



North Ayrshire Council

Comhairle Siorrachd Àir a Tuath

North Ayrshire Council Meeting

16 December 2020

VOLUME OF MINUTES

From 4 September – 2 December 2020

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AYRSHIRE SHARED SERVICES JOINT COMMITTEE

MINUTES OF MEETING HELD ON FRIDAY 4 SEPTEMBER 2020 AT 1005 HOURS BY VIDEO CONFERENCE

PARTICIPATING: Councillors Douglas Reid, John McGhee and Tom Cook (all East Ayrshire Council); Councillors Alec Clark, Ian Cochrane and Philip Saxton (all South Ayrshire Council); and Councillors Joe Cullinane and Marie Burns (both North Ayrshire Council).

ALSO PARTICIPATING: Kevin Braidwood, Interim Head of Roads; and Kenny Markwick, Strategic Manager: Roads, Transportation and Maintenance (both Ayrshire Roads Alliance); Catriona Caves, Head of Regulatory Services; Kevin Carr, Executive Manager - Place; and Jane McGeorge, Co-Ordinator, Ayrshire Civil Contingencies Team (all South Ayrshire Council); and Katie Kelly, Depute Chief Executive: Safer Communities; Paul Whip, Group Finance Manager; and Lynn Young, Democratic Services Officer (all East Ayrshire Council).

APOLOGIES: Councillor Jim Roberts, East Ayrshire Council; and Councillor Bob Pollock, South Ayrshire Council.

CHAIR: Councillor Douglas Reid, East Ayrshire Council, Chair.

EXCLUSION OF PRESS AND PUBLIC

1. The Committee resolved:- "That under Section 50A(3A) of the Local Government (Scotland) Act 1973, as amended, the Press and public be excluded from the meeting for the following items of business on the grounds that if members of the public were present, there would be a real and substantial risk to public health due to infection or contamination with coronavirus".

DECLARATIONS OF INTEREST

2. It was noted that no declarations of interest were intimated in relation to the undernoted items of business on the Agenda.

MINUTE OF MEETING HELD ON 24 JANUARY 2020

3. There was submitted and approved as a correct record, the Minutes of previous meeting of the Ayrshire Shared Services Joint Committee of 24 January 2020 (circulated).

UPDATED MEETINGS CALENDAR SEPTEMBER TO DECEMBER 2020

4. There was submitted an updated Meetings Calendar for September to December 2020 (circulated) which proposed that the Chaining and Clerking arrangements for the Ayrshire Shared Services Joint Committee revert back to the rotational arrangements as detailed in the Minute of Agreement, rotating on the anniversary of the first meeting. It was agreed to approve the updated meetings calendar and that the Chaining and Clerking arrangements rotate in line with the rotational arrangements as detailed in the Minute of Agreement.

AYRSHIRE CIVIL CONTINGENCIES TEAM

5. There was submitted a report dated 7 August 2020 (circulated) by the Head of Regulatory Services, South Ayrshire Council which advised the Joint Committee on progress made against the Ayrshire Civil Contingencies Team (ACCT) Work Plan for 2020/2021 and provided an overview on the work undertaken to support the COVID19 pandemic response through the Ayrshire Local Resilience Partnership (ALRP).

It was agreed:-

- (i) to approve the progress made against the current work plan for 2020/2021 as detailed on the updated Work Plan provided at Appendix 1 of the report;
- (ii) that the redefined ACCT Workplan be provided to a future Joint Committee;
- (iii) to note the absence of the ALRP Annual report 2019/2020 due to the high level of involvement by all partners, including the ACCT in the response to the COVID19 pandemic response; and
- (ii) otherwise, to note the contents of the report.

Councillors Joe Cullinane and Marie Burns, North Ayrshire Council left the meeting at this point.

AYRSHIRE ROADS ALLIANCE

MINUTE OF MEETING HELD ON 13 MARCH 2020

6. There was submitted and approved as a correct record, the Minutes of previous meeting of the Ayrshire Shared Services Joint Committee of 13 March 2020 (circulated).

6.1 MATTERS ARISING

Item 7.2 Transport (Scotland) Bill – Pavement Parking

On a request for an update on the introduction within the Bill of a national ban on pavement parking, it was noted that there was no update due to the COVID-19 (Coronavirus) Pandemic, however the Interim Head of Roads would continue to pursue the matter.

ROADWORKS PROGRAMME 2020/2021

7. There was submitted a report (circulated) by the Interim Head of Roads: Ayrshire Roads Alliance which advised of the progress made with the road improvement programmes within East Ayrshire and South Ayrshire for financial year 2020/2021.

Arising from discussion and in response to particular matters raised, the Members noted further information as undernoted:

- The budget position with regards to the roadwork programme;
- The revisit by the contractor to the recently completed car park at Yardside Road, Kilmaurs;
- Completed flood prevention works at Ayr Road, Prestwick;
- Resurfacing work at Bellston, Coylton; and
- Maintenance works at Bridge of Coyle despite the decision by South Ayrshire Council Leadership Panel in 2018 that the resources that would be released from not proceeding with the replacement of the bridge be instead invested in roads;

It was agreed:-

- (i) to note the Ayrshire Roads Alliance works progress for 2020/2021;
- (ii) that in future reports, the financial information detailed in paragraphs 4 and 5 of the report be presented in a table format; and
- (ii) otherwise, to note the contents of the report.

RISK REPORT AND REGISTER

8. There was submitted a report dated 25 August 2020 (circulated) by the Interim Head of Roads: Ayrshire Roads Alliance which advised on the management of risk associated with the Ayrshire Roads Alliance.

Arising from discussion and in response to particular matters raised, the Members noted further information as undernoted:

- Levels of salt stock materials for the Winter Service Operations; and
- The sufficient numbers of trained and competent personnel to operate the Winter Service Operation.

It was agreed:-

- (i) to note the risk register presented in the report;
- (ii) to continue to receive updates on progress, noting that a new updated risk register template would be submitted to the next meeting; and
- (iii) otherwise, to note the contents of the report.

UPDATE ON PERFORMANCE SCORECARD

9. There was submitted a report (circulated) by the Interim Head of Roads: Ayrshire Roads Alliance which advised of progress made to date against the Performance Scorecard.

It was agreed:-

- (i) to note the performance scorecard as detailed in the report;
- (ii) to continue to receive the performance scorecard updates; and
- (iii) otherwise, to note the contents of the report.

DEVELOPMENT CONTROL UPDATE - ROAD BONDS

10. There was submitted a report dated 19 August 2020 (circulated) by the Interim Head of Roads: Ayrshire Roads Alliance which updated the Joint Committee on the position regarding road bonds held by the Ayrshire Roads Alliance on behalf of East and South Ayrshire Councils.

On the matter having been raised, it was noted that Ayrshire Roads Alliance would arrange for an inspection to be carried out at the North East Troon Development.

It was agreed:-

- (i) to note the position regarding Road Bonds currently held by the Ayrshire Roads Alliance on behalf of East Ayrshire Council and South Ayrshire Council;
- (ii) to note the findings from the internal audit of Road Bonds;

- (iii) that progress reports be provided to future meetings of the Joint Committee on an annual basis; and
- (iv) otherwise, to note the contents of the report.

REVENUE FINANCIAL MONITORING REPORT TO 31 MARCH 2020

- 11.** There was submitted a report (circulated) by the Depute Chief Executive and Chief Financial Officer: Economy and Skills, East Ayrshire Council which updated on the revenue budget monitoring position for the year to 31 March 2020, for the Ayrshire Roads Alliance.

It was agreed:-

- (i) to note the financial management position of the Ayrshire Roads Alliance;
- (ii) that a further financial update be prepared for the next meeting of the Joint Committee; and
- (iii) otherwise, to note the contents of the report.

REVENUE FINANCIAL MONITORING REPORT TO 19 JULY 2020

- 12.** There was submitted a report (circulated) by the Depute Chief Executive and Chief Financial Officer: Economy and Skills, East Ayrshire Council which updated on the revenue budget monitoring position for the year to 19 July 2020, for the Ayrshire Roads Alliance.

On the matter having been raised, the Members noted the significant shortfall in parking as a result of the COVID-19 (Coronavirus) Pandemic and the potential for a further shortfall for 2021/2022.

It was agreed:-

- (i) to note the financial management position of the Ayrshire Roads Alliance;
- (ii) that a further financial update be prepared for the next meeting of the Joint Committee which will include more prominent information resulting from the COVID-19 (Coronavirus) Pandemic; and
- (iii) otherwise, to note the contents of the report.

