) on the Economic COVID Recovery Fund and seeking agreement for the proposed North Ayrshire Economic COVID Recovery Fund Investment Plan.

Members asked questions and were provided with further information in relation to grant funding including the range and supports available.

The Cabinet agreed to (a) note the Scottish Government's recently announced Economic Covid Recovery Fund, which would see an allocation of £2.154m for North Ayrshire; and (b) approve the proposed North Ayrshire Economic COVID Recovery Fund Investment Plan.

The meeting ended at 4.35 p.m.

Planning Committee
8 June 2022

Irvine, 8 June 2022 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

Robert Foster, Timothy Billings, Scott Davidson, Stewart Ferguson, Cameron Inglis, Amanda Kerr and Chloé Robertson.

In Attendance

J. Miller, Chief Planning Officer (Planning); J. Law, Solicitor (Legal Services) and A. Little, Committee Services Officer (Chief Executive's Service).

Apologies

Davina McTiernan, Jim Montgomerie and Ian Murdoch.

Chair

Councillor Foster 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. 22/00163/PP: 120 - 122 Irvine Road Largs Ayrshire

GHG Holdings Ltd, have applied for an amendment to planning permission 21/00247/PP to include 4 additional dwelling flats at 120-122 Irvine Road, also known as Walkerstone House, Largs. Four objections and one representation were received and summarised in the report.

Discussion took place on parking charging points and it was considered that a condition to ensure these were provided would be appropriate.

Councillor Foster, seconded by Councillor Davidson, moved that the application be granted, subject to conditions, including parking charging points. There being no amendment, the motion was declared carried.

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

1. That prior to the date of commencement of the development a Preliminary Bat Roost Assessment, dated between May and August in the year of the proposed date of commencement, shall be submitted to the Council, as Planning Authority, for written approval. Thereafter the development will be carried out in accordance with the recommendations of any Assessment as may be approved.

2. Prior to the commencement the proposed means of access to the A78 shall be constructed in accordance with drawing 5822-R-3B . The type (and method) of construction to be approved by the Planning Authority, in consultation with Transport Scotland, as Trunk Roads Authority, before the development is commenced. For the avoidance of doubt there shall be no drainage connections to the trunk road drainage system.
3. That prior to the commencement of the development, details of tree protection measures for the trees identified as to be retained on approved drawing 5822-R-3B shall be submitted to the Council, as Planning Authority, for written approval. The development will thereafter commence in accordance with any details as may be approved.
4. The trees identified as to be retained on approved drawing 5822-R-3B shall not be cut down, topped, lopped, uprooted, wilfully damaged or wilfully destroyed except with the written permission of the Council, as Planning Authority.
5. That prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council, as Planning Authority, a scheme of landscaping. Any landscaping scheme as may be approved shall be carried out in the first planting season following completion or first occupation of the development, whichever is soonest, or unless otherwise agreed in writing by 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.
6. That prior to the commencement of the development, details of the surface water attenuation shall be submitted for the written approval of North Ayrshire Council, as Planning Authority. Thereafter the development will be carried out in accordance with any details as may be approved.
7. That prior to the commencement of the development details of the bin stores shall be submitted to the Council, as Planning Authority, for written approval. Any details as may be approved shall be implemented prior to the occupation of the relevant block.
8. That prior to the commencement of the development, details of the external finish materials for the blocks shall be submitted to the Council, as Planning Authority, for written approval. The development will thereafter commence in accordance with any details as may be approved.
9. That prior to the commencement of the development details of the eastern boundary treatment shall be submitted to the Council, as Planning Authority, for written approval. This must include visibility splays from the vehicle access as shown on drawing 5822-R-3B . In a vertical plane, nothing shall obscure visibility measured from a driver's eye height between 1.05m and 2m

positioned at the set back dimension to an object height of between 0.26m and 1.05m along the y dimension. Any details as approved must be implemented prior to the occupation of the first property.

