

**CORPORATE AND COMMUNITY PLANNING**  
**STANDING SCRUTINY PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 28th April 2011 at 10.00 a.m.

Present: Councillors Brian Connolly (Chair), Sandra Goldie, Bill Grant, John Hampton, Helen Moonie, Alec Oattes and Mike Peddie.

Apology: Councillor Mairi Low.

Attending: E. Howat, Executive Director – Corporate Services; D. Alexander, Head of Corporate Resources; C. Monaghan, Head of Policy, Performance and Communication; R. Macdonald, Head of Community Development; J. McQuillan, Head of Property and Neighbourhood Services; Ronald Kingisepp, Property and Asset Management Office Manager; C. Boyd, Corporate Safety Manager; P. Linton, Performance and Change Management Manager; H. McLaughlin, Audit Services Programme Review Manager; N. Hunter, Inspection and Quality Assurance Manager; and E. Wyllie, Committee Administration Officer.

Also Attending: Councillors Bill McIntosh and Robin Reid (Portfolio-holders) and Councillors John McDowall and Phil Saxton (Call-ins).

**1. Item for Call-in - General Services Capital Programme 2010/11: Monitoring Report at Period 11: 28th February 2011.**

Reference was made to the Minutes of the Leadership Panel of 19th April 2011 (Page 256, paragraph 22) when that Panel, having considered a joint report of 8th April 2011 by the Executive Director – Development and Environment and the Executive Director – Corporate Services, had decided

- (1) to note the progress made on projects to 28th February 2011, as highlighted in Appendix 1 of the report; and
- (2) to approve the adjustments as outlined in Section 4 and Appendix 2 of the report.

The Panel was advised that the report had been the subject of a call-in (issued) for the following reasons:-

- (a) an explanation of the rationale relating to some aspects of carry forward as detailed within paragraph 4.1 of the report;
- (b) an explanation of the impact of current/cumulative impact of slippage; and
- (c) clarification on future capacity issues in relation to carry forward.

The Chair invited Councillor McDowall to explain his reasons for the call-in and, thereafter, the Panel heard Councillors McDowall and Moonie seek clarification on the following specific points:-

**Carry Forward Budget to 2011/12:-**

Block F, Mainholm Academy – the location of this block within the complex and what were the considerations for this block, if not being demolished?

The Head of Property and Neighbourhood Services responded accordingly and commented on the possible options for Block F, including that of office accommodation for Council employees.

The Gypsy Travellers' Site – the carry forward of £29,000; the availability of grant funding of £81,000 from the Scottish Government and timeframe for its use; and the current position with site identification.

The Executive Director – Corporate Services clarified the position of the Scottish Government grant funding relating to the travellers' site although it was not known at this stage if this could be carried forward if not used by end of 2011/12 and the Property and Asset Management Office Manager commented on the ongoing work of the housing team relating to site identification with a subsequent report expected in due course.

A full discussion took place in relation to:- issues surrounding site identification and whether consideration had been given to the possible purchase of private land for this purpose; and concerns relating to the timeframe for using the funding prior to the end of 2011/12 and whether this would be achievable. Councillor McIntosh suggested that he would discuss these issues with the Executive Director - Corporate Services with a view to bringing forward a report to a future meeting of the Leadership Panel.

Councillor Moonie raised concerns relating to Officers' availability during call-in items to answer specific issues raised and the Executive Director – Corporate Services suggested that had the call-in form been completed in greater detail then arrangements could have been made to ensure that relevant Officers were present. Councillor McDowall advised that due to the tight timescales on this occasion, the call-in had not contained the specific detail that he would normally have preferred. Councillor Moonie suggested that maybe the call-in form could be reviewed to include a list of Officers required.

The Disability Discrimination Act – building compliance with DDA regulations and clarification as to what this meant in terms of the numbers of buildings.

The Head of Property and Neighbourhood Services responded on this matter and indicated that all current properties had been surveyed with consideration and prioritisation for expenditure within this element of the Capital Programme now required.

**Current/cumulative impact of slippage and future capacity issues:-** whether the amount of Carry Forward was manageable and if there would be sufficient staffing capacity to deliver these projects.

Following a full discussion and questions relating to these matters and on the monitoring process, the Head of Property and Neighbourhood Services commented on the manageability of this process within the available resources and indicated that information would be shared with Members as the projects progressed.

