

**LEADERSHIP PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 2nd October 2012 at 10.00 a.m.

Present: Councillors Bill McIntosh (Chair), Bill Grant, John McDowall, Rita Miller, Philip Saxton and Margaret Toner.

Attending: D. Anderson, Chief Executive; H. Garland, Executive Director – Children and Community; E. Howat, Executive Director – Corporate Services; L. Bloomer, Executive Director – Development and Environment; V. Andrews, Head of Legal and Democratic Services; C. Monaghan, Head of Policy, Performance and Communication; K. Leinster, Head of Community Care and Housing; J. McQuillan, Head of Property and Neighbourhood Services; K. O'Hagan, Head of HR and Organisational Development; K. Briggs, Legal and Licensing Manager; D. Robertson, Communications Manager; C. Bradshaw, Assistant Public Communications Officer; A. Gerrish, Committee Services Officer; and D. Knight, Democratic Services Administrator.

Apology: Councillor Robin Reid.

**Community Services – Housing and Customer First.**

# C-I

**1. Masterplan for Lochside, Ayr.**

Reference was made to the Minutes of the Council of 8th March 2012 (Page 133, paragraph 7), there was submitted a report (issued) of 24th September 2012 by the Executive Director – Children and Community

- (1) seeking agreement to a Masterplan approach to improvements in Lochside as detailed in the report; and
- (2) reporting
  - (a) that the costs associated with this development were similar to the new build development at Forehill, being £116,052 per unit and that these estimated costs were greater than the Council's first new build project at Thornyflats given the need to ensure compliance with new building standards with an element of additional cost being required for the provision of a new road access;
  - (b) that in addition, there were costs associated with providing home loss and disturbance payments, security and acquiring property from owners within the nine blocks as outlined below:-

<b>Activity</b>	<b>Estimated Cost (£Millions)</b>
58 homes @ £116,052	£6.731m
Creation of 240 metres of new road	£0.229m
Acquisition of Greyhound Stadium	£0.200m
Demolition of 9 maisonette blocks (£48,000 per block)	£0.432m
Homeloss, disturbance and support to owners	£0.864m
Rent income reduction	£0.288m
Maisonette Security	£0.148m
Contingencies	£0.050m
Masterplan development	£0.004m
<b>Total</b>	<b>£8.946m</b>

<b>Funding Source</b>	<b>Estimated Cost (£Millions)</b>
Maisonette Upgrade Funds – agreed draw on the HRA surplus	£3.189m
Maisonette upgrade funds from existing capital budgets	£0.400m
Existing Housing Capital Programme	£0.004m
Scottish Government Subsidy	£1.740m
2nd Homes Council Tax Discount	£0.500m
Commuted Sums Contribution	£0.200m
Prudential Borrowing	£2.913m
<b>Total</b>	<b>£8.946m</b>

- (c) that a commitment had already been made to use part of the accumulated surplus to upgrade the maisonette blocks and that funding was available as Scottish Government subsidy, through the second Homes Council Tax Discount and commuted sums with the balance being found through prudential borrowing;
- (d) that in line with similar new build projects, there was a 25% rent premium to mitigate the impact on the Housing Revenue Account and that the financial viability of this project had been confirmed after taking into account a number of assumptions in respect of the proposed rent levels, maintenance costs in line with the Housing Business Plan and the costs of prudential borrowing; and
- (e) that support would be required from the Legal Section in negotiations and acquisition of the twelve privately owned properties within the maisonette blocks and that some additional resource might be required to support this process, particularly if there was a requirement to proceed by way of a Compulsory Purchase Order.

Clarification was sought and provided in relation to whether the costs associated with this project were affordable in the medium and long term and the deliverability of the proposed timetable.

**Decided:**

- (i) to note the contents of the Masterplan;
- (ii) to submit a planning application for the development of fifty eight affordable homes for rent on the site of the former Greyhound Stadium in accordance with the Masterplan;
- (iii) to transfer the land at the former Greyhound Stadium from General Services to the Housing Revenue Account for the sum of £200,000;
- (iv) to seek the Scottish Government's consent to the transfer as outlined at 2.3 of the report;
- (v) to appoint the District Valuer to undertake negotiations with the twelve existing owners within the maisonettes for the purchase of their properties;
- (vi) to demolish the nine remaining blocks of maisonettes at Ferguson Street and Sloan Street and lock ups at Cowan Crescent, Ayr;
- (vii) to agree that the remaining Council tenants in the maisonettes at Ferguson Street and Sloan Street be given priority for the fifty eight new homes in line with the housing allocation policy at the time; and
- (viii) subject to necessary approvals and Scottish Government funding, to proceed with the development.

