



CUNNINGHAME  
HOUSING ASSOCIATION

*More than just a landlord*

# Board of Management Minutes

**Date of Meeting: 2<sup>nd</sup> February 2023**

Please note that these minutes have been edited to remove any information relating to personal/confidential/commercially sensitive or of a personal nature.

# CUNNINGHAME HOUSING ASSOCIATION LTD

## Minutes of Board of Management Meeting

Held on Thursday 2<sup>nd</sup> February 2023 at 2.15 pm in the Association's Quayside Offices,  
Marina Quay, Dock Road, Ardrossan KA22 8DA



Present	In Attendance
Lesley Keenan (Chair) John Kelly John Nisbet Elizabeth Shedden John McLaren (MS Teams) June Fenelon Margaret Davison Brian McCabe Willie Gibson Cllr Stephen Canning (EAC)	Linda Anderson, Executive Director of Development Jacqueline Cameron, Executive Director of Housing & Property Services Elaine Nimmo, Minute Secretary

PRIORITY RED – SECTION 1 – STANDING ORDER ITEM AND GOVERNANCE ITEMS		ACTION
1.	<b>Apologies</b> Apologies were received from Frank Sweeney, Drew Hall and Janet Strang. Liam Loudon remains on leave of absence.  The Chair updated the Board with regard to the CEO and the Board noted and passed on their best wishes.	
2.	<b>Chairperson's Remarks</b> 1 The Chair welcomed everyone to the meeting. 2 The Chair asked all Members to ensure that their mobile phones are switched off. 3 As there were confidential items on the Agenda the Chair read out the following confidentiality statement:  In compliance with the Regulatory Code of Governance and Board Members' Code of Conduct all items detailed in this notice as being confidential should not be discussed with any external party either prior to or after said meeting by any Member of the Board of Management.  All members should note that when the Group CEO/Executive Directors/Officers are giving or presenting their report that there will be no interruptions to allow them to finish their reports. Questions can be asked after the presentation.  4 <b>Leave of Absence – Brenda Johnstone</b> The Chair advised that Brenda emailed on 13/01/23 requesting leave of absence from Thursday 19th January 2023 until 15th February 2023. After discussion with the Acting CEO this was approved and agreed it would be formally recorded at today's meeting.  The Board of Management noted the Leave of Absence for Brenda Johnstone.  5 <b>Board Member Resignation – Cllr Scott Davidson</b> The Chair advised that North Ayrshire Council emailed on 20/01/23 advising that Cllr Davidson will be standing down from his role on CHA's board of management	CEO

