



**North Ayrshire Council**

Comhairle Siorrachd Àir a Tuath

**North Ayrshire Council Meeting**

**31 March 2021**

**VOLUME OF MINUTES**

**From 14 September – 12 March 2021**

<b>Date</b>	<b>Committee</b>	<b>Pages</b>
14 September 2020	Ayrshire Regional Economic Joint Cttee	<b>1-3</b>
5 November 2020	Ayrshire Shared Services Joint Cttee	<b>4-5</b>
10 February 2021	Licensing Committee	<b>6-9</b>
11 February 2021	Integration Joint Board	<b>10-14</b>
23 February 2021	Cabinet	<b>15-18</b>
25 February 2021	Planning Committee	<b>19-23</b>
25 February 2021	Local Review Body	<b>24-26</b>
9 March 2021	Audit and Scrutiny Committee	<b>27-30</b>
10 March 2021	Licensing Committee	<b>31-33</b>
12 March 2021	Staffing and Recruitment Committee	<b>34</b>



## **AYRSHIRE ECONOMIC JOINT COMMITTEE**

### **MINUTES OF MEETING HELD ON MONDAY 14 SEPTEMBER 2020 AT 1530 HRS BY MICROSOFT TEAMS**

**PRESENT:** Councillors Douglas Reid, East Ayrshire Council; Councillor Siobhan Brown, South Ayrshire Council; Councillor Marie Burns, North Ayrshire Council; Councillor Brian Connolly, South Ayrshire Council; Councillor Tom Cook, East Ayrshire Council; Councillor Joe Cullinane, North Ayrshire Council; Simon Foster, Director of Engineering, Spirit Aerosystems; Councillor Alex Gallagher, North Ayrshire Council; Donald Gillies, Director - Place, South Ayrshire Council; Andrea Glass, Regional Skills Planning Lead (South West Scotland and Forth Valley), Skills Development Scotland; Craig Hatton, Chief Executive, North Ayrshire Council; Councillor Peter Henderson, South Ayrshire Council; Eileen Howat, Chief Executive, South Ayrshire Council; Fiona Lees, Chief Executive, East Ayrshire Council; Councillors John McGhee, East Ayrshire Council; Alex McPhee, Depute Chief Executive and Chief Financial Officer: Economy and Skills, East Ayrshire Council; Mark Newlands, Head of Partnerships, Scottish Enterprise; and Karen Yeomans, Executive Director of Economy and Communities, North Ayrshire Council.

**OFFICERS ATTENDING:** Allison Craig, Programme Manager, Ayrshire Growth Deal, South Ayrshire Council; David McDowall, Interim Head of Planning and Economic Development, East Ayrshire Council; and Julie Nicol, Service Lead, Planning and Building Standards, South Ayrshire Council.

**ATTENDING:** Gillian Hamilton, Democratic Services Officer, East Ayrshire Council.

**APOLOGY:** Katie Hutton, Director of National Training Programmes, Skills Development Scotland.

**CHAIR:** Alex McPhee, Depute Chief Executive and Chief Financial Officer: Economy and Skills for Items 1 - 2 below and Councillor Joe Cullinane, North Ayrshire Council thereafter.

### **EXCLUSION OF PRESS AND PUBLIC**

1. The Committee agreed to pass the following Resolution:- "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".

### **APPOINTMENT OF CHAIR OF AYRSHIRE ECONOMIC JOINT COMMITTEE**

2. It was noted that under the Terms of Reference for the Ayrshire Economic Joint Committee, the Chair of the Joint Committee was due, from September 2020, to rotate to North Ayrshire Council for the period up until September 2021.

It was unanimously agreed to appoint Councillor Joe Cullinane as Chair of the Joint Committee for the period up until September 2021.

## **RATIFICATION OF APPOINTMENT OF CHAIR OF AYRSHIRE ECONOMIC PARTNERSHIP BOARD**

- 2.2** It was noted that the Ayrshire Economic Partnership Board on 14 September 2020 had unanimously agreed to recommend the appointment of Councillor Peter Henderson, South Ayrshire Council as Chair of the Partnership Board for the period up until September 2021. The appointment was approved.

### **MINUTES OF PREVIOUS MEETING**

- 3.** There were submitted and approved as a correct record the Minutes of the previous meeting held on 22 June 2020 (circulated).

### **3.1 ACTIONS LOG**

There was submitted and noted a list of actions from the previous meeting.

### **AYRSHIRE GROWTH DEAL - PROGRAMME UPDATE**

- 4.** There was submitted a report (circulated) by the Depute Chief Executive and Chief Financial Officer: Economy and Skills, East Ayrshire Council which advised on the progress of the Ayrshire Growth Deal and the development of its component projects as at 24 August 2020 and set out the principal Ayrshire Growth Deal package of documents for consideration and agreement by the Joint Committee prior to formal joint sign off by the three Councils and by the UK and Scottish Governments. The report also provided the draft spend profile for the Deal over its lifetime. This was a draft estimate based on current activities and implementation plans and would be subject to review as Outline Business Cases (OBCs) were finalised. This profile would also be subject to negotiation with both the UK and Scottish Governments and would form a key part of the Deal documents which would require to be signed prior to full Deal implementation.

It was agreed:-

- (i) to note the updates provided in the report;
- (ii) to note the progress across the Ayrshire Growth Deal Programme;
- (iii) to note the key elements of work that should be concluded prior to Growth Deal implementation;
- (iv) to note the tentative date of late September 2020 for signing of the Ayrshire Growth Deal and that both UK and Scottish Governments remained fully committed to the growth deals programme across Scotland;
- (v) to note the Agreement between East, North and South Ayrshire Councils;
- (vi) to note the Ayrshire Growth Deal Communications Action Plan for 2020/21;
- (vii) to note the progress with the design and development of an Ayrshire Growth Deal website;
- (viii) to note that a minor textual amendment required to be made to the Deal Document, as highlighted at the meeting; and
- (ix) otherwise to note the report.