**Decided:** following review, that the decision of the Leadership Panel in respect of this matter be confirmed and implemented although noting that further information regarding the travellers' site would be presented to a future meeting of the Leadership Panel.

## **2. Exclusion of press and public.**

The Panel resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded from the meeting during consideration of items 3 and 4 of business on the grounds that they involved the likely disclosure of exempt information in terms of paragraph 9 of Part 1 of Schedule 7A of the Act.

### 3. **Belleisle Estate, Ayr.**

Reference was made to the Minutes of the Leadership Panel of 19th April 2011 (Page 263, paragraph 29) when that Panel, having considered a report of 8th April 2011 by the Executive Director – Development and Environment, had decided

- (1) to approve the inclusion of an area of land extending to 0.853 hectares (2.107 acres as shown on the attached Plan) or thereby within the disposal of the Hotel and to note the outline terms presently agreed;
- (2) to note progress towards concluding the lease of the Conservatory;
- (3) to note progress regarding the application for grant funding from the Heritage Lottery Fund;
- (4) to agree to further negotiations with Caulders Garden Centres and the Belleisle Conservatory Group in relation to the former Pets' Corner and nursery area; and
- (5) to agree that the Head of Property and Neighbourhood Services submit a progress report to the next meeting of the Leadership Panel on 17th May 2011.

The Panel was advised that the report had been the subject of a call-in (issued) for the following reasons:-

- (a) to consider further the implications of the proposal and the potential for the financial considerations to provide additional securities and safeguards for the Council;
- (b) for more information on the constraints that might arise in relation to future opportunities to develop a comprehensive strategy for renewal at Belleisle;
- (c) for clarification on the proposals relative to the clubhouse (as outlined at paragraphs 3.3 and 3.6 of the report); and
- (d) for further information and consideration of options and whether the proposal represented best value in relation to the provision of a new clubhouse.

The Chair invited Councillor Moonie to explain her reasons for the call-in and, thereafter, the Panel heard Councillor Moonie seek clarification on the points outlined at (a) to (d) above.

Following a full discussion, various questions and comments were raised by Members of the Panel in relation to:- assets and negotiations; public awareness and accountability; consulting with Friends of Belleisle; the need for synergy between the Hotel, golf and the public park; and whether renewed interest could be generated for the clubhouse. The Head of Property and Neighbourhood Services responded accordingly and commented that he would revisit the ideas surrounding the clubhouse with the Head of Community Development and include these findings within his regular update report to the Leadership Panel on the Belleisle Estate.

**Decided:** following review, that the decision of the Leadership Panel in respect of this matter be confirmed and implemented although noting that the Head of Property and Neighbourhood Services would include an update on the clubhouse within his regular update report to the Leadership Panel on this matter.

**Councillor Moonie left the meeting at this point.**

#### 4. **Troon Municipal Clubhouse.**

Reference was made to the Minutes of the Leadership Panel of 19th April 2011 (Page 264, paragraph 30) when that Panel, having considered a report of 29th March 2011 by the Executive Director – Children and Community, had decided

- (1) to approve the appointment of XQ Regenerations Limited as the 'Preferred Bidder' for the Troon Municipal Clubhouse, subject to working in partnership with the Council to establish a sound and sustainable business case;
- (2) to note that the Council was not committed to appoint any party or award any contract, should the negotiation prove to be unsuccessful; and
- (3) to request that the Executive Director - Children and Community submit a report to a future meeting of the Leadership Panel on the outcome of the detailed negotiations with the 'Preferred Bidder' in the above regard.

The Panel was advised that the report had been the subject of a call-in (issued) for the following reasons:-

- (a) which employees would have right of transfer under TUPE legislation and what were their respective designations;
- (b) should this include golf related staff, to what extent would the golf course remain in Council management; and
- (c) what was the potential impact on the viability of other Council owned golf courses.

The Chair invited Councillor Saxton to explain his reasons for the call-in and, thereafter, the Panel heard Councillor Saxton seek clarification on the points outlined at (a) to (c) above.

Following a full discussion, various questions and comments were raised by Councillor Saxton and Members of the Panel in relation to:- staffing and TUPE issues; sale of tickets and income; Council retention of the operation of the course; the impact on other Council run courses; community based courses; the ways in which a private company would maintain any lease agreement; the Council's monitoring of its assets under such a lease; and the outcome of negotiations and the Head of Community Development responded accordingly and commented on staffing and on the position with the negotiation process currently being undertaken and which would be reported to a future meeting of the Leadership Panel.