The meeting terminated at 1045 hours.



**North Ayrshire Health and Social Care Partnership
Minute of the virtual Integration Joint Board meeting held on
Thursday 22 October 2020 at 10.00 a.m.**

Present

Councillor Robert Foster, North Ayrshire Council (Chair)
Councillor Timothy Billings, North Ayrshire Council
Adrian Carragher, NHS Ayrshire and Arran
Councillor Anthea Dickson, North Ayrshire Council
Jean Ford, NHS Ayrshire and Arran
John Rainey, NHS Ayrshire and Arran
Councillor John Sweeney, North Ayrshire Council

Caroline Cameron, Chief Finance and Transformation Officer
Dr Paul Kerr, Clinical Director
Alistair Reid, Lead Allied Health Professional Adviser
Dr Calum Morrison, Acute Services Representative
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)
Graham Searle, Carers Representative (Depute for Marie McWaters)
Clive Shepherd, Service User Representative
Vicki Yuill, Third Sector Representative
Janet McKay, Chair (Garnock Valley Locality Forum)

In Attendance

Andrew Fraser, Head of Democratic Services
Audrey Sutton, Interim Executive Director (Communities)
Thelma Bowers, Head of Service (Mental Health)
Alison Sutherland, Head of Service (Children, Families and Criminal Justice)
Michelle Sutherland, Partnership Facilitator
Neil McLaughlin, Manager (Performance and Information Systems)
Eleanor Currie, Manager (HSC Finance and Transformation)
Kirstin Dickson, Director of Transformation and Sustainability
Karen Andrews, Team Manager Governance
Angela Little, Committee Services Officer
Diane McCaw, Committee Services Officer

Apologies for Absence

Bob Martin, NHS Ayrshire and Arran (Vice-Chair)
David MacRitchie, Chief Social Work Officer
Marie McWaters, Carers Representative

1. Apologies

Apologies were noted.

1.1 Chair's Remarks

The Chair advised he had agreed to consider an urgent item of business in relation to arrangements for the Integration Joint Board Chief Officer Recruitment and this would be taken at Item 4 on the agenda

2. Declarations of Interest

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

3. Minutes/Action Note

The accuracy of the Minutes of the meeting held on 24 September 2020 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4. Integration Joint Board Chief Officer Recruitment Arrangements

Submitted report by Andrew Fraser, Head of Democratic Services on arrangements for the recruitment of an Integration Joint Board Chief Officer, Deputy Chief Officer, Interim Chief Officer and Head of Service (Health and Community Care).

The Board was advised that the Interim Chief Officer post would be ring-fenced to the four Heads of Service and that the post of Director would be advertised externally.

On behalf of the Board, the Chair expressed his thanks and appreciation to Stephen Brown for his hard work and achievements as Director of the Partnership.

The Board agreed (a) to the appointment of the Director of the Health and Social Care Partnership as the Chief Officer of the Integration Joint Board; (b) that the Director of the Health and Social Care Partnership/Chief Officer of the IJB will be recruited by North Ayrshire Council's Staffing and Recruitment Committee with membership comprising representatives from the Council, NHS Ayrshire and Arran and the IJB, as set out in paragraph 2.4 of the report; (c) to the proposals for the appointment of a Depute Chief Officer of the IJB, as detailed in paragraph 2.9 of the report; (d) to proposals for the appointment of an Interim Chief Officer of the IJB, as detailed in paragraph 2.7 of the report; and (e) to note proposals for the appointment of the Head of Service (Health and Community Care) as set out in paragraph 2.4 of the report.

5. Director's Report

Submitted report on developments within the North Ayrshire Health and Social Care Partnership.

The report provided an update on the following areas:-

- Dementia Carers Academy;
- International ADP Day on 14 October 2020;
- Covid Update;
- Strategic Plan Update;
- Children's Hearing Recovery Plan;
- Unaccompanied Asylum-Seeking Children;
- Care Experienced Week 23 – 31 October;
- Standards Commission Newsletter;
- NAHSCP Partnership Awards;
- Distress Brief Intervention;
- Perinatal Mental Health; and
- Staff Wellbeing.

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

- The recently published Locality Profiles report by Public Health Scotland, work that is being done to prepare a one page visual summary for each Locality Planning Forum to review the issues, consideration by the Strategic Planning Group around actions/response for each locality that will be reflected in the new Strategic Plan; and
- The successful take up of flu immunisation that has resulted in a national shortage and a restock of supplies that is in place for early November.

The Board agreed to (a) consider a report on the Public Health Scotland Locality Profiles report at a future meeting; and (b) note the report.

Vicky Yuill left the meeting at this point.

6. North Ayrshire Children's Services Plan

Submit report by Lauren Cameron, Policy Officer on the development of the North Ayrshire Children's Services Plan 2020-23 and the Children's Rights Report 2020-23, attached at Appendices 1 and 2 respectively and approved by the Children's Services Strategic Partnership in August 2020 and the Community Planning Partnership on 11 September 2020.

The Board noted that some font and grammatical changes would be made to the report prior to submission to the Scottish Government.

Noted.

7. North Ayrshire Local Child Poverty Action Plan and Report 2019/20

Submitted report by Lauren Cameron, Policy Officer on the North Ayrshire Local Child Poverty Action Plan and Report, attached at Appendix 1 to the report and approved by the Community Planning Partnership on 11 September 2020.

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

- The excellent work of the community hubs and continued development of these as part of the Locality Hub and Spoke approach; and
- Information that will be shared with the Partnership on the Nuka health model.

The Board agreed to (a) approve the Local Child Poverty Action Plan and Report 2019/20; (b) the report being submitted to the Scottish Government and published on the North Ayrshire Community Planning Partnership website; and (c) note the establishment of a short life cross party Member/Officer CPP Partner Working Group to continue to reduce the cost of the school day.

8. Financial Performance: Period 5

Submit report by Caroline Cameron, Chief Finance & Transformation Officer on the financial position of the North Ayrshire Health and Social Care Partnership.

Appendix A to the report provided the financial overview of the partnership position, with detailed analysis provided in Appendix B. Details of the savings plan were provided at Appendix C. Appendix D outlined the movement in the overall budget position for the partnership following the initial approved budget and the mobilisation plan submission was provided at Appendix E to the report.

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

- The reasons for underspend in Care Homes that was attributed to a variety of reasons, including several homes not accepting new admissions as a result of Covid outbreaks and a reduction in those wanting to be placed in Care Homes;
- Prioritisation that is given to those in hospital waiting for a care home admission;
- Payments to commissioned care providers to ensure future sustainability that will reduce as occupancy levels rise;
- Reduced staff capacity within Care at Home as a result of Covid and staff self-isolating and work to recruit more staff;
- Regular management meetings to ensure there is no delay in financial decisions and a review of coding of delayed discharges to ensure accuracy and consistency;
- A further update that will be provided on the comparable statistics on delayed discharges in the three Ayrshire IJBs;
- A back log of aids and adaptation assessments and how these will be completed to ensure people can remain at home; and
- The underspend in Carers Act Funding as a result in the delay in taking forward developments to support carers, including completing carers' support plans.

The Board agreed to (a) note (i) the overall integrated financial performance report for the financial year 2020-21 and the overall projected year-end overspend of £0.009m at period 5; (ii) note the estimated costs of the Covid mobilisation plan of £7.2m, including savings delays, and the associated funding received to date; (iii) note the financial risks for 2020-21, including the impact of Covid 19, and that there is no recommendation at this time to implement a formal Financial Recovery Plan for the IJB; (b) approve the budget changes outlined at section 2.8 of the report; and (e) provide to Members further information on (i) plans to complete the backlog of Aids and Adaptations Assessments; (ii) work to take forward development to support carers, including completing carers' support plans; and (iii) an update on the comparable statistics on delayed discharges in the three Ayrshire IJBs.

9. Caring for Ayrshire – Programme Initial Agreement

Submitted report by Kirstin Dickson, Director of Transformation and Sustainability on the Caring for Ayrshire Programme vision to redesign and deliver health, care and wellbeing services on a whole system approach.

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

- the whole system approach to deliver care closer to people's homes; and
- Investment in those communities in the first instance which would allow a resize and recommission on the delivery of acute care and only require travel to an acute environment for specialist levels of care.

The Board agreed to endorse the report.

10. Appointment to the IJB Performance and Audit Committee

Submitted report by Karen Andrew, Team Manager (Governance) on the resignation of John Rainey as Chair of the IJB Performance and Audit Committee and the nomination by NHS Ayrshire and Arran of Jean Ford to this role.