## **INDICATIVE AYRSHIRE REGIONAL SPATIAL STRATEGY (iARSS)**

5. There was submitted a report (circulated) by the Service Lead (Planning and Building Standards), South Ayrshire Council on behalf of the Chief Executives of South, East and North Ayrshire Councils which advised on the requirement for and progress made on the preparation of a Regional Spatial Strategy (RSS) for Ayrshire.

It was agreed:

- (i) to note the requirement to prepare a Regional Spatial Strategy;
- (ii) to note the contents of the Indicative Ayrshire Regional Spatial Strategy appended to the report;
- (iii) to note that the iARSS had been reported to East and North Ayrshire Councils in advance of submission to the Scottish Government and South Ayrshire Council would consider the iARSS on 15 September 2020; and
- (iii) otherwise to note the report.

## **AYRSHIRE ECONOMIC PARTNERSHIP BOARD - 22 JUNE 2020**

6. There were submitted and noted Minutes of meeting of the Ayrshire Economic Partnership Board held on 22 June 2020 (circulated).

## **AYRSHIRE ECONOMIC PARTNERSHIP BOARD - 14 SEPTEMBER 2020**

7. The Depute Chief Executive and Chief Financial Officer: Economy and Skills, East Ayrshire Council provided the Joint Committee with a verbal update on the meeting of the Ayrshire Economic Partnership Board held on 14 September 2020.

It was noted that consideration had been given to:-

- The above Ayrshire Growth Deal Programme Update;
- The above Indicative Ayrshire Regional Spatial Strategy;
- Community Wealth Building and establishing an Anchor Charter;
- Aerospace and the opportunity to establish an aircraft decommissioning centre of excellence at Prestwick Airport, subject to harnessing resources;
- Visitor Economy, range of grant support and establishment of an Ayrshire Destination Management Organisation (DMO);
- Freeports, expressions of caution and requirement to complement Ayrshire Growth Deal and Community Wealth Building;
- Food and Drink and Food Tourism Co-ordinator posts; and
- Labour market and the impact of Covid-19.

## **DRAFT MEETINGS CALENDAR**

8. It was agreed that future meetings of the Ayrshire Economic Joint Committee would be held as follows:-

Monday, 22 February 2021 at 1400 hours;  
Monday, 24 May 2021 at 1400 hours;  
Monday, 13 September 2021 at 1400 hours; and  
Monday, 29 November 2021 at 1400 hours.

The meeting terminated at 1630 hrs.

## **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.

Licensing Committee  
10 February 2021

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 Donald L. Reid.

**In Attendance**

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

**Also in Attendance**

Inspector Alison Wilson (Police Scotland).

**Chair**

Councillor McNicol in the Chair.

**Apologies**

Scott Gallacher and Angela Stephen.

**1. Declarations of Interest**

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

**2. Minutes**

The Minutes of the Meeting held on 13 January 2021 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

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

Submitted report by the Head of Democratic Services on the proposed timetable for the Review and Fixing of Taxi Scales. The Minute of the Taxi Trade Consultation meeting was set out at Appendix A to the report, Economic Indicators set out at Appendix B, the current Taxi Fares Scales set out at Appendix C and the draft Taxi Fare Scales set out at Appendix D to the report.

The Committee agreed to (a) review the current Scales; (b) authorise draft Scales as set out at Appendix D to the report; (c) instruct the Chief Executive to give public notice of those draft Scales; and (d) continue consideration of the Review to a future meeting at least one month following the public notice.



#### **4. Exclusion of the Public**

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

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

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

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

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

### **Appendix A: Hearings**

#### **5.1 Metal Dealer's Licence: MDL/069 (New): Michael Stevenson**

The Committee at its meeting held on 13 January 2021, agreed on the basis of the information presented, to proceed to a hearing in terms of Paragraph 4(2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

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

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant. A representative 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 representative from Police Scotland then withdrew to allow the Committee to deliberate. Thereafter the applicant and representative from Police Scotland 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 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.

As an amendment, Councillor Easdale, seconded by Councillor Reid 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.

On a division and a roll call vote, there voted for the amendment, Councillors Easdale, McClung, McTiernan and Reid (4) and for the motion, Councillors Barr, Ferguson and McNicol (3), and the amendment was declared carried.

Accordingly, the Committee agreed to grant the application.

The applicant left the meeting at this point.

## **5.2 Taxi Driver's Licence: TDL/02272 (New): Kenneth A Salmon**

The Committee at its meeting held on 13 January 2021, agreed on the basis of the information presented, to proceed to a hearing in terms of Paragraph 4(2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

The Applicant, having been duly cited to attend, joined the meeting at this point. A representative from Police Scotland was also in attendance.

The representative from Police Scotland then addressed the Committee on the terms of a letter setting out their representation in respect of the application. That letter referred to the Applicant also having a "Protected Conviction" to which the provisions of the Rehabilitation of Offenders Act 1974 applied.

The Committee then carried out the procedure required under the Rehabilitation of Offenders Act 1974, Section 7(3) and determined that justice could not be done except by having regard to the Applicant's "Protected Conviction".

The representative from Police Scotland then addressed the Committee on the terms of a further letter detailing the Applicant's "Protected Conviction". Thereafter the Applicant addressed the Committee on the issues raised and responded to questions.

The Applicant and representative from Police Scotland then withdrew to allow the Committee to deliberate.

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.

Thereafter the Applicant and representative from Police Scotland 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 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 at this point.