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2.	<p>with immediate effect. The Council will consider a replacement appointment at their next meeting on 15<sup>th</sup> February 2023 and will advise thereafter.</p> <p><b>6 Scottish Housing Regulator Visit</b> The Chair advised that an email was been received from Nicola McKeand, Regulation Manager, Scottish Housing Regulator on 11/01/23 advising they are planning their diaries for coming year and would like to attend a CHA board meeting. Staff responded with two potential dates (29<sup>th</sup> June and 17<sup>th</sup> August 2023) however no response had been received to date. Board will be kept advised.</p>	CEO																											
3.	<p><b>Declaration of Interest</b> Item 21 – Feasibility Support Request – Annan Rugby Club Development Proposal (CONFIDENTIAL) – Willie Gibson declared an interest with regard to this item given his connection with rugby.</p> <p>All declarations have been recorded in the Registering &amp; Declaring Interests Register in accordance with Governance Policy No: CE0028 Entitlements, Payments and Benefits Policy.</p>	CEO																											
4.	<p><b>Requirement of the Writing (Scotland) Act 1995</b> The Acting CEO referred members to the previously circulated report and informed members that in accordance with the Requirement of Writing (Scotland) Act 1995 this report details any documents which have been entered into the Seal and Non-Seal registers since the last Board meeting.</p> <p>The Board noted.</p>																												
5.	<p><b>Adoption of Minutes and Business Arising from same</b></p> <table><tr><td>Meeting</td><td>Proposed</td><td>Seconded</td></tr><tr><td>Board of Management Meeting (CONFIDENTIAL) 23<sup>rd</sup> November 2022</td><td>John Nisbet</td><td>Willie Gibson</td></tr><tr><td colspan="3">There were no matters arising.</td></tr></table> <table><tr><td>Meeting</td><td>Proposed</td><td>Seconded</td></tr><tr><td>Special Board of Management Meeting (CONFIDENTIAL) 11<sup>th</sup> January 2023</td><td>Brian McCabe</td><td>Elizabeth Shedden</td></tr><tr><td colspan="3">There were no matters arising.</td></tr></table> <table><tr><td>Meeting</td><td>Proposed</td><td>Seconded</td></tr><tr><td>Development Services Sub Committee 19<sup>th</sup> January 2023 (CONFIDENTIAL)</td><td>June Fenelon</td><td>John Nisbet</td></tr><tr><td colspan="3">There were no matters arising.</td></tr></table>	Meeting	Proposed	Seconded	Board of Management Meeting (CONFIDENTIAL) 23 <sup>rd</sup> November 2022	John Nisbet	Willie Gibson	There were no matters arising.			Meeting	Proposed	Seconded	Special Board of Management Meeting (CONFIDENTIAL) 11 <sup>th</sup> January 2023	Brian McCabe	Elizabeth Shedden	There were no matters arising.			Meeting	Proposed	Seconded	Development Services Sub Committee 19 <sup>th</sup> January 2023 (CONFIDENTIAL)	June Fenelon	John Nisbet	There were no matters arising.			
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<b>PRIORITY RED – SECTION 1 – STANDING ORDER ITEM AND GOVERNANCE ITEMS</b>		<b>ACTION</b>
6.	<p><b>Risk Management Monitoring/Review (CONFIDENTIAL)</b> The Acting CEO informed members that there had been no new strategic red risks added to the register since the last meeting.</p> <p><b>The Board noted.</b></p>	
7.	<p><b>Scheme of Delegation</b> The Acting CEO referred members to the previously circulated report and advised that the Audit Sub Committee reviewed their section of the Scheme of Delegation (CE00021B) at their recent meeting on 26<sup>th</sup> January 2023 with only minor amendments being made.</p> <p>The Acting CEO advised that the Finance &amp; Corporate Services Sub Committee reviewed their departmental risk appetite at their recent meeting on 26<sup>th</sup> January 2023 as detailed in the covering report. The Scheme of Delegation has been updated to reflect the departmental risk appetite agreed by the Sub Committee.</p> <p><b>The Board of Management approved the reviewed sections of the Scheme of Delegation – CE0021B Document 3 and noted that all sections of the document have now been reviewed by the relevant departments during 2022/23.</b></p> <p><i>Proposed: John Kelly                      Seconded: Elizabeth Shedden</i></p>	CEO
8.	<p><b>Making Our Communities Better Places Fund (North &amp; East Ayrshire) (CONFIDENTIAL)</b> The Acting CEO referred members to the previously circulated information report and advised that the funds for 2022/23 have now been exhausted and the fund will reopen in April 2023.</p> <p><b>The Board noted.</b></p>	CEO
9.	<p><b>Making Our Communities Better Places Fund (Dumfries &amp; Galloway) (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Acting CEO referred members to the previously circulated report for members to consider the funding requests received.</p> <p>The Board of Management discussed the two applications received and advised they would like to approve both projects however only £1,000 is left in the MOCBP fund for 2022/23. After discussion it was agreed that staff would discuss with finance to ascertain if monies could be allocated from the 2023/24 budget or from the MOCBP Larger Fund budget which was not spent as the fund was not live in 2022/23.</p> <p>Subject to this confirmation the Board of Management approved the following applications:</p> <p><b>Locharbriggs Primary School Parent Council - £1,000 approved.</b></p>	CEO