On behalf of the Board, the Chair thanked John Rainey for his work as IJB PAC Chair.

The Board agreed to approve the appointment of Jean Ford to the role of Chair of the IJB Performance and Audit Committee.

11. Valedictory

The Board was advised that Paul Kerr, Clinical Director would be retiring from his post and role in the Health and Social Care Partnership.

On behalf of the Board, the Chair thanked Paul Kerr for his work and contribution to the work of the Partnership.

The meeting ended at 11.45 a.m.

**Planning Committee
4 November 2020**

At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m. involving participation by remote electronic means.

Present

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

In Attendance

J. Miller, Chief Planning Officer (Planning), J. Law; Solicitor (Legal Services); and D. McCaw, E. Gray and H. Clancy, Committee Services Officers (Chief Executive's Service).

Also In Attendance

A. Hume, Senior Development Management Officer, I. Davies, Senior Development Management Officer, K. Gee, Technician and L. Dempster, Technician (Planning).

Apologies

Shaun Macaulay

Chair

Councillor Marshall 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 Minutes of the meeting of the Planning Committee held on 30 September 2020 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. 20/00819/PPM: 16-20 Murdoch Place Oldhall West Industrial Estate Irvine Ayrshire KA11 5DG

Doveyard Limited have submitted a Section 42 application to amend condition 1 of planning permission N/19/00539/PPM to facilitate changes to the layout and elevations of the buildings. No representations were received.

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

1. That the development hereby approved shall be implemented in accordance with the details and recommendations contained in the supporting documentation submitted with the planning application unless otherwise indicated below, all to the satisfaction of North Ayrshire Council as Planning Authority.

2. That prior to the commencement of the development, hereby approved, the applicant shall carry out a programme of site investigations at the application site, (including the review of any previous site investigations) to assess the likelihood of contamination and to inform any subsequent suitable quantitative risk assessment as advocated in BS10175: 2011. Remediation proposals shall also be presented in relation to any significant findings. All documentation shall be verified by a suitably qualified Environmental Consultant and submitted to North Ayrshire Council as Planning Authority. Any required remediation measures shall be undertaken, prior to the commencement of the development to the satisfaction of North Ayrshire Council as Planning Authority. Thereafter the presence of any significant unsuspected contamination, which becomes evident during the development of the site, shall be reported to North Ayrshire Council and treated in accordance with an agreed remediation scheme. On completion of the proposed works written verification, detailing what was done by way of any remediation, shall also be submitted to the North Ayrshire Council as Planning Authority.
3. That, for the avoidance of doubt, surface water arising from the development of the site shall be treated and managed using a SuDS system. Prior to the commencement of the development, 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). 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.
4. That, prior to the commencement of any building operations, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a detailed schedule of the proposed external finishes (inclusive of colour scheme), boundary treatments and ground surface treatments to be used in the development. For the avoidance of doubt, there shall be no natural lighting panels on the external walls of the turbine hall. Thereafter, the development shall be implemented only in accordance with such details as may be approved, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.
5. That the development shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority in accordance with the details set out in the 'Design Principles Briefing Note - Acoustics' as prepared by SOL Environment Ltd dated 12th November 2019, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.
6. That, prior to the commencement of any landscaping of the site, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a scheme of tree planting, which shall include details of species, planting densities, soil treatment and aftercare. In addition, the tree species to be selected for the scheme shall be similar to the trees within the adjacent woodland at Oldhall Ponds.

Trees which produce berries or fruits attractive to birds shall be excluded from the scheme. Thereafter, the tree planting scheme as may be approved shall be implemented prior the development becoming operational and retained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

7. That the flue stack shall be fitted within an omni-directional red warning light which requires to be commissioned immediately upon erection of the stack. The warning light shall be operated continuously during hours of darkness and permanently retained in working condition thereafter unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.
8. That, following the removal of all recyclable materials within the Materials Recovery Facility within the development, the feedstock for the Energy Recovery Facility shall be limited to non-hazardous materials derived from municipal, commercial and industrial sources. The plant shall be designed to operate up to a maximum tonnage of 180,000 tonnes of refuse derived fuel per annum. For the avoidance of doubt, there shall be no food waste, medical waste or hazardous waste accepted at the site.
9. That the development shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority in accordance with the details set out in the 'Design Principles Briefing Note - Efficiency' as prepared by SOL Environment Ltd dated 12th November 2019, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

4.1 20/00805/PP: Hullerhill Sand Quarry Kilwinning Ayrshire KA13 7QN

Hugh King & Co have submitted a Section 42 application to vary condition 1 of planning permission N/19/00542/PP to extend duration of consent. 2 objections were received and summarised in the report.

Councillor Marshall seconded by Councillor Foster, moved that consideration of the planning application be continued to the 2 December 2020 meeting of the committee to obtain more information on a complaint received.

As an amendment, Councillor Barr, seconded by Councillor McNicol, moved that the application be approved.

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

Accordingly, the Committee agreed to continue consideration of the planning application to the 2 December 2020 meeting of the committee.

5.1 20/00171/PP: Site To North Of Standingstone Hill Kilbirnie Ayrshire

Ashrona Power Systems Limited have submitted a retrospective planning application for the formation of access tracks and associated ancillary works for Pundeavon Hydro Electric Scheme. 1 objection was received and summarised in the report.

Councillor Marshall seconded by Councillor Clarkson, moved to approve planning permission for the formation of access tracks and associated ancillary works for Pundeavon Hydro Electric Scheme subject to conditions.

As an amendment, Councillor Foster seconded by Councillor Billings, moved to refuse planning permission on the grounds that the Committee should continue with enforcement action to have the track restored as it would set an unacceptable precedent of environmental vandalism in a protected area. There is no need for the track as there is evidence of existing walkers taking access to the site. The original condition should be restored.

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

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

1. That, within 3 months of the date of approval, a detailed restoration plan shall be submitted for the written approval of North Ayrshire Council as Planning Authority in consultation with NatureScot and SEPA. The key objective of the plan shall be to substantially reduce the impacts on the nationally important Waterhead Moor - Muirshiel Wild Land Area to 'not significant.' The plan shall contain the details as set out in Annex 2 of NatureScot's consultation response to North Ayrshire Council dated 18th September 2020. Thereafter, the restoration works as may be approved shall be implemented in full to the satisfaction of North Ayrshire Council as Planning Authority within a period not exceeding 2 years from the date of the approval of the restoration plan, unless otherwise agreed in writing.
2. That the restoration plan as referred to in condition 1 shall be accompanied by a management and aftercare plan for the track which shall be submitted for the written approval of North Ayrshire Council as Planning Authority. The plan shall take into account the Scottish Outdoor Access Code. Thereafter, the management and aftercare plan as may be approved shall be brought into operation upon completion of the implementation phase of the restoration plan to the satisfaction of North Ayrshire Council as Planning Authority, unless otherwise agreed in writing.

6. Proposed changes to pre-application consultation (PAC) requirements: consultation by Scottish Government

Submitted report by Executive Director (Place) on the Council's response to the consultation on changes to pre-application consultation with the response set out at Appendix 1 to the report.

Members asked questions and were provided with clarification in relation to the consultation process and public event's being held remotely.

The Committee agreed, Cllr Reid dissenting, to approve the consultation response set out at Appendix 1 to the report.

Councillor Foster left the meeting at this point.

7. The Scottish Government's Programme for Reviewing and Extending Permitted Development Rights (PDR) in Scotland–Consultation on Phase 1 Proposals

Submitted report by Executive Director (Place) on the on the proposed changes to The Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended, and the Council's response to the consultation. The proposed Consultation response was set out at Appendix 1 to the report.

The Committee agreed to (a) note the detail of the consultation on proposed policy amendments to The Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended; and (b) approve the response to the consultation set out at Appendix 1.

The meeting ended at 3.25 p.m.

AYRSHIRE SHARED SERVICES JOINT COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 5 NOVEMBER 2020 AT 1005 HOURS BY VIDEO CONFERENCE

PARTICIPATING: Councillors Douglas Reid, John McGhee and Tom Cook (all East Ayrshire Council); and Councillors Alec Clark, Ian Cochrane and Philip Saxton (all South Ayrshire Council).

ALSO PARTICIPATING: Kevin Braidwood, Interim Head of Roads, Ayrshire Roads Alliance; Kevin Carr, Executive Manager - Place, South Ayrshire Council; and Katie Kelly, Depute Chief Executive: Safer Communities; Paul Whip, Group Finance Manager; and Lynn Young, Democratic Services Officer (all East Ayrshire Council).