The meeting ended at 11.45 a.m.



**North Ayrshire Health and Social Care Partnership**  
**Minute of virtual Integration Joint Board meeting held on**  
**Thursday 11 February 2021 at 10.00 a.m.**

**Present**

Councillor Robert Foster, North Ayrshire Council (Chair)  
Bob Martin, NHS Ayrshire and Arran (Vice-Chair)  
Councillor Timothy Billings, North Ayrshire Council  
Adrian Carragher, NHS Ayrshire and Arran  
Councillor Anthea Dickson, North Ayrshire Council  
Councillor John Sweeney, North Ayrshire Council

Caroline Cameron, Director  
Eleanor Currie, Interim Section 95 Officer (IJB)/Principal Manager (Finance)  
David MacRitchie, Chief Social Work Officer – North Ayrshire  
Alistair Reid, Lead Allied Health Professional Adviser  
David Thomson, Associate Nurse Director/IJB Lead Nurse  
Dr. Louise Wilson, GP Representative

David Donaghey, Staff Representative (NHS Ayrshire and Arran)  
Louise McDaid, Staff Representative (North Ayrshire Council)  
Graham Searle, Carers Representative (Depute for Marie McWaters)  
Clive Shephard, Service User Representative  
Jackie Weston, Independent Sector Representative  
Janet McKay, Chair, Garnock Valley HSCP Locality Forum

**In Attendance**

Andrew Fraser, Head of Service (Democratic Services)  
Alison Sutherland, Head of Service (Children, Families and Justice)  
Thelma Bowers, Head of Service (Mental Health)  
Michelle Sutherland, Partnership Facilitator  
Neil McLaughlin, Manager (Performance and Information Systems)  
Karen Andrews, Team Manager (Governance)  
Angela Little, Committee Services Officer  
Euan Gray, Committee Services Officer

**Apologies for Absence**

Jean Ford, NHS Ayrshire and Arran  
John Rainey, NHS Ayrshire and Arran  
Marie McWaters, Carers Representative  
Vicki Yuill, Third Sector Representative

## **1. Chair's Remarks**

The Chair welcomed Caroline Cameron to the Integration Joint Board in her new role as Director of the North Ayrshire Health and Social Care Partnership. He also welcomed the appointment of David Thomson to the role of Head of Service (Health and Community Care).

## **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 17 December 2020 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

## **4. Appointments and Recruitment**

Submitted report by Andrew Fraser, Head of Service (Democratic Services) on the appointment of the Director of North Ayrshire Health and Social Care Partnership, the Head of Service (Health and Community Care) and arrangements for the appointment of the Chief Finance and Transformation Officer and Section 95 Officer.

The Board agreed (a) to note the appointments of (i) Caroline Cameron as Director of North Ayrshire Health and Social Care Partnership/Chief Officer of the IJB; and (ii) David Thomson as the Head of Service (Health and Community Care); and (b) to (i) the vacant post of Chief Finance and Transformation Officer being recruited by North Ayrshire Council's Staffing and Recruitment Committee with membership comprising representatives from the Council, NHS Ayrshire and Arran and the Integration Joint Board; and (ii) the appointment of the Senior Manager (HSCP Finance and Transform) as the Interim Section 95 or Finance Officer of the Integration Joint Board pending the successful appointee taking up post.

## **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:-

- The publication of the Independent Review of Adult Social Care on 3 February 2021;
- Inclusion of Integration Joint Boards as Category 1 Responders;
- Parliamentary agreement to the general principals of the UNCRC Incorporation (Scotland) Bill;
- Staff Well-being Hub at Ayrshire Central Hospital;
- IJB Directions;

- The appointment of Billy Brotherston as the new Independent Chair of the North Ayrshire Alcohol and Drug Partnership;
- The appointment of Louise Gibson as the new Chair of the Irvine Locality Planning Forum and non-voting member of the IJB;
- The Mental Welfare Commission end of year meeting;
- Impact Arts' "Make It Your Own" project offering interior design skills to care experienced young people;
- The Named Person Service;
- Covid Update, including information on the Care Home Oversight Group, Delayed Discharges, staffing levels, PPE Hub, vaccinations and testing expansion programme;
- Dalene Steele who represented NHS Ayrshire and Arran at an online session with HRH Prince William to discuss the Covid vaccination programme; and
- Remobilisation Plans.

Noted.

## **6. Financial Performance**

Submitted report by Eleanor Currie, Interim Section 95 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:-

- Confirmation that had been received that all Covid costs would be fully funded;
- The projected year-end underspend of £2.7m, following repayment to the Council;
- Vacancy savings in social care due to delays in recruitment and that there were no plans to adjust savings targets;
- Covid payments that have been made to Third Sector staff and would be made to NHS staff in February;
- Guidance that is awaited to allow Covid payments to be processed for Council Care at Home staff; and
- The most recent Mobilisation Plan cost submission, alongside NHS financial returns, to the Scottish Government.

The Board agreed to note (a) the overall integrated financial performance report for the financial year 2020-21 and the overall projected year-end underspend of £2.7m at period 9; (b) the updated estimated costs of the Covid mobilisation plan of £10.211m, including savings delays, and the associated funding received to date; and (c) 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.

## **7. Financial Regulations**

Submitted report by Eleanor Currie, Interim Section 95 Officer on the outcome of the review of Financial Regulations. The Regulations, attached at Appendix 1 to the report, detailed the responsibilities of the IJB for its own financial affairs and set out the responsibilities for the Chief Officer and the Chief Finance Officer of the IJB.#

The Board was advised of a typographical error at Section 3.1 of the report, which should read “that the Regulations be reviewed at least every ~~two~~**three** years .....