**Decided:** following review, that the decision of the Leadership Panel in respect of this matter be confirmed and implemented.

#### 5. **Minutes of previous meeting.**

**Decided:** to note the Minutes of the previous meeting of 24th March 2011 (issued).

**WIDER SCRUTINY PANEL BUSINESS:-****6. Strategic Risk Management.**

There was submitted a report (issued) of 19th April 2011 by the Head of Corporate Resources

- (1) providing an update on the reviewed Strategic Risk Register – April 2011 as detailed in Appendix 1 of the report in line with the agreed reporting framework; and
- (2) outlining a summary of the seventeen key risk themes which had been reviewed by the risk owners identified by CMT as having responsibility to undertake risk management action planning in respect of these themes.

Various questions were raised by Members of the Panel in relation to:- the risk matrix and clarification of the likelihood and impact descriptions; Code SR005 relating to child and adult protection and whether the 'lost children' booth was incorporated within that risk; and Code SR016 relating to programme management and on the differences between that and project management and whether cost benefit analysis was also undertaken and various officers responded accordingly. The Head of Corporate Resources commented that some of the information being requested related to Directorate level rather than at this strategic level and that he would arrange for Members to receive answers accordingly on the specific questions raised. The Head of Policy, Performance and Communication also commented on the differences within the terminology used by Officers.

**Decided:** to agree

- (a) the seventeen key risks and endorse the work currently being undertaken or proposed by risk owners to mitigate these risks; and
- (b) that a report on the management of Strategic Risk be taken to the Leadership Panel on 17th May 2011 for endorsement.

**7. Remit from the Leadership Panel: South Ayrshire Council Directorate Plans.**

Reference was made to the Minutes of the Leadership Panel of 19th April 2011 (Page 242, paragraph 7) when it had been decided, having considered a report of April 2011 by the Head of Policy, Performance and Communication,

- (1) to approve the Children and Community Directorate Plan for 2011-14;
- (2) to approve the Corporate Services Directorate Plan for 2011-14;
- (3) to approve the Development and Environment Directorate Plan for 2011-14; and
- (4) to agree to remit these Plans to the relevant Standing Scrutiny Panels, to examine those sections that relate to their specific remits.

The Performance and Change Management Manager referred to an extract (issued) of April 2011 from those plans relevant to the remit of this Panel and reported that this mapping had been used to present the six monthly performance reports to meetings of this Panel. He commented on the wider staff input into these plans and that when agreed, this information would be entered into the covalent system to track progress with this subsequently being reported later in the year.

Various questions were asked in relation to:- Objective 11c(1) and whether rental income was being spent on maintenance of those rented facilities, for instance, maintenance of the perimeter fence at Craigie allotments; Objective 14c relating to consulting with community groups and local representatives and who had been involved in this process; and 14(f)(4) on maximising employability opportunities, what was the Council doing in this regard and whether this should be deemed as a strategic risk. The Head of Policy, Performance and Communication responded accordingly and intimated that she would respond to Panel Members directly on some of the specific issues raised. The Executive Director – Corporate Services suggested that she would discuss the issues raised relating to 14(f)(4) with the CMT to ascertain if this should be included as a strategic risk and the Head of Policy, Performance and Communication commented on the information available from the Community Planning Partnership’s Risk Register in this regard.

**Decided:** to note the current position with the updated Directorate Plans.

**8. Panel Work Programme - Role of the Audit Panel Working Group.**

Councillor Peddie provided an update on the current position in relation to the work of the Role of the Audit Panel Working Group, referred to the draft handbook which he had recently circulated to Members and commented on those highlighted areas within the document which would require some input from the Executive Director – Corporate Services and the Audit Services Programme Review Manager prior to a final Working Group meeting taking place.

The Chair suggested that Members of the Panel read through the document and contact Councillor Peddie with any comments prior to the final meeting of the Working Group with the intention, thereafter, being that the document be submitted to a future meeting of the Leadership Panel.

**Decided:** having commended Councillor Peddie on his work to date, to note the current position with this review.

The meeting ended at 12.05 p.m.