10. That, prior to the commencement of the development hereby approved, details of the heat and power systems for the house, which shall include low and/or zero carbon technologies to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met, shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall be implemented in accordance with such details as may be approved unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.
11. That prior to the commencement of the development, details of obscure glazing for the southernmost elevation windows of Block 1 and Block 3, northernmost elevation windows of Block 2 and Block 4, and side elevations of all balconies shall be submitted to the Council, as Planning Authority, for written approval. Any glazing, as may be approved, shall be installed prior to occupation of the relevant flat and retained thereafter.

3. 22/00187/PP: 82 Main Street, Largs

TSA Properties , have applied for planning permission for the erection of a single storey building for use as a hot food takeaway at 82 Main Street, Largs. One objection was received and summarised in the report.

Councillor Billings, seconded by Councillor Inglis, moved that the application be granted, subject to conditions. There being no amendment, the motion was declared carried.

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

1. Prior to commencement of development, details of all external finished to be submitted to North Ayrshire Council, as planning authority, for written approval. The development will then be carried out in accordance with any details as approved.
2. That the hot food takeaway use hereby approved shall operate only between the hours of 08:00 and 23:00 hours Sunday to Thursday and between the hours of 08:00 and 0:00 (midnight) Friday and Saturday to the satisfaction of North Ayrshire Council as Planning Authority.
3. The rated noise level, from the operation of all plant/equipment associated with the premises including extraction system and associated flues etc, must not exceed the background noise level by 5dB(A) or more at the curtilage of any noise sensitive premises.
4. That the mechanical ventilation system in the kitchen shall be designed and installed to be suitable for the type of cooking to be undertaken and be capable of operating without causing nuisance to neighbouring properties

due to cooking odours or noise. The system must incorporate suitable means of filtration (e.g. grease and charcoal filters) and be suitably isolated from the structure of the building. Fan units positioned in a ducted system should be isolated from the ducting by means of flexible connections, all to the satisfaction of North Ayrshire Council as Planning Authority.

4. 22/00150/PP: Site To South Of 25 Marine Parade, Millport

Mr Colin McGregor has applied for planning permission for the erection of a detached dwelling house at the site to the south of 23 Marine Parade, Millport. One representation was received and summarised in the report.

Councillor Davidson, seconded by Councillor Robertson, moved that the application be granted, subject to conditions. There being no amendment, the motion was declared carried.

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

1. That prior to the commencement of the development hereby approved, full details of the proposed finishing materials shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall progress in accordance with such details as may be approved.
2. That prior to the commencement of the development hereby approved, full details of the proposed boundary treatments shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Any treatments as may be approved shall be fully implemented prior to the occupation of the house.
3. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority a scheme of landscaping, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.
4. That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.
5. That prior to the commencement of the development hereby approved, full details of the surface water drainage arrangements shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the

development shall progress in accordance with such details as may be approved.

6. That prior to the commencement of the development hereby approved, full details of the proposed low and zero carbon generating technologies to be used shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall progress in accordance with such details as may be approved.
7. That the first 2 metres of the access, measured from the heel of the footway shall be hard surfaced in order to prevent deleterious material being carried onto the carriageway and designed in such a way that no surface water shall issue from the access onto the carriageway.

5. 22/00216/PP: 16-18 Dockhead Street, Saltcoats

Albion Douglas Ltd, have applied for the removal of condition 1 of planning permission 21/00233/PP to allow the permanent use of the external seating area to the rear of the public house at 16-18 Dockhead Street, Saltcoats.

Councillor Inglis, seconded by Councillor Kerr, moved that the application be granted, subject to conditions. There being no amendment, the motion was declared carried.

The Committee agreed to grant the application subject to the following condition:-

1. That the boundary fence and gates shall be retained in perpetuity to the satisfaction of North Ayrshire Council, as Planning Authority.