The Board agreed to approve the Financial Regulations as set out at Appendix 1 to the report.

## **8. Strategic Plan 2021 – Bridging Plan**

Submitted report by Michelle Sutherland, Strategic Planning and Transformation Lead on the draft Strategic Bridging Plan. The Plan was attached as Appendix 1 to the report and Appendix 2 provided a summary of Plan.

Members asked questions and were provided with further information in relation to the commission of work on projections on long term conditions and other health issues on the population as a result of the pandemic.

The Board agreed that the Strategic Bridging Plan be submitted to the graphic design stage to ensure accessibility prior to formal approval in March 2021.

## **9. Red Rose House Change of Service**

Submitted report by Kevin McGinn, Planning Manager on the recommendation of the ASN Residential and Respite Steering Group to relocate respite for adults with learning disabilities from its current location at Taigh Mor, Beith to Red Rose House.

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

- Analysis that found there would be no children and young people seeking immediate residential care;
- The implementation of ‘The Promise’ to develop strategic plans locally to keep children and young people at home and out of full-time residential care where possible;
- The provision of wrap round support to family carers and the new respite service which would provide double the current respite capacity;
- Specialist residential placements that were not available within the local area, such as the Royal Blind School in Edinburgh;
- Future demand for residential care for children and young people that would be considered on a case by case basis;
- A Review of Adult Respite Services that would be undertaken and include future respite needs;
- Opportunities to expand and develop Adult Services at Red Rose House; and
- A walk-through video of Red Rose House that would be presented to the next meeting of the Board.

The Board agreed to approve the recommendation to change the use of Red Rose House for the provision of Adult Learning Disability Respite Services.

The meeting ended at 11.00 a.m.



Cabinet  
23 February 2021

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 and Jim Montgomerie.

**Also Present**

Alan Hill, Ian Murdoch and Donald Reid.

**In Attendance**

C. Hatton (Chief Executive), M. Boyd, Head of Service (Finance), and T. Reaney, Head of Service (Recovery and Renewal) (Chief Executives); R. McCutcheon, Executive Director, Y. Baulk, Head of Service (Physical Environment), C. McAuley, Head of Service (Economic Development and Regeneration), M. Strachan, Senior Manager (Business Support and Development) and E. Anderson, Team Manager (Private Sector Housing) (Place); A. Sutton, Executive Director and R. Arthur, Head of Service (Connected Communities) (Communities and Education); C. Cameron, Director (HSCP); J. Hutcheson, Senior Communications Officer, E. Gray and H. Clancy, Committee Services Officers (Democratic Services).

**Also In Attendance**

G. Higgon, Chair of KA Leisure Board, A. Pringle, Vice-Chair of KA Board, L Barrie, Business Manager - KA Leisure, and C. Glencourse, Business Manager - KA Leisure.

**Apologies**

Louise McPhater.

**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 26 January 2021 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. North Ayrshire Leisure Limited (NALL) Recovery and Renewal Plan, Incorporating Potential 2021-22 Budget Scenarios**

The Cabinet received a presentation from representatives of North Ayrshire Leisure Limited (NALL) and considered a report by the Executive Director (Communities and Education) on the on the proposed recovery and renewal plan. The KA Leisure Annual Report was set out at Appendix 1 to the report.

The presentation contained details of the challenges faced by NALL due to the COVID-19 pandemic along with the steps which would be taken to recover and ensure that they continued to operate as a going concern. A number of areas were highlighted including the need to strike a balance between income generation and wider social objectives to reduce health inequalities and the importance of being able to adapt to the cultural shift in people's approach to health and fitness.

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

- the importance of non-sporting facilities to local communities and the ~~need to~~ use of these venues as we emerge from the pandemic; and
- how people who may be resistant to reinstate their membership could be persuaded to do so through the development of online activity and the challenge of ensuring these activities could generate income.

The Cabinet unanimously agreed to (a) note and support the North Ayrshire Leisure Limited (NALL) Recovery and Renewal Plan; (b) note (i) the projected deficit position in 2020/21 and (ii) the Recovery and Renewal progress; and (c) agree to receive regular reports to monitor (i) the financial impact of COVID on NALL in 2021-22, (ii) developments in Renewal plans and (iii) resultant additional financial support to NALL in 2021-22 as part of the Council's financial monitoring arrangements.

### **4. Strategic Risk Register 2021/22**

Submitted a report by the Head of Service (Recovery and Renewal) on the Strategic Risk Register for 2021/22 as set out at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to the risk around IT security and what contingencies were in place in the event of a complete server outage.

The Cabinet unanimously agreed to approve the Council's Strategic Risk Register for 2021/22 set out at Appendix 1 to the report.

### **5. Local Authority Discretionary Business Support Fund**

Submitted a report by the Executive Director (Place) on a new COVID-19 Local Authority Discretionary Fund for local businesses. A summary of COVID-19 Business Support National Funds was set out at Appendix 1 to the report and guidelines for the proposed fund at Appendix 2.

The Cabinet unanimously agreed (a) to note the approach taken to develop the North Ayrshire Local Authority Discretionary Fund for businesses; (b) to approve the proposed criteria for delivery of the Local Authority Discretionary Fund as set out in Appendix 2 to the report; and (c) that delegated authority be given to the Head of Service (EDR) to approve exceptions to the criteria in special circumstances that would directly result in local jobs being safeguarded.

## **6. Green Jobs Fund**

Submitted a report by the Executive Director (Place) on a new Green Jobs Fund to support North Ayrshire's Economic Recovery and Renewal Approach. The Business Green Route Map was set out at Appendix 1 to the report.