APOLOGY: Councillor Jim Roberts, East Ayrshire Council.

CHAIR: Councillor Douglas Reid, East Ayrshire Council, Chair.

EXCLUSION OF PRESS AND PUBLIC

1. The Committee resolved:- "That under Section 50A(3A) of the Local Government (Scotland) Act 1973, as amended, the Press and public be excluded from the meeting for the following items of business on the grounds that if members of the public were present, there would be a real and substantial risk to public health due to infection or contamination with coronavirus".

DECLARATIONS OF INTEREST

2. It was noted that no declarations of interest were intimated in relation to the undernoted items of business on the Agenda.

AYRSHIRE ROADS ALLIANCE

ROADWORKS PROGRAMME 2020/2021

3. There was submitted a report (circulated) by the Interim Head of Roads: Ayrshire Roads Alliance which advised of the progress made with the road improvement programmes within East Ayrshire and South Ayrshire for financial year 2020/2021.

Arising from discussion and in response to particular matters raised, the Members noted further information as undernoted:

- The roadworks programme was on track for completion by March 2021;
- In respect of works at Howard Street, Kilmarnock, national guidance was awaited relevant to issues regarding the removal of coal tar;
- Progress on the provision of traffic lights in areas where streets were longer and it was agreed that the matter be raised with the Traffic and Road Safety Manager for a response;
- The provision of the 2 weekly up-date for all Elected Members in both East Ayrshire Council and South Ayrshire Council would resume;
- The prioritising of the roadworks programme and the impact on rural roads and it was agreed that the Interim Head of Roads arrange a meeting with Councillor Alec Clark, South Ayrshire Council in respect of urban roads within Girvan and Maybole in particular;

- Delayed funding and the on-going works to Garston Bridge, East of Coylton;
- The Spaces for People funding for South Ayrshire Council equated to £0.5m, with the figure for East Ayrshire Council to be issued to the Members; and
- Roadworks programmes would be scheduled to coincide with the completion of a housing development .

It was agreed:-

- (i) to note the Ayrshire Roads Alliance works progress for 2020/2021; and
- (ii) otherwise, to note the contents of the report.

RISK REPORT AND REGISTER

4. There was submitted a report dated 21 October 2020 (circulated) by the Interim Head of Roads: Ayrshire Roads Alliance which advised on the management of risk associated with the Ayrshire Roads Alliance.

Arising from discussion concern was expressed regarding the impact of HGVs on rural roads through Ballantrae and Girvan, should BREXIT result in severe delays at the Cairnryan Ferry Terminal.

It was agreed:-

- (i) that the Interim Head of Roads raise the matter relative to potential delays at Cairnryan Ferry Terminal at a meeting with Transport Scotland and Amey scheduled for 6 November 2020 and that the outcome of the discussion be forwarded to the Members;
- (ii) to approve the new format of the report;
- (iii) to note the risk register presented in the report;
- (iv) to continue to receive updates on progress; and
- (v) otherwise, to note the contents of the report.

UPDATE ON PERFORMANCE SCORECARD

5. There was submitted a report (circulated) by the Interim Head of Roads: Ayrshire Roads Alliance which advised of progress made to date against the Performance Scorecard.

Arising from discussion the Members noted the option being explored for the introduction of artificial intelligence on ARA vehicles to assist with identifying required ARA Health and Safety Inspections, as well as the criteria and Code of Practice currently followed for such inspections.

It was agreed:-

- (i) that a video demonstration of the artificial intelligence be presented to a future meeting;
- (ii) to note the performance scorecard as detailed in the report;
- (iii) to continue to receive the performance scorecard updates; and
- (iv) otherwise, to note the contents of the report.

The meeting terminated at 1034 hours.

At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m. involving participation by remote electronic means.

Present

Joe Cullinane, John Bell, Robert Foster, Alex Gallagher, Louise McPhater and Jim Montgomerie; and Jacqui MacKenzie (Teaching Representative), Andrew Bruce, and Babs Mowat (Church Representatives) (Agenda Items 1-5).

In Attendance

C. Hatton (Chief Executive), M. Boyd, Head of Service (Finance), D. Forbes, Senior Manager (Financial Management); F. Walker, Head of Service (People and ICT), E. Nixon, Senior Manager (Customer Services) and (Chief Executive's); R. McCutcheon, Executive Director, D. Hammond, Head of Service (Commercial); C. McAuley, Head of Service (Economic Development and Regeneration); J. Cameron, Senior Manager (Housing Strategy and Development); A. Laurenson (Senior Manager (Regeneration), and M. Lavery, Team Manager (Housing Strategy) (Place); A. Sutton, Executive Director (Interim), A. McClelland, Head of Service (Education) and R. Arthur, Head of Service (Interim) (Connected Communities) (Communities); K. Yeomans, Director (Growth and Investment); C. Cameron, Head of Service (HSCP Finance and Transformation) and D. MacRitchie, Senior Manager (Children, Families and Justice (HSCP); and M. McColm, Senior Manager (Communications), J. Hutcheson, Senior Communications Officer, E. Gray and A. Little, Committee Services Officers (Democratic Services).

Apologies for Absence

Iain Haining

Chair

Joe Cullinane in the Chair.

1. Declarations of Interest

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

2. Minutes

The accuracy of the Minutes of the Meeting of the Cabinet held on 6 October 2020 was confirmed and the Minutes authorised to be signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Scottish Attainment Challenge in North Ayrshire – Progress Report

Submitted a report and received a presentation by the Executive Director (Communities) on the impact of the Scottish Attainment Challenge on improved outcomes for learners in North Ayrshire. A Data & Impact Overview for 2019-2020 was set out at Appendix 1 to the report.

The presentation provided details on primary attainment levels in literacy and numeracy as well as a focus on the attainment levels of those pupils living in the areas of highest deprivation within North Ayrshire. Comparisons were also shown between the attainment level locally and nationally.

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

- whether it would be possible to include the 2019/20 academic year in future data trends given the interruption to classroom learning amid the Covid-19 pandemic;
- what plans are in place to provide assistance to those pupils who struggled to learn at home and may have fallen behind as a result;
- the process for setting up a remote learning model should a school be forced to shut and the lessons learned from the first lockdown; and
- whether there had been any reports of reduced socialization among pupils following the period of remote learning.

The Cabinet unanimously agreed to (a) note the progress made to date; and (b) receive a further progress report in one year.

4. South West Educational Improvement Collaborative (SWEIC) Annual Plan 2020

Submitted a report by the Executive Director (Communities) on the priorities and content of the South West Educational Improvement Collaborative (SWEIC) Annual Plan 2020 as set out at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to the future of the collaboration and whether funding will be available beyond the current academic year.

The Cabinet unanimously agreed to (a) approve the SWEIC Annual Plan 2020; and (b) note the progress to date.

5. Local Education Phasing Delivery Plan (Revised)

The Cabinet was advised that, following a recent Scottish Government update, the report on the Local Education Phasing Delivery Plan would need to be amended to reflect the latest guidance. Assurance was provided that the latest requirements and advice within the updates had been implemented locally.

The Cabinet unanimously agreed to continue consideration the item to the next meeting to allow the updates to be incorporated into the report.

6. Revenue Budget 2020/21: Financial Performance to 31 August 2020

Submitted a report by the Head of Finance on the financial performance for the Council at 31 August 2020. Budget reports for each service and the Housing Revenue Account were set out at Appendices 1-7 of the report, a summary of virement/budget adjustment requests at Appendix 8 and an overview of the IJB's financial performance as at Period 3 at Appendix 9.

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

- the timeline for the 2020/21 budget setting process; and
- the continued impact of the pandemic upon financial projections

The Cabinet unanimously agreed to (a) note (i) the information and financial projections outlined in the report and (ii) the current financial projection for the Health and Social Care Partnership; and (b) approve (i) the earmarking of £1.720m to meet future year commitments and (ii) the virements detailed in Appendix 8 of the report.

7. Capital Programme Performance to 31 March 2021

Submitted a report by the Head of Finance on the progress in delivering the Capital Investment Programme for 2020/21 as set out at Appendix 1 to the report. The HRA Capital Statement was set out at Appendix 2.

Members asked questions and were provided with further information in relation to the anticipated impact of construction inflation attributable to the pandemic on the cost of projects detailed in the Capital Investment Programme.