# C-I

## 2. South Ayrshire Strategic Local Programme.

There was submitted a report (issued) of 14th September 2012 by the Executive Director – Children and Community

- (1) outlining the Scottish Government's new approach to affordable housing funding;
- (2) advising that a draft Strategic Local Programme (SLP) had been submitted to the Scottish Government on 31st August 2012;
- (3) recommending that the content of the draft SLP be agreed as outlined in Appendix 1 of the report and detailing each of the sites as follows:-
  - Buchan Road, Troon;
  - Forehill/Belmont, Ayr;
  - Lochside, Ayr;
  - Hillcrest, Girvan;
  - Bakeries Site; Ayr
  - Symington Road North;
  - Kincaidston, Ayr;
  - Culzean Road, Maybole;
  - North East Troon; and
  - Doonholm, Ayr;

- (4) indicating
- (a) that the projects included in the Council's SLP had been based on deliverable priority projects identified within the Strategic Housing Investment Plan, approved by Leadership Panel on 13th March 2012 or through further discussion with Registered Social Landlords; and
  - (b) that the Scottish Government intended to notify local authorities of the outcome of their submission by mid October 2012; and
- (5) reporting
- (a) that the funding allocation was estimated at £30,000 per unit for Council new build and £40,000 per unit for Registered Social Landlords, similar to recent new build projects at Forehill, Greenan and Monkton;
  - (b) that the Scottish Government indicative resource allocation for South Ayrshire was £3.32m with projects having been identified that were deliverable within these resources and that further developments totalling £3.18m of subsidy had been identified, should additional Scottish Government funding be made available; and
  - (c) that funding of these projects would be met from a mix of Scottish Government subsidy, prudential borrowing by the developing landlord (i.e. Council or Registered Social Landlord) and potentially second Homes Council Tax funding.

Clarification was sought and provided in relation to:-

- the resource allocation from the Scottish Government for affordable housing for these sites;
- whether a site in Prestwick could be included within the programme; and
- when had the Council received notification from the Scottish Government offering funding.

**Decided:** to approve the Strategic Local Programme for South Ayrshire as outlined in Appendix 1 of the report which had been submitted in draft form to the Scottish Government on 31st August 2012.

**Community Services – Social Services.**

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**3. Children’s Hearings (Scotland) Act 2011 : Ayrshire Area Support Team.**

Reference was made to the Minutes of 6th June 2012 (Page 308, paragraph 5), there was submitted a report (issued) of 20th September 2012 by the Head of Legal and Administration

- (1) advising
  - (a) that whilst full implementation of the reforms to the Children’s Hearings System have been delayed by the Scottish Government until the second quarter of 2013, they were nevertheless keen to conclude Partnership Agreements with local authorities relating to administrative support of Area Support Teams (AST);
  - (b) of the procedures for the recruitment and appointment of Area Conveners and Depute Area Conveners which positions were voluntary; and
  - (c) that the three Ayrshire authorities had agreed in principle to provide support to the new AST and that the Children’s Hearings Scotland (CHS) was keen to conclude a formal Partnership Agreement by September 2012 and that a draft Partnership Agreement prepared by CHS was appended to the report which would be subject to annual review and agreement;
- (2) reporting
  - (a) that the Scottish Government had indicated its expectation that the costs of supporting ASTs could be met from existing budgets and that local authorities would still be able to make savings as the functions on which they currently spent money passed to CHS, Children’s 1st, and the Scottish Legal Aid Board; and
  - (b) that the Scottish Government Implementation Working Group had estimated that 2.5 FTE posts would be required to support the Ayrshire AST comprising two new posts: a Clerk (Grade 10) and Administration Assistant (Grade 6) who would be employed by North Ayrshire Council and that the remaining 0.5 post was an existing post within North Ayrshire Council, however, these were estimates and were open for discussion with the National Convener; and
- (3) intimating that discussions would continue with East and North Ayrshire Councils, and the Area Convener, to firm up on the level of support to be provided to the AST and that any additional staff costs would be met from the savings identified in the report and that the existing support within South Ayrshire Council was provided across several clerical posts and the introduction of the new proposals would have minimal impact upon the existing posts.

**Decided:** to agree that North Ayrshire Council take the Lead Authority role for supporting the Ayrshire AST, subject to a Minute of Agreement being concluded with East and South Ayrshire Councils on funding and operational arrangements, and to grant delegated authority to the Head of Legal and Administration to conclude and sign the Agreement on behalf of the Council.

## **Corporate and Community Planning – Corporate, Strategic and Community Planning.**

### **4. Community Empowerment and Renewal Bill Consultation.**

There was submitted a report (issued) of 25th September 2012 by the Head of Policy, Performance and Communication

- (1) advising that the Scottish Government was currently consulting on possible provisions for inclusion in legislation focused on community empowerment and renewal;
- (2) indicating that Officers from across the Council had considered the issues and had also engaged with Community Councils and community groups;
- (3) reporting that a draft consultation response had been prepared as set out in Annex A of the report; and
- (4) highlighting that there were no specific financial implications in responding to this Scottish Government consultation, however, some of the proposals which might progress into legislation might have financial implications but it was too soon to be clear on what these might be or the extent of financial implication.

Clarification was sought and provided in relation to Answer 17 and Answer 26 and whether adequate resources would be allocated for capacity building by the Scottish Government.

**Decided:** to approve the submission to the Scottish Government of the consultation response as set out at Annex A of the report subject to an amendment being made to the wording within Answer 17.