The Cabinet unanimously agreed (a) to approve the proposal for a new £500,000 Green Jobs Fund; (b) that financial intervention be capped at £10k for each business seeking support; (c) that in exceptional circumstances (outlined in section 2.7 of the report) that delegated authority be given to the Head of Service (EDR) in consultation with the appropriate portfolio holder to increase the financial cap to £30k; and (d) to note the allocation of £250k towards this project from the Council's £8.8million Investment Fund and the award by North Ayrshire's Ventures Trust (NAVT) of £250k to deliver the £500,000 Green Jobs Fund.

## **7. Demolition Order – 2 Montgomerie Road, Saltcoats**

Submitted a report by the Executive Director (Place) on the demolition of a residential property in Saltcoats confirmed as being below the Tolerable Standard.

The Cabinet unanimously agreed (a) to approve the serving of a Demolition Order at 2 Montgomerie Road, Saltcoats; (b) that Council officers arrange for the demolition of the property in the event of the owner failing to arrange demolition within the set timescale; and (c) that, should the Council arrange for the demolition to be undertaken, a Compulsory Purchase Order be sought for the property to recoup some of the demolition costs through sale of the land.

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

Submitted a report by the Executive Director (Communities and Education) on the Millport Town Hall CIF Project which sought permission to draw down previously agreed Community Investment Fund funding in respect of the project.

The Cabinet unanimously agreed to (a) note the update on the Millport Town Hall project; and (b) approve the early release of a further £70,000 from the £200k CIF funding previously allocated by North Ayrshire Council for the Millport Town Hall project.

## **9. Hunterston Strategic Development Area**

Submitted a report by the Director (Growth and Investment) on the approach to secure appropriate economic development at Hunterston recognising the strategic importance of the area. The proposed Memorandum of Understanding which would support the collaboration between partners was set out at Appendix 1 to the report and a site plan at Appendix 2.

Members asked questions and were provided with further information in relation to trade union representation on the proposed strategic group which would help determine the best way to realise the ambitions for the Hunterston Strategic Development Area.

Councillors Hill and Murdoch, who had requested permission from the Chair to attend the meeting, were invited to comment on the proposal. They welcomed the call for trade union representation on the strategic group but noted the lack of representation from the local community or Elected Members. They also queried whether an Environmental Impact Assessment should be undertaken and the definition of 'confidential material' as set out in the proposed Memorandum of Understanding. Finally, they stated their belief that any decision on the development of the site should be taken by full Council.

The Chief Executive sought to provide clarity on a number of points which were raised. In terms of local representation, he confirmed that the initial aims of the group was to baseline the area, activities and opportunities to help inform the strategic direction but in the future a stakeholder group would be formed and this would involve representatives from the local community. He also confirmed that compliance with all environmental controls in place was a pre-requisite and that any development proposals that may come forward would take cognisance of the local environment. Finally, he noted that decisions on the use of the site would be a regulatory matter and therefore would be for the Planning Committee to determine.

Following discussion, the Cabinet unanimously agreed to (a) note (i) the establishment of the strategic group comprising key regional and national agencies and organisations to determine the best way to realise the ambitions for the Hunterston Strategic Development Area, (ii) the preliminary actions of the group and (iii) the intention to write to the Minister to establish the Task Force once actions had been established; and (b) create a tri-partite partnership to facilitate early action at Hunterston Parc and which would be underpinned by the Memorandum of Understanding.

## **10. HSCP Budget Monitoring Report**

Submitted a report by the Director (Health and Social Care Partnership) on the projected financial outturn for the financial year as at December 2020. The Month 9 Financial Performance report which was presented to the IJB on 11 February 2021 was set out at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to the 2020/21 underspend, how much of this attributable to services not being provided, and if it was realistic to expect similar savings in 2021/22.

Noted.

The Meeting ended at 3.55 p.m.

## **Planning Committee 25 February 2021**

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, Shaun Macaulay, Ellen McMaster, Ronnie McNicol and Donald Reid.

### **Also Present**

Todd Ferguson

### **In Attendance**

J. Miller, Chief Planning Officer, A. Hume, Senior Development Management Officer, I. Davies, Senior Development Management Officer, L. Dempster, Technician (Planning); A. Craig, Senior Manager (Legal Services); and A. Little and H. Clancy, Committee Services Officers (Chief Executive's Service).

### **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 27 January 2021 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

### **3. Call In request: SSE Anaerobic Digestion Plan, Dalry**

Submitted a report by the Chief Executive on a call in request, in accordance with the approved call in procedure, in relation to an application for planning permission which would otherwise be determined by an officer under the Council's Scheme of Delegation to Officers.

A request has been made by Councillors Ferguson, Gallagher and Glover that a Section 42 application to remove Condition 1 of planning permission 09/004444/PPM should be determined by the Planning Committee and not by an officer under the Council's Scheme of Delegation to Officers.

The stated reason for the call in request was detailed in the call in request dated 5 February 2021 and summarised as follows: -

- Increase in noise from both the HGVs and the machinery used to pump out contents;

- Increase in road traffic on a C Class road which is already very degraded;
- Light pollution due to an increase in operating hours during the hours of darkness; and
- Increase in noise levels from the machinery used and from workers at the facility.

Councillor Ferguson was in attendance and addressed the committee in support of the call in request.

Councillor Barr, seconded by Councillor McNicol, moved to call in the application and that it should be determined by the Planning Committee.

Councillor Reid, seconded by Councillor Foster, moved not to call in the application and that it should be determined by an officer under the Council's Scheme of Delegation to Officers.

On a division and a roll call vote, there voted for the amendment, Councillors Foster, McMaster and Reid (3) and for the motion, Councillors Barr, Billings, Clarkson, Larsen, Macauley, Marshall and McNicol (7), and the motion was declared carried.