The Cabinet unanimously agreed to (a) approve the revisions to budgets outlined in the report; and (b) note (i) the General Services and HRA revised budgets at 31 August 2020 and (ii) the forecast expenditure to 31 March 2021.

8. Treasury Management & Investment Mid-Year Report

Submitted a report by the Head of Finance on Treasury Management update for the period 1 April to 30 September 2020. The Treasury Management and Investment Mid-Year Report was set out at Appendix 1 to the report.

The Cabinet unanimously agreed to (a) endorse the contents of the Treasury Management and Investment Mid-Year Report for 2020/21; and (b) note the Prudential and Treasury Indicators contained therein.

9. myaccount – Customer Authentication for Online Services

Submitted a report by the Head of People and ICT on myaccount and the benefits of using this as the authentication method for North Ayrshire Council online services.

The Cabinet unanimously agreed that (a) the Council use myaccount for authentication for online services on the new Customer Relationship Management system; (b) the Yoti app be used for level 3 verification, linked with myaccount; and (c) no existing online customer data or case data be migrated to the new Customer Relationship Management System.

10. Strategic Housing Investment Plan 2021 - 2026

Submitted a report by the Executive Director (Place) on the Strategic Housing Investment Plan 2021 - 2026 as set out at Appendix 1 to the report.

The Cabinet unanimously agreed to (a) approve the Strategic Housing Investment Plan 2021-2026 for submission to Scottish Government; and (b) give delegated authority to the Executive Director (Place) and the Cabinet Member for the Green New Deal and Sustainability to liaise directly with the Scottish Government in agreeing the North Ayrshire development programme and the rescheduling of projects as required.

11. Roads Winter Service and Weather Emergencies Plan 2020-21

Submitted a report by the Executive Director (Place) on the Roads Winter Service and Weather Emergencies Plan 2020/21 as set out at Appendix 2 to the report. The Winter Preparation Action Plan 2020/21 was set out at Appendix 1.

The Cabinet unanimously agreed to (a) approve the Roads Winter Service and Weather Emergencies Plan 2020/21; and (b) note the preparations and developments contained in the Winter Preparation Action Plan.

12. Millport Coastal Flood Protection Scheme - Final Scheme

Submitted a report by the Executive Director (Place) on final confirmation of the scheme and the proposed next steps. The objections received to the project were collated and set out at Appendix 1 to the report.

Having considered the contents of the objections to the project, the Cabinet unanimously agreed to (a) approve (i) the scheme without modification; and (ii) the commencement of the final design of the scheme; and (b) note the indicative project timescale as detailed in Section 2.14 of the report.

13. Millburn Flood Protection Scheme - Isle of Cumbrae

Submitted a report by the Executive Director (Place) on the development of the Millburn Flood Protection Scheme. A summary of the community consultation process was set out at Appendix 1 to the report.

The Cabinet unanimously agreed to (a) note the feedback from the recent community consultations on the scheme options; and (b) approve the preferred scheme option and submission.

Councillor McPhater left the meeting at this point.

14. Lochshore Regeneration Project

Submitted a report by the Executive Director (Place) on the delivery of the strategic regeneration of Lochshore.

The Cabinet unanimously agreed to (a) approve the transfer of land owned by Scottish Enterprise to the Council at nil value to facilitate the wider regeneration proposals; and (b) note (i) the significant progress made in securing £3.45m of the required £3.6m funding required to deliver the proposed Garnock Visitor & Community Hub, (ii) the proposed implementation of early phase projects including the Garnock Visitor and Community Hub and proposed access improvements, play facilities and planting which will contribute to the regeneration of the area and (iii) the intention to utilise the Lochshore site as a key location for tree planting as part of the Council's net-zero aspirations.

15. Proposals for Street Naming

Submitted a report by the Executive Director (Communities) seeking approval for a street name within the residential development on land which was formerly St Brendan's RC Church in Corrie Crescent, Saltcoats. The Council's street naming and numbering guidance was set out at Appendix 1 to the report, location plans at Appendix 2 and Cunninghame Housing Association's supporting statement at Appendix 3.

The Cabinet unanimously agreed to (a) note the exceptional circumstances; and (b) approve the street name recommended by the Three Towns Locality Partnership, namely 'Janet Strang Court'.

16. Ayrshire Growth Deal Update

Submitted a report by the Director (Growth and Investment) on the progress of North Ayrshire Council's Ayrshire Growth Deal Projects.

The Cabinet unanimously agreed to note the progress made in developing the suite of projects forming part of North Ayrshire Council's Ayrshire Growth Deal portfolio.

17. Chief Social Work Officer Annual Report

Submitted a report by the Director (Health and Social Care Partnership) on the Chief Social Worker's annual report as set out at Appendix 1 of the report.

The Cabinet unanimously agreed to note and endorse the Chief Social Worker's annual report.

18. Exclusion of the Public

The Cabinet 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 9 of Part 1 of Schedule 7A of the Act.

The Chair noted that confirmation had been received that the webcast of the meeting had been terminated at this point.

18.1 Lease of Gateway Building 13 Irvine Enterprise Area

Submitted a report by the Executive Director (Place) on letting of the Gateway Building in i3, Irvine Enterprise Area.

The Cabinet unanimously agreed to the recommendations as set out in the report.

Audit and Scrutiny Committee
17 November 2020

At a Meeting of the Audit and Scrutiny Committee of North Ayrshire Council at 10.00 a.m. involving participation by remote electronic means.

Present

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

In Attendance

A. Sutton, Executive Director (Interim) and A. McClelland, Head of Service (Education) (Communities); K. Yeomans, Director and N. McIlvanney, Programme Manager (Growth & Investment); M. Boyd, Head of Finance and P. Doak, Senior Manager (Internal Audit, Risk and Fraud) (Finance and Corporate Support); C. Cameron, Head of Service (Finance and Transformation) (Health and Social Care Partnership); A. Fraser, Head of Democratic Services, F. Walker, Head of Service, F. Carlyle, Senior Adviser and M. Lindsay, Senior Customer Officer (People & ICT); and E. Gray and D. McCaw, Committee Services Officers (Chief Executive's Service).

Chair

Councillor Burns in the Chair.

1. Declarations of Interest

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

2. Minutes

The Minutes of the Meeting of the Audit and Scrutiny Committee held on 29 September 2020 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. UK Withdrawal from the European Union (Brexit) Update Report

Submitted report by the Head of Democratic Services on the current position regarding the UK's withdrawal from the European Union on 31 December 2020 and highlighting key areas in terms of the identification and quantification of risks around the following:-

- the Withdrawal Agreement ratified by the Government in October 2019;
- the Internal Market Bill currently before the UK Parliament;
- the UK Withdrawal from the European Union (Continuity) Bill 2020, currently at stage 2 before the Scottish Parliament; and
- the terms of any agreement which may or may not be struck between the UK and EU.

Councillor Hill joined the meeting at this point.

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

- the make-up of the Council workforce and percentage of staff members from the EU;
- immigration regulations, including minimum skills threshold, to allow foreign nationals to work in the UK;
- the likelihood of staff shortages in terms of lower paid roles; and
- the recommendation of the Migration Advisory Committee to add residential day and domiciliary care managers and proprietors, nursing auxiliaries and assistants and senior care workers to the UK shortage occupation list.

The Committee agreed to (a) note the current position in respect of the UK's withdrawal from the European Union; and (b) receive a further report to the next meeting on 12 January 2021.

4. Equal Pay Claims

Submitted report by the Head of People & ICT on the findings of the Audit Report on Equal Pay in Scottish Councils and providing an update on North Ayrshire Council's position on historic and current equal pay claims and the Council's approach to ensuring equal pay is maintained. The Accounts Commission report entitled "Equal Pay in Councils – Impact Report" was detailed in the Appendix to the report.

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

- third wave claims and challenges to the job evaluation scheme;
- the job evaluation scheme being robust with job grades being fairly evaluated; and
- any third wave claims which have had success in other Local Authority areas.

The Committee agreed to note (i) the content of the Accounts Commission report on Equal Pay in Scottish Councils; and (ii) the Council's position in relation to equal pay claims.

5. Implications of Audit Scotland Report: Scotland's City Region and Growth Deals

Submitted report by the Director (Growth & Investment) on the findings of Audit Scotland's report on city and growth deals and on North Ayrshire Council's progress in responding to issues arising. Appendix 1 to the report detailed recommended actions for consideration by North Ayrshire Council together with a position statement on the Council's progress in developing and implementing the Ayrshire Growth Deal in relation to those recommended actions.