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9.	<p>Wigtown Festival Company - £480 approved.</p> <p>Post meeting note: <i>Finance Manager confirmed that £480 can be allocated from the MOCBP Larger Project budget for 2022/23.</i></p>	CEO
10.	<p><b>Notifiable Events (CONFIDENTIAL)</b></p> <p>The Acting CEO informed members that there had been no notifiable events logged with the Scottish Housing Regulator since the last Board meeting.</p>	
11.	<p><b>Secretary's Report</b></p> <p>The Chair presented the report in the Secretary's absence.</p> <ul style="list-style-type: none"> <li>- A thank you card was received from the Saltcoats Community Action Group for the recent funds they were awarded following their Making Our Communities Better Places application.</li> <li>- A letter of thanks was received from Annandale Community Transport Services acknowledging the recent funds they were awarded following their Making Our Communities Better Places application.</li> <li>- A letter of thanks was received along with some photographs from the Barrmill Jolly Beggars Burns Club acknowledging the recent funds they were awarded following their Making Our Communities Better Places application.</li> <li>- Photographs were taken recently of individuals/groups who were awarded funds through Making Our Communities Better Places. Kieran Walker (gymnast), Kilwinning Football Academy 2008's and Tass Thistle 2015's all asked for their thanks to be passed on to the Association for supporting them at this time.</li> </ul> <p>The Board noted the content of the report and appreciated the thank you correspondence and photographs received.</p>	
12.	<p><b>Subsidiary Company Report (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Acting CEO referred members to the previously circulated report and draft minutes of the subsidiary companies most recent meetings.</p> <p>The Board noted that Citrus Energy continue efforts to sign up new and renewed business despite the current volatile energy market.</p> <p>The Board of Management noted that CFRC is performing exceptionally well and advised the online presence is excellent. Board members acknowledged the positive visibility on social media and the excellent feedback from customers.</p> <p>The Board noted the content of the report.</p>	
13.	<p><b>EVH Report to Board Members</b></p> <p>The Chair advised that there is no monthly report in January 2023.</p>	

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<b>PRIORITY RED – SECTION 1 – STANDING ORDER ITEM AND GOVERNANCE ITEMS</b>		<b>ACTION</b>
<b>13.</b>	<p>John Kelly advised that he has been on the EVH Executive Committee for 3 years and now requires to stand down. The Chair enquired if any other members would be interested in being nominated to stand on the EVH Executive Committee and if not, she would be willing to be nominated. The EVH Executive Committee meets on the first Monday each month at 7.00pm in Glasgow. No members volunteered to stand. Once the paperwork is received from EVH a nomination form will be completed.</p> <p><b>The Board noted.</b></p>	<b>CEO</b>
<b>14.</b>	<p><b>Health &amp; Safety</b> The Health &amp; Safety Group minutes have been provided from the meeting of Wednesday 30<sup>th</sup> November 2022 for information. A further meeting took place on Wednesday 25<sup>th</sup> January 2023 and a copy of minutes will be provided at the next Board meeting.</p> <p>A discussion took place with regard to the location of defibrillators as East Ayrshire Council are currently running a Community Defibrillator Initiative - Wellbeing in East Ayrshire. The board of management enquired if there were any defibrillators in CHA's head office and if not, is this something that should be considered and installed.</p> <p><b>The Board noted.</b></p>	<b>CEO</b>  <b>CEO</b>
<b>15.</b>	<p><b>Policies for Ratification</b> The Acting CEO referred members to the previously circulated report.</p> <p>It was noted that the amalgamation of the Risk Management Policy and Risk Management Implementation Framework documents will be carried out later in the year as part of the annual risk review process.</p> <p>The undernoted policies have been reviewed in accordance with the timescales in the board of management workplan, with changes to the policies marked in red. The policy documents are now recommended for ratification.</p> <p><b>Requirements of the Writing (Scotland) Act 1995 – CE0036</b> <i>Proposed: Elizabeth Shedden      Seconded: Willie Gibson</i></p> <p><b>Notifiable Events Policy – CE0051</b> <i>Proposed: Brian McCabe      Seconded: June Fenelon</i></p> <p><b>Health &amp; Safety Policy Statement – CE0001</b> Going forward the Health &amp; Safety Policy Statement will be reviewed at the same time as the Health &amp; Safety Policy – July 2023 and annually thereafter.</p> <p><i>Proposed: Elizabeth Shedden      Seconded: John McLaren</i></p>	<b>CEO</b>     <b>CEO</b>  <b>CEO</b>  <b>CEO</b>



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16.	<b>Development Programme Overview (CONFIDENTIAL)</b> No questions were received from Board members prior to the meeting on this item and no questions were raised at the meeting.	