Accordingly, the Committee agreed to call in the application to be determined by the Planning Committee.

#### **4.1 21/00005/PP: Hunterston Construction Yard, Fairlie, Largs**

Clydeport Operations Ltd has applied for planning permission for the variation of Condition 4 of Permission Reference N/17/01273/PP at Hunterston Construction Yard, Fairlie.

The Chief Planning Officer advised that further information was required to allow the Planning Committee to proceed with the determination of this application.

The Committee agreed to continue consideration of the planning application to its next meeting.

#### **5.1 20/00710/PP: Sannox Sand Quarry, Sannox, Brodick, Isle Of Arran, KA27 8JD**

Arran Aggregates Ltd has applied for planning permission for the continuation and extension of existing quarry for extraction of sand and gravel at Sannox Sand Quarry, Isle of Arran, KA27 8JD. One objection was received and summarised in the report.

Councillor Marshall, seconded by Councillor McNicol, moved to grant the application subject to conditions.

There being no amendment the motion was declared carried.

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

1. That, prior to the commencement of any works on the western extension of the quarry area hereby approved: (i) the developer shall provide documentary evidence that a bond or financial provision for £50,000 or such other amount as may otherwise be agreed by the planning authority in writing, including appropriate inflationary provisions to cover all decommissioning and site restoration costs required on the completion of the quarrying operations, is in place. No works shall commence until written confirmation has been received that the proposed arrangements in relation to financial provision for restoration of the site are to the satisfaction of the planning authority; (ii) that the developer shall thereafter ensure that the approved bond or other financial provision is maintained throughout the duration of the development hereby approved and provide confirmation on request from the planning authority, all to the satisfaction of North Ayrshire Council as planning authority; and iii) that the terms of the bond or financial provisions specified in condition 1(i) hereof shall be reviewed periodically in intervals of not less than four years from the date of commencement of operations hereby approved and shall be reviewed at 4 yearly intervals thereafter. The Council, acting reasonably shall be entitled to seek an increase in the amount of financial provision made by the developer in the event that the audit referred to in Condition 2 hereof indicates that restoration of quarrying operations is likely to require funding in excess of that provided for in the bond or financial provision in place at the time of review.
2. That, from the commencement of the planning permission hereby approved, the operator shall submit to the planning authority by the end of each four year period, a statement and plans illustrating the extent of quarry working and projected quarrying operations during the next forthcoming four year period, to allow an audit of operations and progressive site restoration. This statement shall include an audit of compliance with the conditions of the planning permission hereby approved.
3. That unless the planning Authority gives written consent to any variation, no permanent machinery shall be introduced to the site and all stockpiling of materials shall be confined to the areas indicated on the proposed site plan accompanying the Extractive Waste Management Plan dated April 2020, submitted in support of the application, all to the satisfaction of North Ayrshire Council as Planning Authority.
4. That the use hereby permitted shall operate only between the hours of 8.00am and 6.00pm Mondays to Fridays, 8.00am to 12 noon Saturdays and at no time on Sundays or public holidays.
5. That site noise levels when measured at least 3.5m in front of a façade facing the quarry of any dwellinghouse shall not exceed 55 dbLAeq (1 hour) during the working hours specified above, to the satisfaction of North Ayrshire Council as Planning Authority.
6. That any introduction of plant or working methods likely to increase the negative noise impact on nearby dwellinghouses, shall be agreed in writing with North Ayrshire Council as Planning Authority prior to being implemented.

7. That within one month of the date of this permission, details of measures to be taken to minimise the emission of dust and wind-blown sand from the site including screening of equipment from wind and wetting of stock piles, shall be submitted for the written approval of North Ayrshire Council as Planning Authority and implemented thereafter throughout the working life of the quarry
8. That no work on the face of the quarry shall take place between April and July inclusive to avoid the bird nesting season and stockpiling of material shall take place prior to this period so that the stockpiled material can be extracted during these months so as not to affect the operation of the site.
9. That no soil material shall be deposited either permanently or temporarily on any flood plain and no excavated areas shall be reinstated to a ground level above the pre excavation ground level which could affect the operation of a flood plain unless a flood risk assessment is submitted demonstrating that the operation will not increase flood risk to surrounding properties, to the satisfaction of North Ayrshire Council as Planning Authority.
10. That throughout the duration of the development hereby approved: (i) adequate wheel washing facilities shall be provided and wheel washing undertaken as necessary; and (ii) open vehicles carrying materials shall be sheeted before leaving the site, to ensure that deleterious material is not deposited on public roads, all to the satisfaction of North Ayrshire Council as Planning Authority.
11. That unless North Ayrshire Council as Planning Authority gives written consent to any variation, the number of wagon loads of sand extracted from the quarry shall not exceed 71 per annum as indicated in the Transport Statement submitted in support of the application.
12. That, prior to the commencement of any works on the western quarry extension hereby approved, the developer shall secure the implementation of a programme of archaeological works, to be carried out by an archaeological organisation acceptable to North Ayrshire Council as Planning Authority, during any soil stripping. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the programme of works shall be submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by North Ayrshire Council as Planning Authority, prior to the commencement. The name of the archaeological organisation retained by the developer shall be given to North Ayrshire Council as Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development.

## **6 Consultation Paper: Guidance on the Promotion and Use of Mediation in the Scottish Planning System**

Submitted report by the Executive Director (Place) on the draft guidance produced on the Promotion and Use of Mediation in the Scottish Planning System, with the response to the consultation set out at Appendix 1 to the report.



The Chief Planning Officer highlighted the use of mediation in Planning was to be promoted during the early stages of the planning process to help reduce conflict, improve community engagement and build public trust.