The Director (Growth & Investment) further indicated that the virtual signing of the Ayrshire Growth Deal document on Thursday 19 November 2021 would move the AGD into the delivery mode.

Councillor George left the meeting at this point.

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

- high level projects already defined;
- consultation with local communities around the development and delivery of projects;
- consultation with the community being preferred rather than simply engagement;
- marine tourism funding which contributes to the Great Harbour, the Marina at Ardrossan and 2 Step Ashore Projects on Arran and Cumbrae;
- the timescale for consultation with Island communities; and
- processes and timescales in terms of infrastructure improvements.

Councillor George re-joined the meeting at this point.

The Committee agreed to note (i) the findings of the Audit Scotland report on growth deals, including implications for local authorities; and (ii) progress made to develop robust governance and resourcing arrangements.

6. Annual Report - School and Early Learning and Childcare Inspections 2019-20

Submitted report by the Interim Executive Director of Communities on the performance of North Ayrshire schools and early learning and childcare settings in external inspections published during session 2019-20. The inspection outcomes for all establishments were summarised at Appendix 1 to the report. Appendices 2 and 3 detailed the full inspection reports and indicated common strengths. Appendix 4 set out the full Education Scotland report.

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

- the support and leadership in place to determine how well schools were coping with the pandemic in terms of early years, staffing levels and staff wellbeing;
- Scottish Government funding being utilised to top up staffing resources in cases of self-isolation and for specific Covid related challenges; and
- difficulties experienced by children in readjusting to school learning.

Councillor Marshall left the meeting at this point.

The Committee agreed to (a) note the contents of the report and appendices; and (b) commend the performance of schools in inspections led by Education Scotland and the Care Inspectorate.

7. Update Report for Loudoun Montgomery Primary School and Early Years Classes

Submitted report by the Interim Executive Director of Communities on the outcome of the follow through inspection by Education Scotland for Loudoun Montgomery Primary School and Early Years Class. Appendix 1 detailed the full Education Scotland published letter, including specific detail on identified progress and recommended next steps.

Councillor Marshall re-joined the meeting at this point. On re-joining, the Member requested, and received, clarification on a matter relating to the previous item, namely in terms of the performance of Arran High School.

The Committee agreed to note the significant improvements and progress made with regard to Loudoun Montgomery Primary School and Early Years Classes since the previous Education Scotland inspection published in March 2019.

8. Health and Social Care Partnership: Budget Monitoring Report

Submitted report by the Chief Finance and Transformation Officer on the financial position for the partnership and outlining the projected financial outturn position for the financial year as at August 2020. The budget monitoring report and Appendices, which were presented to the IJB on 22 October 2020, were attached as an Appendix to the report.

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

- confidence in the year end position and main areas of risk around the Covid response; and
- Criminal Justice Service ringfenced funding being maximised, despite a reduction in these services offered during the Covid lockdown period.

The Committee agreed to note (i) the financial position with regard to the Health and Social Care Partnership; (ii) the estimated costs of the Covid mobilisation plan of £7.2m, including savings delays, and the associated funding received to date; and (iii) the financial risks for 2020-21, including the impact of Covid-19 and that there was no recommendation at this time to implement a formal Financial Recovery Plan for the IJB.

9. Internal Audit and Corporate Fraud Action Plans: Quarter 2 Update

Submitted report by the Head of Finance on progress made by Council Services in implementing the agreed actions from Internal Audit and Corporate Fraud reports as at 30 September 2020. Full details of the six actions which were not completed within the agreed timescales were set out at Appendix 1 to the report.

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.

10. Internal Audit Plan 2020/21: Mid-Year Update

Submitted report by the Head of Finance providing an update as at 30 September 2020 on progress made in delivering the 2020/21 Internal Audit Plan. The Internal Audit Quarter 2 Progress Report was set out at Appendix 1 to the report.

The Senior Manager (Internal Audit, Risk and Fraud) provided details of six audits to be deferred to the 2021/22 plan, which would be prepared earlier than normal covering

the period from February 2021 to March 2022 and brought to the January 2021 meeting of the Committee for approval.

The Committee agreed to (a) note the mid-year position; and (b) approve the deferral of six audits to the 2021/22 plan as detailed in the report.

11. Internal Audit Reports Issued

Submitted report by the Head of Finance on the findings of Internal Audit work completed during September and October 2020. The findings from eight separate audit assignments were detailed at Appendix 1 to the report, together with their respective executive summary and action plans.

The Senior Manager (Internal Audit, Risk and Fraud) highlighted that a number of the audits had received 'substantial' assurance level.

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

12. Corporate Fraud Team Update

Submitted report by the Head of Finance on the work of the Corporate Fraud Team during 2019/20 and between April and September 2020.

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. He advised that the Team had also commenced format joint working with the DWP Single Fraud Investigation Service in cases where there were suspected frauds relating to both Housing Benefit and Council Tax Reduction.

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

- the investigation of fraud and error in connection with the Council Tax Reduction and Single Person Discount category; and
- any examples where confusion had arisen for tenants in terms of responsibilities of the Council and those of the DWP.

The Committee agreed to note the work carried out by the Corporate Fraud Team during 2019/20 and between April and September 2020.

13. Exclusion of the Public – Para 1

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

14. Corporate Fraud Reports Issued

Submitted report by the Head of Finance on the findings of the corporate fraud investigation reports finalised during September and October 2020.

Noted.

The meeting ended at 11.40 a.m.

Licensing Committee
18 November 2020

At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m. involving participation by remote electronic means.

Present

Ronnie McNicol, Todd Ferguson, Robert Barr, John Easdale, Jean McClung, Davina McTiernan and Angela Stephen.

In Attendance

A. Craig, Senior Manager (Legal Services), W. O'Brien, Solicitor (Licensing), C. Pollock, Licensing Admin Officer, A. Toal, Administrative Assistant (Licensing); M. Lindsay, Senior Customer Officer (People & ICT); and D. McCaw, Committee Services Officer (Chief Executive's Service).

Also in Attendance

Inspector Alison Wilson and Sergeant Scott Barrie (Police Scotland).

Chair

Councillor McNicol in the Chair.

Apologies

Donald L. Reid.

1. Declarations of Interest

In terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors, Councillor Jean McClung declared an interest in Agenda Item 4.3 Taxi Driver's Licence: TDL/02245: Kyle McLaughlin in that the applicant was known to her. Councillor McClung took no part in the discussion thereon.

2. Minutes

The Minutes of the Ordinary Meeting held on 4 March 2020 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Exclusion of the Public

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

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

3. "Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority."
 6. "Information relating to the financial or business affairs of any particular person (other than the authority)."
 14. "Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."
 15. "The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance."
- 4. Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters**

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

Appendix A: Hearings

4.1 Metal Dealer's Licence: MDL/066 (New): James Downey

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

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant and advised of an error in the case papers which had been circulated. The representatives from Police Scotland then addressed the Committee on the terms of a letter setting out their objection in respect of the application. Thereafter the applicant addressed the Committee on the issues raised and responded to questions.

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

Decision

Councillor Ferguson, seconded by Councillor Barr, moved that the application be continued to the next Licensing Committee meeting on 9 December 2020 to allow additional information to be obtained from Durham County Council. There being no amendment, the motion was declared carried.

The applicant left the meeting at this point.

4.2 Taxi Driver's Licence: TDL/01775 (New): Aso Jamal

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

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

Decision

Councillor Easdale, seconded by Councillor McClung, moved that the Committee refuse the application in terms of Paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982 on the grounds that the applicant is not a fit and proper person to be the holder of a licence. There being no amendment, the motion was declared carried.

In terms of Standing Order 5.7, the Chair agreed that the meeting be adjourned for a 5-minute comfort break at 11.30 a.m. The meeting reconvened at 11.35 a.m. with the same Members and Officers present and in attendance.

4.3 Taxi Driver's Licence: TDL/02245: Kyle McLaughlin

Councillor McClung left the meeting at this point.

The applicant, having been duly cited to attend, joined the meeting at this point. Representatives from Police Scotland were also in attendance.

The Solicitor (Licensing) set out the background to the hearing as previously intimated in writing to the applicant. The representatives from Police Scotland then addressed the Committee on the terms of a letter setting out their objection in respect of the application. Thereafter the applicant addressed the Committee on the issues raised and responded to questions.

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

Decision

Councillor Barr, seconded by Councillor McNicol, moved that the Committee refuse the application in terms of Paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982 on the grounds that the applicant is not a fit and proper person to be the holder of a licence. There being no amendment, the motion was declared carried.

