

**COMMUNITY SERVICES STANDING SCRUTINY PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
12th December 2012 at 10.00 a.m.

Present: Councillors John Hampton (Chair), Ian Cavana, Kirsty Darwent, Hywel Davies, Hugh Hunter, Nan McFarlane and Corri Wilson.

Apology: Councillor Andy Campbell.

Attending: H. Garland, Executive Director – Children and Community; V. Andrews, Head of Legal and Administration; K. Leinster, Head of Community Care and Housing; and D. Knight, Democratic Services Administrator.

Also Attending: Councillor Philip Saxton (Portfolio-holder).

**1. Item for Call-in – Transit Site for Gypsies / Travellers.**

Reference was made to the Minutes of the Leadership Panel of 4th December 2012 (Page 18, paragraph 2) when that Panel, having considered a report of 8th November 2012 by the Executive Director - Children and Community, had agreed to return £81,375 of funding to the Scottish Government due to changing gypsy / traveller travelling patterns and that no Council owned land that met both the requirements of the settled and Gypsy/Traveller communities being available.

The Panel was advised that the report had been the subject of a call-in (issued) details of which were outlined below:-

“We are writing to seek a review of the decision to return funding for a transit site for Gypsies / Travellers and our reasons for concern is as follows:-

South Ayrshire is a popular area for travellers transiting Scotland and over the past years, the Council has had to take significant action to protect land in Council ownership such as Maidens Shore, Newton Shore and Prestwick Shore and in addition, the Council has had to take legal action to require travellers to vacate sites and has incurred additional operational costs such as waste management. Travellers have also encamped on private land in South Ayrshire and similar issues as described above for local land owners.

The Standing Scrutiny Panel of the previous Council considered three options for sites as identified by Officers and came to the view that none of those sites in Council ownership were suitable. We feel it is appropriate that the matter be further considered by the Standing Scrutiny Panel where they could review the full list of sites that were considered and the reasons for discounting them from consideration.

Failure to identify a suitable site will mean the Council and local land owners will continue to incur costs and a financial review may be considered in order to assess whether investment and purchase of private land for a travellers site may be financially viable in the long term.”

The Chair invited Councillor McFarlane to clarify the details of the call-in and heard her outline her reasons for requesting that a review of the Leadership Panel's decision be undertaken and the Head of Community Care and Housing provided further information and clarification in response to a number of questions and concerns that she raised:-

- what costs had been incurred installing barriers to prevent unauthorised encampments, the waste management in relation to these sites and court actions during the past five financial years and the future estimated costs to the Council;
- could the funding of £81,375 be used to purchase private land, the estimated costs of such a purchase and whether any suitable land had been identified;
- the location of the unauthorised encampments;
- the possibility of using a site at Loans Road and Fullerton Woods, near Troon and another site at the Dundonald Industrial Estate;
- the assessment of the suitability of the 111 sites in Council ownership;
- whether there was a possibility of sharing a site with North and East Ayrshire Councils;
- the need for a small site in the northern area of South Ayrshire; and
- further consultation with the Scottish Government regarding a transit site within the Council area.

Members of the Panel asked questions and received clarification from the Head of Community Care and Housing in respect of information in relation to:- the area of land that would be required for a suitable site; could discussions take place with the Scottish Government to ascertain whether this funding could be used to purchase land or the development of unauthorised encampments into official sites; the criteria for transit sites and the procedures for instigating any court action; and the welfare of children and health issues.

Councillor Hunter, seconded by Councillor Davies, moved that the decision made by the Leadership Panel at its meeting on 4th December 2012 be confirmed and implemented.

By way of an Amendment Councillor Darwent, seconded by Councillor McFarlane, then moved that the report be referred back to the Leadership Panel with the recommendation that further discussions take place with the Scottish Government to explore different options for the use of this funding such as the development of unauthorised sites and whether the terms and conditions of the original grant funding could be changed so that this Council could purchase land in private ownership.

On a vote being taken by a show of hands, five Members voted for the Amendment and two for the Motion. The Amendment was accordingly declared to be carried.

**Decided:** following review, to refer this matter back to the Leadership Panel with the recommendation that further discussions take place with the Scottish Government to explore different options for the use of this funding such as the development of unauthorised sites and whether the terms and conditions of the original grant funding could be changed so that this Council could purchase land in private ownership.

2. **Minutes of previous meeting.**

**Decided:** to note the Minutes of the meeting of 14th November 2012.

3. **Consideration of Programme of Review – Verbal Update.**

With reference to the Minutes of 14th November 2012 (Page 544, paragraph 4), the Executive Director – Children and Community advised

- (1) that this Council was currently in the midst of intensive work to identify savings over the next three years and apologised that the Scoping Papers requested at that meeting were not available;
- (2) that the Chairs of the three Scrutiny Panels had recently met with the Executive Officers' Group to discuss what reviews could be carried out which would complement the budget reviews and would be led by Elected Members with guidance from Officers as appropriate;
- (3) that it was important that the Reviews were focussed on areas of concern which in turn would encourage smarter working and increased efficiency in the Council; and
- (4) that once all three Scrutiny Panels had decided which Scrutiny Reviews they would like to undertake, these would be submitted to the Leader and Portfolio holder for informal discussion and thereafter a report prepared for Council on 14th February 2013.

Various Members raised serious concerns that the Scoping Papers had not been submitted to this meeting, the review process itself and how best to take forward the Reviews.

**Decided:** to agree

- (a) to propose that Scrutiny Reviews be undertaken by this Panel in relation to:-
  - (i) music tuition in schools; and
  - (ii) day care for Older People; and
 the Executive Director – Children and Community should prepare Scoping Papers relating to these; and
- (b) that consideration should be given to the areas for Scrutiny Review for 2014/15 and that suggested areas for Review should be forwarded to the Chair.

The meeting ended at 11.25 a.m.