The Committee agreed to (a) note the detail of the proposed guidance relating to the use of mediation in the Scottish planning system; and (b) approve the submission of the response to the consultation set out in Appendix 1 to the report.

The meeting ended at 2.50 p.m.

## **Local Review Body 25 February 2021**

At a Meeting of the Local Review Body of North Ayrshire Council at 3.00 p.m. involving participation by remote electronic means.

### **Present**

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

### **In Attendance**

A. Hume, Planning Adviser to the LRB, L. Dempster, Technician (Place); A. Craig, Legal Adviser to the LRB (Legal Services); and A. Little and H. Clancy, Committee Services Officers (Chief Executive's Service).

### **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 Local Review Body held on (i) 30 September 2020 (ii) 5 October 2020 (iii) 7 October 2020 (iv) 26 October 2020 (v) 24 November 2020 (vi) 24 November 2020 (vii) 8 January 2021 and (viii) 8 January 2021 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

### **3. Notice of Review: 20/00662/PP – Site to North of Woodlea Cottage, Whiting Bay, Isle of Arran**

Submitted report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of a condition applied to a planning permission granted by officers under delegated powers

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

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

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

Councillor Reid seconded by Councillor Foster, moved that the Local Review Body uphold the officer's decision to attach a condition to the planning permission.

As an amendment, Councillor Billings, moved that the Local Review Body remove condition 1 from the planning permission and replace with another relevant condition to bring the road up to a fit for purpose standard. There being no seconder, the amendment fell.

There being no amendment the motion was declared carried, Councillor Billings dissenting.

#### **4. Notice of Review: 20/00832/PP - 2 Young Street, Ardrossan**

Submitted a report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of a planning application refused by officers under delegated powers for the erection of 1.5 metres high close boarded timber perimeter fencing to partially screen the courtyard, along with the erection of a timber screened bin enclosure (retrospective) at 2 Young Street, Ardrossan.

The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan and Planning decision notice were provided as appendices to the report.

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

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

Councillor Billings seconded by Councillor Marshall, moved that the Local Review Body uphold the officer's decision to refuse planning permission for the reasons set out in the officer's report of handling.

As an amendment, Councillor McNicol seconded by Councillor Clarkson, moved that the Local Review Body uphold the review and grant planning permission subject to conditions.

On a division and a roll call vote, there voted for the amendment, Councillors Barr, Clarkson, Foster, Larsen, Macauley, McMaster, McNicol and Reid (8) and for the motion, Councillors Billings and Marshall (2), and the amendment was declared carried.

Accordingly, the Local review Body agreed to uphold the review and grant planning permission subject to the following condition:

That, within 1 month of the date of this planning permission, details of the colour scheme for the fence hereby approved shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the fence shall be painted/stained within 1 month of the colour scheme as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.

The Meeting ended at 4.00 p.m.

Audit and Scrutiny Committee  
9 March 2021

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**

R. McCutcheon, Executive Director (Place); R. Arthur, Head of Communities (Communities and Education); E. Currie, Section 95 Officer (IJB)/Principal Manager (Finance) (Health and Social Care Partnership); and P. Doak, Senior Manager (Internal Audit, Risk and Fraud), D. Forbes, Senior Manager (Strategic Business Partner) (Finance), A. Fraser, Head of Democratic Services, and E. Gray and H Clancy, Committee Services Officers (Chief Executive's Service).

**Also In Attendance**

Karlyn Watt (Deloitte).

**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 12 January 2021 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Supporting North Ayrshire Together – Our Response to the Coronavirus Pandemic and Progress Report (Council Plan Progress Update – Quarter Two 2020-21)**

Submitted a report by the Head of Democratic Services on the Council's response to date to the Covid-19 pandemic and performance against the Council Plan 2019-24 as at Quarter Two 2020-21 as set out at Appendix 1 to the report. Appendices 2 and 3 contained an update on the Council Plan Performance Indicators.

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

- the status of performance indicator CP\_05 which had failed to meet its target in previous years but was not identified as an exception in the update provided due to the data not being published quarterly;

- the area of focus relating to preparations for the UK's withdrawal from the European Union; and
- the success of council officers and employees working collaboratively in the response to the pandemic.

The Committee agreed to (a) note (i) the performance of the Council Plan as at 30 September 2020; and (ii) the Council's response to the Covid-19 pandemic to date; and (b) receive a further update on the Council's response to the Covid-19 pandemic at the next meeting.

#### **4. UK Withdrawal from the European Union (Brexit) Update Report**

Submitted a report by the Head of Democratic Services on the current position regarding the UK's withdrawal from the European Union on 31 December 2020.

Members asked a question and received further information in relation to whether a significant number of North Ayrshire residents were expected to establish their settled status rights prior to the deadline on 30 June 2021.

Noted.

#### **5. Internal Audit Reports Issued**

Submitted a report by the Head of Finance on the findings of Internal Audit work completed during January and February 2021. Reports on internal audits carried out in respect of Building Services systems and fire safety procedures were set out at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to the measures which were put in place to ensure that version control recommendations were implemented in terms of the Building Services systems audit and that established working practices were updated.

Noted.

#### **6. Internal Audit and Corporate Fraud Action Plans: Quarter 3 Update**

Submitted a report by the Head of Finance on the progress made by Council Services in implementing the agreed actions from Internal Audit and Corporate Fraud reports as at 31 December 2020. Details of the five actions that were not completed within the agreed timescales were set out at Appendix 1 to the report.

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

#### **7. External Audit Plan 2020/21**

Submitted a report by the Head of Finance on the External Audit Plan for 2020/21. The Plan itself was set out at Appendix 1 to the report.