The applicant left the meeting and Councillor McClung re-joined at this point.

4.4 Window Cleaner's Licence: WCL/098 (New): Gerard McArthur

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

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

Decision

Councillor Ferguson, seconded by Councillor Barr, moved that the Committee refuse the application in terms of Paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982 on the grounds that the applicant is not a fit and proper person to be the holder of a licence. There being no amendment the motion was declared carried.

Police Scotland representatives left the meeting at this point.

Appendix B: Applications for Licences/Renewal of Licences

4.5 LHCL/125 (New): Qaisar Raza

The Committee unanimously agreed to continue consideration to a Hearing in terms of Paragraph 4(2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

4.6 PHCL/374 (New): Gerard Goodfellow

Councillor Barr, seconded by Councillor Easdale, moved that the Committee grant the application as an exemption to the Council's Vehicle Specification Policy. There being no amendment, the motion was declared carried.

4.7 TDL/02258 (New): James West

Councillor Barr, seconded by Councillor Easdale, moved that the Committee grant the application, subject to the Council's standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982. There being no amendment, the motion was declared carried.

4.8 Second Hand Dealer's Licence: Michelle McCormick

Councillor Ferguson, seconded by Councillor McNicol, moved that the Committee continue consideration to a Hearing in terms of Paragraph 4(2) of Schedule 1 of the Civic Government (Scotland) Act 1982. There being no amendment, the motion was declared carried.

5. Urgent Items

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

5.1 Application for a Temporary Street Trader Operator's Licence: STLO/515: Ian Rae

The Solicitor (Licensing) set out the background to a request for a Temporary Street Trader's Licence for a period of 6 weeks.

Decision

Councillor McNicol, seconded by Councillor Ferguson, moved that the Committee continue consideration to a Hearing at a Special Meeting of the Licensing Committee to be arranged. There being no amendment, the motion was declared carried.

The meeting ended at 12.40 p.m.

**Local Review Body
24 November 2020**

At a Meeting of the Local Review Body of North Ayrshire Council at 10.00 a.m. involving participation by remote electronic means.

Present

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

In Attendance

N. McIlvanney, Planning Adviser to the LRB (Growth & Investment); J. Law, Legal Adviser to the LRB (Legal Services); A. Hume, Senior Development Management Officer and P. Brennan, Specialist Environmental Health Officer (Place) and A. Little and H. Clancy, Committee Services Officers (Chief Executive's Service).

Also in Attendance

M. Briggs, A. Hogarth, A. Neish, I. Winton and D. Slater.

Apologies

Shaun Macaulay

Chair

Councillor Marshall 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. Notice of Review: 19/00882/PP – Sorbie Farm, Ardrossan, Ayrshire
KA22 7NP**

Submitted report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of conditions applied to a planning permission granted by officers under delegated powers in respect of Planning Application 19/00882/PP Section 42 application to vary condition 2 of planning permission 18/01061/PP to enable an increase of the consented wind turbine tip height from 104.3m to 125m at Sorbie Farm, Ardrossan.

The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan, Planning decision notice, further representations by interested parties and hearing statements from the applicant, interested parties, North Ayrshire Council Planning and Environmental Health services were provided as appendices to the report.

At its meeting on 5 October 2020, the Local Review Body agreed (a) to continue consideration of the Notice of Review to a future meeting for a hearing to be conducted in terms of the Hearing Session Rules set out in Schedule 1 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland)

Regulations 2013, to consider the application for review and hear on the following specified matters from the applicant, officers of the Council's Planning Service, any interested party who made representations in relation thereto and in relation to (i) below the Council's Environmental Health team (noise); (i) noise assessment and how it had been appropriately dealt with (ii) flickering and shadowing and differences between both applications (iii) landscape impact assessment and how it fitted with LDP2 Policy 29; (b) undertake all necessary notifications and any further procedure in terms of the said Rules.

In accordance with the hearing procedure and rules, the applicant, an officer of the Council's Planning Service, an officer of the Council's Environmental Health Service and interested parties who made representations on the application were invited to attend the Hearing Session and to submit a Hearing Statement and supporting documentation in advance of the session.

The applicant and representatives, the Council's Planning and Environment Health Services and an interested party then addressed the Local Review Body. The Planning Adviser also read out the Hearing Statement from an interested party who was unable to attend the hearing.

Members asked questions and were provided with further information on:

- noise complaints in respect of the existing windfarm;
- the area of significant protection in terms of the spatial framework referred to in Policy 29;
- noise from the existing turbines;
- reduced noise mode at 6m per second;
- noise limits set by the Scottish Government;
- woodland planting at the site;
- shadow flicker mitigation;
- noise mitigation around wind speed;
- the cut off speed for the turbines in terms of wind speed;
- visual impacts of the site; and
- economic benefits to the local economy.

The Local Review Body agreed to continue consideration of the Notice of Review to a determination meeting.

The Meeting ended at 12:00 p.m.

**Local Review Body
24 November 2020**

At a Determination Meeting of the Local Review Body of North Ayrshire Council at 12.30 p.m. involving participation by remote electronic means.

Present

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

In Attendance

N. McIlvanney, Planning Adviser to the LRB (Growth & Investment); J. Law, Legal Adviser to the LRB (Legal Services); and E.Gray and H. Clancy, Committee Services Officers (Chief Executive's Service).

Apologies

Shaun Macaulay

Chair

Councillor Marshall 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. Notice of Review: 19/00882/PP – Sorbie Farm, Ardrossan, Ayrshire
KA22 7NP**

Submitted report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of conditions applied to a planning permission granted by officers under delegated powers in respect of Planning Application 19/00882/PP Section 42 application to vary condition 2 of planning permission 18/01061/PP to enable an increase of the consented wind turbine tip height from 104.3m to 125m at Sorbie Farm, Ardrossan.

The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan, Planning decision notice, further representations by interested parties and further written submission from the applicant on noise assessments were provided as appendices to the report.

At an earlier Hearing Meeting on 24 November 2020, the Local Review Body heard from the applicant and representatives, the Council's Planning and Environment Health Services and an interested party on specified matters and agreed to continue the Notice of Review to a future meeting for determination.

The Planning Adviser to the Local Review Body summarised the Notice of Review and further written submission on noise assessment submitted by the applicant, the Report of Handling submitted by the appointed officer, the representations received and policies affecting the application.

The Local Review Body unanimously agreed that enough information had been provided to determine the review request.

Councillor Foster, seconded by Councillor McMaster, moved that the Local Review Body uphold the review and grant planning permission subject to conditions on the grounds that it adheres with Policy 29 of the Local Development Plan.

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

On a division and a roll call vote, there voted for the amendment, Councillors Marshall and Billings (2) and for the motion, Councillors Barr, Clarkson, Foster, Larsen, McMaster, McNicol and Reid (7), and the motion was declared carried.

Accordingly, the Local Review Body agreed to uphold the review and grant planning permission on the grounds that it adheres with Policy 29 of the Local Development Plan, subject to the following conditions:

1. That, in condition 3 as set out in Appendix 1 to the decision letter of The Scottish Government (ref. AIR-NAY-001) dated 30th November 2015, the wording "6 months" and "6 month" shall be substituted for "5 months" and "5 month" respectively.
2. That, for the avoidance of doubt, all other conditions as set out in Appendix 1 to the decision letter of The Scottish Government (ref. AIR-NAY-001) dated 30th November 2015 shall continue to have effect except for conditions 4 and 7 which shall be amended to read:

"4. That the turbines shall be erected, and the site roads constructed in the locations identified on drawing Figure 1.3 Site Layout, dated 15/11/2019, save for the ability to vary these locations by 30m. Any movement greater than 30m would require the written approval of North Ayrshire Council as Planning Authority. Before the turbine bases are concreted, the precise position of the turbines shall be notified to, and approved in writing by, North Ayrshire Council as Planning Authority.

7. That no turbines will be erected until details of the model, height, colour and finish of the turbines and of any external transformers, have been submitted to, and approved in writing by, the planning authority. The turbines shall not be illuminated and shall not carry any symbols, logos or other lettering except where required under other legislation. For the avoidance of doubt, the height of the wind turbines to blade tip shall not exceed 125 metres. The development shall be carried out thereafter in accordance with the approved details, unless any changes are subsequently agreed in writing by North Ayrshire Council as Planning Authority."