PRIORITY RED – SECTION 2 – IMPORTANT ITEMS MUST BE TAKEN		ACTION
17.	<b>Self-Assurance Action Plan Update (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i>  The Acting CEO referred members to the previously circulated report which provided the six-month update on the Association's Self-Assurance Action Plan which remains on schedule.  The Board of Management noted that a full comprehensive review is recommended every three years with a lighter touch annually, therefore this year's review (2023) will be a comprehensive one. Mulholland Consultancy will carry out a comprehensive review against the Regulatory Standards and provide a report to the July/August 2023 board in accordance with the timescales in the board of management workplan, thereafter submitting the Annual Assurance Statement to the Scottish Housing Regulator by 31 <sup>st</sup> October 2023.  The Board of Management noted the content of the report and timescales for actions.	CEO
	**The Executive Director of Housing & Property Services joined the meeting. **	
18.	<b>Health &amp; Safety Regulatory Compliance Action Plan Update (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i>  The Executive Director of Housing & Property Services referred members to the previously circulated report which provided an update on progress of the ongoing Regulatory Compliance Review. In terms of CHA's compliance position there is a total of 31 areas for full compliance that needs to be achieved and CHA now has full compliance in 28 areas (90%).  The Executive Director of Housing & Property Services gave an update on the four areas of noncompliance (two statutory and two non-statutory compliance): <ul style="list-style-type: none"> <li>• <b>Thermostatic Mixing Valve (Non-Statutory)</b> Not completed to date, no legal obligation to carry out. Potentially an opportunity to incorporate into gas servicing contract however not viable at present given spiralling inflation costs which have resulted in significant cost increases.</li> <li>• <b>Smoke, Heat and Carbon Monoxide Detectors (Statutory)</b> Now 100% compliant in this area.</li> </ul>	

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<b>PRIORITY RED – SECTION 2 – IMPORTANT ITEMS MUST BE TAKEN</b>		<b>ACTION</b>
18.	<ul style="list-style-type: none"> <li> <b>Electrical Installation Condition Reports (Statutory)</b>  Compliance has increased from 79% in August 2022 to 87.99% at January 2023. There remains to be a lack of engagement from tenants to allow access for the checks to be carried out given the time taken to complete, which is approximately 2½ hours. Staff are looking at alternative measures and are working closely with tenants.   The Board enquired about the procedure to carry out forced entry to properties to complete the EICR check. The Executive Director of Housing &amp; Property Services confirmed the Association requires to make reasonable attempts prior to forced entry being used (eg minimum of 3 attempts to access as well as lettering the tenant). Tenants are forewarned prior to forced entry being taken to a property.   The Board queried the position regarding buildings insurance if an EICR had not been carried out within a 5-year period. The Executive Director of Housing &amp; Property Services confirmed she will check and email members after the meeting for information.   <b>Post Meeting Note: <i>Our insurers have confirmed that there is no specific requirement on the buildings policy that requires the residential buildings to be certificated every 5 years – there is a taking reasonable care and precaution condition that requires the Association to take all reasonable care and precautions in minimising losses / claims. In the event of a fire, if CHA has taken all reasonable endeavours to gain access to the property, they do not foresee our building insurer declining a claim. That said, each claim is treated on its own merits.</i></b> </li> </ul>	Ex Dir H&PS
	<ul style="list-style-type: none"> <li> <b>Solar Thermal System (Non-Statutory)</b>  Not completed to date, no legal obligation to carry out however arrangements have been made to train Direct Works operatives on solar PV systems.   The Board noted that Joe Dewar, JWD Asset Services Ltd will present a further updated report to the March board meeting which will also include a presentation on mould and dampness.   The Board of Management noted the content of the report and agreed a copy will be issued to the Tenant Scrutiny Group and Registered CHA Tenant/Resident Groups to provide an updated position.   <i>**The Executive Director of Housing &amp; Property Services left the meeting.**</i> </li> </ul>	Ex Dir H&PS  Ex Dir H&PS
	19. <b>Quarterly Performance against Strategic Objectives (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i>	



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<b>PRIORITY RED – SECTION 2 – IMPORTANT ITEMS MUST BE TAKEN</b>		<b>ACTION</b>
19.	<p>The Acting CEO referred members to the previously circulated report which provided the quarterly performance against strategic objectives.</p> <p>It was noted that strategic action “further investigate the Value for Money concept within the sector” timescale has been pushed back to October/November 2023.</p> <p>The Board noted the content of the report.</p>	
20.	<p><b>Quarterly Performance against Workplan/Targets (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Acting CEO referred members to the previously circulated report which detailed the Association's quarterly review of progress against its workplan/targets for session 2022/23.</p> <p>Members agreed the Association is performing well and on track against its workplan/targets for the session. It was noted that staff will arrange dates and liaise with members regarding risk review and corporate strategy days, to allow dates to be firmed up. Board members agreed that Paul Hillard, DTP be recommissioned to carry out the annual risk review for 2023.</p> <p>Executive Team 360° Appraisals have been delayed however a new timescale for completion will be confirmed to allow them to be completed.</p> <p>The Board noted the content of the report.</p>	<p>CEO</p> <p>CEO</p>
21.	<p><b>Feasibility Support Request – Annan Rugby Club Development Proposal (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>Willie Gibson declared an interest with regard to this item which will be recorded in the Registering &amp; Declaring Interests Register in accordance with Governance Policy No: CEO028 Entitlements, Payments and Benefits Policy.</p> <p>The Acting CEO referred members to the previously circulated report and advised that Annan Rugby Club have requested feasibility support for their development proposal.</p> <p>As detailed in the report this will be carried out over the period February – April 2023 and it is proposed that the initial feasibility and business planning stage is co-ordinated and managed by the Head of Social and Economic Development. Specialist support from funding professionals and a design team already working with CHA on housing and community regeneration projects will also be provided.</p> <p>The Board noted the content of the report and approved a funding contribution to Stage 1 of the project amounting to £8,000.</p>	<p>HSED</p>