6. 22/00295/PP: Site To the East Of 1 Kirkland Crescent, Dalry

Bradagh Interiors have applied for planning permission for the erection of 3 single storey terraced dwellinghouses to include associated garden ground, parking and boundary treatment at the site to the east of 1 Kirkland Crescent, Dalry. One representation was received and summarised in the report.

Councillor Davidson, seconded by Councillor Robertson, moved that the application be granted, subject to conditions. There being no amendment, the motion was declared carried.

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

1. That details of the boundary enclosures shall be agreed in writing with North Ayrshire Council as Planning Authority prior to the commencement of any works. Thereafter any such details, which may be agreed, shall be implemented prior to the occupation of each house and thereafter maintained all to the satisfaction of North Ayrshire Council as Planning Authority.

6. Planning Performance Framework

Submitted report by the Chief Planning Officer on the Planning Performance Framework (PPF) for the period April 2021 to March 2022. The Planning Performance report was attached at Appendix 1 and captured key elements of the planning service's performance and reported on a range of qualitative and quantitative indicators.

The Committee commended the Planning Service on the excellent work in maintaining and improving determination timescales, despite a significant increase in the number of applications, over the past year.

The Committee agreed to (a) note the content of the latest Planning Performance Framework report, attached at Appendix 1; and (b) approve its submission to Scottish Government.

The meeting ended at 3.15 p.m.

Local Review Body Committee
8 June 2022

Irvine, 8 June 2022 - At a Meeting of the Local Review Body of North Ayrshire Council at 3.20 p.m.

Present

Robert Foster, Timothy Billings, Scott Davidson, Stewart Ferguson, Cameron Inglis, Amanda Kerr and Chloé Robertson.

In Attendance

A. Hume (Item 2) and I. Davies (Item 3), Senior Development Management Officers (Planning); J. Law, Solicitor (Legal Services) and A. Little, Committee Services Officer (Chief Executive's Service).

Apologies

Davina McTiernan, Jim Montgomerie and Ian Murdoch.

Chair

Councillor Foster 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 21/01180/PP - 11 Hyndman Road, Seamill, West Kilbride

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

The Planning Adviser to the Local Review Body summarised the Notice of Review submitted by the applicant, the Report of Handling submitted by the appointed officer, the representations received and policies affecting the application. Photographs and plans of the site were displayed. The Planning Adviser referred to the applicant's request for a site visit.

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

Councillor Foster, seconded by Councillor Kerr, moved that the Local Review Body uphold the officer's decision to refuse the application for the reasons outlined in the Decision Notice.

There being no amendment the motion was declared carried.

3. 21/01036PP - 48 Stoneyholm Road, Kilbirnie

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

The Planning Adviser to the Local Review Body summarised the Notice of Review submitted by the applicant, the Report of Handling submitted by the appointed officer, the representations received and policies affecting the application. Photographs and plans of the site were displayed.

Councillor Foster seconded by Councillor Davidson, moved that the Local Review Body uphold the appeal and grant planning permission.

As an amendment, Councillor Billings, seconded by Councillor Inglis, moved that the Local Review Body uphold the officer's decision and refuse planning permission.

On a division there voted for the amendment three and for the motion four, and the motion was declared carried.

Accordingly, the Local Review Body agreed to grant the application.

The meeting ended at 4.15 p.m.

Appeals Committee
9 June 2022

At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m. involving participation by remote electronic means.

Present

John Bell, Shaun Macaulay and Tom Marshall.

In Attendance

J. Smillie, Senior Manager (HR & OD) (People and ICT) and D. Grier, Solicitor (Litigation) (Democratic Services).

Also In Attendance

B. Borthwick, Senior Manager (Building Services) (Place); M. Jackson, HR Adviser (HR & OD); and the appellant and appellant's representative.

Chair

Councillor Bell 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 Demotion

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

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

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, and his representative withdrew from the hearing to allow the Committee to deliberate.

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

The Meeting ended at 12.15 p.m.