3. That, prior to the commencement of the development hereby approved, a written statement setting out the measures which shall be taken by the developer during the windfarm procurement, construction and commissioning phase to take into account Policy 29 of the adopted North Ayrshire Local Development Plan in respect of “Community: providing a net-economic impact – including socio-economic benefits, such as employment, associated business and supply chain opportunities” shall be submitted. Thereafter, a demonstration of the implementation of such measures shall be submitted to North Ayrshire Council, as Planning Authority, upon completion of the development.

The Local Review Body instructed that the s75 agreement should be amended to reflect the increase in height of the wind turbines.

The Meeting ended at 1.35 p.m.

Licensing Committee
25 November 2020

At a Special Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m. involving participation by remote electronic means.

Present

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

In Attendance

W. O'Brien, Solicitor (Licensing), A. Toal, Administrative Assistant (Licensing) and D. McCaw, Committee Services Officer (Chief Executive's Service).

Also in Attendance

Inspector Alison Wilson and Sergeant Scott Barrie (Police Scotland).

Chair

Councillor McNicol in the Chair.

Apologies

John Easdale and Scott Gallagher.

1. Chair Remarks

The Chair agreed, in terms of Standing Order 9.4, to vary the order of business to allow consideration of Urgent Item 4.1 Second Hand Dealer's Licence: SHDL/207: Michelle McCormick prior to item 5.1 Street Trader Operator's Licence: STL/O/515 (temp): Ian Rae, as the applicant was already in attendance in the meeting lobby.

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. Exclusion of the Public

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

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

3. "Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority."
6. "Information relating to the financial or business affairs of any particular person (other than the authority)."

14. "Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."
15. "The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance."

4. Urgent Items

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

4.1 Second Hand Dealer's Licence: SHDL/207: Michelle McCormick

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

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

Decision

Councillor Ferguson, seconded by Councillor Barr, moved that the Committee grant the application, subject to the Council's standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982. There being no amendment, the motion was declared carried.

The applicant left the meeting at this point.

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

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

Appendix A: Hearings

5.1 Street Trader Operator's Licence: STL/O/515 (temp): Ian Rae

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

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

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

Decision

Councillor Ferguson, seconded by Councillor McTiernan, moved that the Committee grant the application, subject to the Council's standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982. There being no amendment the motion was declared carried.

The applicant left the meeting at this point.

The meeting ended at 10.50 a.m.

Planning Committee 2 December 2020

At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m. involving participation by remote electronic means.

Present

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

In Attendance

J. Miller, Chief Planning Officer (Planning); A. Craig, Senior Manager (Legal Services); and D. McCaw and H. Clancy, Committee Services Officers (Chief Executive's Service).

Also In Attendance

A. Hume, Senior Development Management Officer, I. Davies, Senior Development Management Officer, K. Gee, Technician and L. Dempster, Technician (Planning).

Apologies

Shaun Macaulay.

Chair

Councillor Marshall 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 Minutes of the meeting of the Planning Committee held on 4 November 2020 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. 20/00725/PPM: Site to NE of Littlestane Cottage, Lochlibo Road, Girdle Toll, Irvine

Dawn Homes Limited have applied for planning permission for a major residential development comprising the erection of 92 detached and semi-detached dwelling houses with associated infrastructure including the formation of vehicular access from Sourlie Roundabout, the realignment of existing roads, the formation of footpaths, provision of open space, SuDS and landscaping works. Two representations were received and summarised in the report.

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

1. That no development shall take place until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant following consultation with the West of Scotland Archaeology Service, and approved in writing by North Ayrshire Council as Planning Authority. Thereafter, the developer shall ensure that the 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 commencement of the development, hereby approved, the applicant shall prepare a Remediation Strategy to address the remedial measures identified in the submitted site investigation report and addendum by Mason Evans. Thereafter, any required remediation measures shall be undertaken prior to the commencement of the development to the satisfaction of North Ayrshire Council as Planning Authority. The presence of any significant unsuspected contamination, which becomes evident during the development of the site, shall be reported to North Ayrshire Council and treated in accordance with an agreed remediation scheme. On completion of the proposed works written verification, detailing what was done by way of any remediation, shall also be submitted to the North Ayrshire Council as Planning Authority.
3. That, prior to the commencement of the development hereby approved, a statement containing details of the heat and power systems for the houses, which shall include low or zero carbon technologies to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met, shall be submitted for the written approval of 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.
4. That, prior to the commencement of any building operations, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a finalised schedule of the proposed variety of external finishes to be used, including driveway and path surfaces. Thereafter, the development shall be implemented only in accordance with such details as may be approved, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.
5. That prior to the commencement of the development hereby approved, the recommendations contained in the submitted Ecological Assessment (July 2020), including further survey work and the preparation of a biodiversity action plan shall be undertaken for implementation by the applicant during the course of the development under the supervision of the ecological consultant, all to the satisfaction of North Ayrshire Council as Planning Authority.
6. That the plot boundary treatments as illustrated on the approved plans shall be erected prior to the occupation of each house within the development to the satisfaction of North Ayrshire Council as Planning Authority.

7. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority a scheme of soft and hard landscaping, which shall include details of the children's play area, tree and plant species, planting densities, soil treatment and aftercare, taking account of the required biodiversity action plan. Thereafter, all planting, seeding or turfing comprised in the details as may be approved shall be carried out in the first planting season and seeding seasons following the occupation of each successive phase of the completion of the development, including the provision of the play area. Any trees or plants which, within a period of five years from their planting 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.

4.1 20/00805/PP: Hullerhill Sand Quarry Kilwinning Ayrshire KA13 7QN

Hugh King & Co have submitted a Section 42 application to vary condition 1 of planning permission N/19/00542/PP to extend duration of consent. 1 objection was received and summarised in the report.

At the meeting on the 2 December 2020, the Committee agreed to continue consideration of the planning application to obtain more information on complaints received.

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

1. That no extraction, aggregate processing or despatch work shall be undertaken at the site outwith the hours of 06.00 to 19.00 Monday to Friday and 06.00 to 12.00 noon on Saturdays. The operation of the drying plant and mortar plant is permitted during the hours of 06.00 to 21.00 Monday to Friday, 06.00 to 20.00 on Saturdays and 07.00 to 20.00 on Sundays. Outwith these hours, activities shall be limited to maintenance, emergency works, dust suppression, pumping and testing of plant and equipment, all to the satisfaction of North Ayrshire Council as Planning Authority. This condition shall have effect for a temporary period and shall expire on 21st February 2042, unless otherwise agreed in writing.
2. That noise from the development during the hours 06.00 to 19.00 Monday to Friday and 06.00 to 16.00 on Saturdays shall not exceed 55dB LAeq, 1hour (free field) at any noise-sensitive premises, except noise from soil stripping or landscape operations. Noise from the development during the hours 19.00 to 21.00 on Mondays to Fridays, 12.00 - 20.00 on Saturdays and 07.00 to 20.00 on Sundays shall not exceed 45dB LAeq, 1hour (free field) at any noise-sensitive premises, all to the satisfaction of North Ayrshire Council as Planning Authority.

5.1 20/00388/PPPM: Site To East of Hillcrest Chapleton Road, Seamill, West Kilbride, Ayrshire

Hope Homes Scotland have applied for Planning Permission in Principle for a residential development with associated landscaping, access, engineering and other associated works at the site To East of Hillcrest Chapleton Road, Seamill, West Kilbride, Ayrshire. No representations were received.

The Committee agreed, Councillor Clarkson abstaining, to refuse the application for the following reasons:

1. The proposal is contrary to the Strategic Policy 1 of the adopted North Ayrshire Local Development Plan. The principle of the development does not accord with circumstances in which housing development in the countryside can be acceptable. There are no material circumstances which outweigh the LDP.
2. The proposal is contrary to Policy 1 of the adopted North Ayrshire Local Development Plan. The site does not form part of the Council's effective housing land supply and there is no need to add this site in order to maintain an effective land supply. There are no material circumstances which outweigh the LDP.
3. The proposal is contrary to Policy 15 of the adopted North Ayrshire Local Development Plan. The proposal would negatively impact on the countryside location including adverse visual impact on the character of the area, harming the setting of West Kilbride and Tarbert Hill. There are no material circumstances which outweigh the LDP.

6. Urgent Item

The Chair agreed to consider the undernoted item of business as a matter of urgency to allow the Committee to consider a site visit.

6.1 19/00609/PPM: North Arran Salmon Farm

The Committee was advised of a Planning Application for North Arran Salmon Farm - 19/00609/PPM that would be brought to a future Committee.

The Committee agreed to await consideration of the Officer's report at Committee to determine whether or not to proceed with a site visit.

The meeting ended at 3.25 p.m.