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<b>PRIORITY RED – SECTION 2 – IMPORTANT ITEMS MUST BE TAKEN</b>		<b>ACTION</b>
22.	<p><b>Ardrossan Community Development Trust (ACDT) Funding Release (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Acting CEO referred members to the previously circulated report and advised that the Association has a provision of £5,000 in 2022/23 budget allocated to provide ACDT with financial assistance in relation to revenue costs. Permission is sought to release the budget allocation of £5,000 to ACDT.</p> <p>The Board of Management approved the release of £5,000 of budgeted assistance to Ardrossan Community Development Trust.</p>	CEO
23.	<p><b>Making Our Communities Better Places – Larger Projects (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Acting CEO referred members to the previously circulated report which provided an update on the timetable for the MOCBP Larger Projects Fund 2023/24. The first draft of the fund criteria and application form was discussed by the board and the following points raised:</p> <ul style="list-style-type: none"> <li>• Press releases also to be published in East Ayrshire newspapers as well as North Ayrshire and Dumfries &amp; Galloway to ensure maximum coverage of the fund.</li> <li>• Consider applying timescales to the funding applications to allow one allocation of funds during the year for example September closing date. It was agreed further consideration should be given to this and details to be presented at March board meeting.</li> <li>• Consider the potential for applying restrictions to the fund, the board discussed and agreed at present the fund will remain inclusive to all. It was noted that restrictions to the funding applications may evolve naturally and will be considered further once the fund is up and running if the need arises.</li> <li>• A scoring system will be developed to ensure that the impacts of the funding can be demonstrated.</li> </ul> <p>The Board noted the content of the report and agreed the draft content subject to minor amendments. The final documents will be presented to the March board for approval prior to the fund going live.</p>	<p>CEO</p> <p>CEO</p> <p>CEO</p> <p>CEO</p> <p>CEO</p>

<b>PRIORITY ORANGE – SECTION 3 – ITEMS TO BE TAKEN, TIME PERMITTING</b>		<b>ACTION</b>
24.	<p><b>Hospitality Costs (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Acting CEO referred members to the previously circulated report which detailed the costs incurred for attending event ceremonies.</p>	

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<b>PRIORITY ORANGE – SECTION 3 – ITEMS TO BE TAKEN, TIME PERMITTING</b>		<b>ACTION</b>
24.	The Board of Management noted the content of the report.	
25.	<b>Corporate Strategy &amp; Plan Yearly Review Timetable</b> The Board of Management agreed that a ½ day session should be arranged to review the corporate strategy and plan. Staff will review diaries and issue calendar invites in due course.	<b>CEO</b>
26.	<b>Risk Management Yearly Review Timetable</b> The Board of Management agreed that a ½ day session should be arranged to carry out the annual risk review. Staff will contact Paul Hillard, DTP and set up date and thereafter issue calendar invites in due course.	<b>CEO</b>

<b>PRIORITY GREEN – SECTION 4 – ITEMS FOR INFORMATION ONLY</b>		<b>ACTION</b>
27.	<b>Board of Management Log of Electronic Signatures</b> The Board of Management noted the content of the report.	
28.	<b>Media &amp; Marketing &amp; Publications</b> The Board of Management noted the content of the report.	
29.	<b>Quarterly Policy Review Report</b> The Board of Management noted the content of the report.	

The meeting closed at 3.45 pm

	<b>Signature</b>	<b>Date</b>
Approved to Proceed to Chairperson for Sign-Off:		
Approved for Circulation By:		
Proposed By:		
Seconded by:		