The Senior Manager (Strategic Business Partner) advised the Committee on the following two updates to the report:

- the Financial Implications section of the cover report had been updated for the revised 2020/21 Audit Fee which was confirmed as £310,320, a 2.6% increase from previous year; and
- the External Audit Plan had been finalised and therefore the 'Draft' reference would be removed.

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

- how Covid-19 related income, such as funding pots for dispersal, would be presented in the accounts and issues associated with this;
- the 2.6 % increase in the external audit fee and the contributing factors behind this; and
- the Council's continued contribution to Audit Scotland's Performance Audit Best Value staffing costs.

Noted.

## **8. April to September 2020 Complaint Report**

Submitted a report by the Head of Democratic Services on the Council's complaint performance and the volumes and trends of complaints in the first six months of Financial Year 2020 as set out at Appendix 1 to the report.

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

- the accuracy of the complaint figures and reports from constituents that, as result of the pandemic, until January 2021 it was not possible to complain about a missed bin collection;
- the difference between reporting an issue and raising a formal complaint and how this might impact the figures reported to the Committee;
- whether any analysis had been carried out on the extent to which current working practices during the pandemic had resulted in complaints being raised; and
- whether there had been any complaints raised by business owners around the non-payment of support grants and the appeal process which would address issues outwith the Complaints process. Officers undertook to provide Committee Members with a briefing paper on this.

Noted.

## **9. 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.

## **11. Investigation Reports Issued**

Submitted a report by the Head of Finance on the investigation reports finalised since the last meeting.

The Committee agreed to approve the recommendations as set out in the report.

The meeting ended at 11.00 a.m.



Licensing Committee  
10 March 2021

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, Jean McClung, Davina McTiernan, Donald L. Reid, and Angela Stephen.

**In Attendance**

W. O'Brien, Solicitor (Licensing), A. Toal, Administrative Assistant (Licensing), P. Brennan, Specialist Environmental Health Officer (Place) and H. Clancy, 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.

**1. Chair Remarks**

The Chair agreed, in terms of Standing Order 9.4, to vary the order of business to allow consideration of Agenda item 3.2 (Street Trader Operator's Licence: STL/O/516 Amendment & STL/O/518 (New): Ayrshire's Wee Fish Van) prior to Agenda item 3.1 (Skin Piercing and Tattoo Licence: SPTL/038: Alexander Nicholas Arbuckle), as the applicant was already in attendance in the virtual 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. Minutes**

The Minutes of the Meeting held on 10 February 2021 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**4. Exclusion of the Public**

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

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

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

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

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

### **Appendix A: Hearings**

#### **5.1 Street Trader Operator's Licence: STL/O/516 Amendment & STL/O/518 (New): Ayrshire's Wee Fish Van**

The licence-holder and 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. Thereafter the licence-holder and applicant addressed the Committee on the issues raised and responded to questions.

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

### **Decision**

Having heard from the Licence-Holder and Applicant, the Committee agreed unanimously to treat the circumstances as justifying an exception to their Policy and:

- (1) In relation to the existing Licence STL/O/516: granted the Amendment requested, to the extent of changing Standard Condition C.3 ("Movement") to refer to "60 minutes" instead of "20 minutes", under Paragraph 9(2) of Schedule 1 to the Civic Government (Scotland) Act 1982;
- (2) In relation to the proposed Licence STL/O/518: amended their Policy in that case, so that the same change shall apply to the same Standard Condition (but apart from these two Licences, that Standard Condition shall continue to refer to "20 minutes");

- (3) that in relation to both Licences the Committee would review within one year whether or not the change should continue, or the Standard Condition should again refer to "20 minutes" or be differently worded.

The licence-holder and applicant left the meeting at this point.

## **5.2 Skin Piercing and Tattoo Licence: SPTL/038: Alexander Nicholas Arbuckle**

The Committee was advised of a request from Police Scotland for the revocation/suspension of the licence in terms of Paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982.

The licence-holder, having been duly cited to attend, joined the meeting at this point. Representatives from Police Scotland and Environmental Health were also in attendance.

The representatives from Police Scotland and Environmental Health then addressed the Committee in respect of the revocation/suspension. Thereafter the licence-holder addressed the Committee on the issues raised and responded to questions.

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

### **Decision**

Councillor Barr, seconded by Councillor Ferguson, moved that the Committee suspend the licence with immediate effect for its whole unexpired duration until 28 February 2023 under Civic Government (Scotland) Act 1982, Schedule 1, Paragraph 11, on the basis that the license-holder is not a fit and proper person to hold the Licence (the ground in Paragraph 11(2)(a)), and consider recalling the suspension under Paragraph 11(6) once criminal proceedings have been concluded. There being no amendment the motion was declared carried, Councillor Reid dissenting.

The meeting ended at 11.55 a.m.

Staffing and Recruitment Committee  
12 March 2021

At the Meeting of Staffing and Recruitment of North Ayrshire Council at 9am involving participation by remote electronic means.

**Present**

Joe Cullinane, John Bell, Marie Burns, Alan Hill, Tom Marshall, Donald L Reid, Louise McPhater.

**In Attendance**

C. Hatton, Chief Executive, A. Sutton, Executive Director (Communities & Education) and F. Walker, Head of Service (People & ICT).

**Chair**

Joe Cullinane in the Chair.

**1. Declarations of Interest**

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

**2. Minutes**

The accuracy of the Minutes of the meeting of the Staffing and Recruitment Committee held on 22 December 2020 was confirmed and the Minute and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Exclusion of the Public and Press**

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

**4. Head of Service (Connected Communities)**

The Committee considered applications for position of Head of Service (Connected Communities) and agreed that 4 candidates would progress to the next stage of the recruitment process.

The Meeting ended at 9.20am