## **Corporate and Community Planning - Resources and Performance.**

### **5. Strategic Risk Management.**

Reference was made to the Minutes of the Corporate and Community Planning Standing Scrutiny Panel of 13th September 2012 (Page 432, paragraph 9) and there was submitted a report (issued) of 20th September 2012 by the Executive Director - Corporate Services

- (1) providing an update on the reviewed Strategic Risk Register – June 2012 as detailed in Appendix 1 of the report in line with the agreed reporting framework;
- (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; and

- (3) advising that, following updates from risk owners, there had been a number of areas where risk mitigations had progressed, the detail of which was contained within the Covalent report, attached as Appendix 1 of the report.

**Decided:** to agree the seventeen key risks and to endorse the work currently being undertaken or proposed by risk owners to mitigate these risks.

## 6. **Auto-Enrolment.**

There was submitted a report (issued) of 20th September 2012 by the Head of HR and Organisational Development

- (1) advising
- (a) that the Pensions Act 2011 had introduced a new requirement for employers to automatically enrol certain employees into a pension scheme;
  - (b) that the new regulations had come into effect on 1st October 2012 and would apply to all employers with the roll-out of the new requirements being staged depending on the number of employees within the organisation's PAYE scheme at 1st April 2012 and that South Ayrshire Council's 'Staging Date' would be 1st May 2013; and
  - (c) that the new Auto-Enrolment provisions would require employers to assess their workforce to determine who was an eligible jobholder and to automatically enrol workers once they became eligible with employees retaining the right to opt out of the pension scheme immediately, or at any time, after they had been auto-enrolled and that any employee who had opted out would have to be re-enrolled every three years; and
- (2) outlining the current arrangements and the implications of the new regulations for this Council.

Clarification was sought and provided in relation to the number of employees on lower pay scales who would be eligible for auto-enrolling.

**Decided:** to agree the proposed adoption of transitional arrangements which would delay implementation until 1st October 2017 for certain employees.

## 7. **2012 Employee Opinion Survey.**

There was submitted a report (issued) of 20th September 2012 by the Head of HR and Organisational Development

- (1) detailing the results of the Employee Opinion Survey which had been undertaken in April 2012; and
- (2) outlining the key action points.

Clarification was sought and provided in relation to whether the survey results could be submitted to the Standing Scrutiny Panels for consideration.

**Decided:**

- (a) to note the results of the Council's 2012 Employee Opinion Survey;
- (b) to agree that Directorate HR Managers discuss the detailed findings with the relevant Executive Director and Service;
- (c) to agree to the findings being reported to the Trade Union Liaison Group;
- (d) to agree to the development of Directorate action plans;
- (e) to agree that these Action Plans be reported to a future meeting of this Panel; and
- (f) to agree that the results of the survey be referred to the next meeting of the Corporate and Community Planning Standing Scrutiny Panel for its consideration in the first instance.

**8. Prestwick Common Good : Freeman's Hall Steeple.**

There was submitted a report (issued) of 19th September 2012 by the Executive Director – Development and Environment

- (1) advising
  - (a) that a public consultation exercise had been launched at the end of February 2012 outlining a number of options with indicative costs for the rebuilding of the Steeple at the Freeman's Hall in Prestwick and that a majority had expressed support for the complete new stone rebuild option at an estimated cost of £345,000, and proposing that this option be fully explored; and
  - (b) that a number of meetings had been held with Prestwick North Community Council who had submitted grant applications with responses awaited and that Dawn Construction had indicated an intention to support the proposal both financially and in kind; and
- (2) seeking approval of funding for the preliminary works required for the rebuilding of the Steeple at the Freeman's Hall in Prestwick.

Clarification was sought and provided in relation to whether all options had been explored in relation to the repair of the Prestwick Freeman's Hall steeple.

**Decided:**

- (a) to approve funding for the preliminary works associated with the rebuilding of the Prestwick Freemen's Hall steeple to a maximum cost of £10,000, to be met from the Prestwick Common Good Fund;
- (b) to agree that Officers continue work with community groups, potential sponsors, and those offering services and/or materials to the project in order that potential for reducing the funding requirement on Prestwick Common Good Fund was explored and maximised; and
- (c) to approve the issue of tender documentation for the rebuilding works and to note that a further report would be brought back for this Panel's consideration once tenders had been returned and the results of grant applications and other funding initiatives were known.

**9. Scottish Passported Benefits Consultation.**

There was submitted a report (issued) of 25th September 2012 by the Executive Director – Corporate Services

- (1) advising
  - (a) that the UK Government had embarked on a wide-ranging programme of welfare reform, with a range of changes taking effect from April 2013 with many working age benefits being abolished in their current form (including Housing Benefit, Income Support and income based Jobseekers Allowance) and replaced with a new Universal Credit (UC) and that Child Tax Credits and Working Tax Credits would also be eliminated by UC while Disability Living Allowance would be replaced by new Personal Independence Payment (PIP).
  - (b) that although social security was a reserved matter, the Government used the receipt of various welfare benefits as a proxy measure for low-income or disability when assessing entitlement to Scottish-controlled benefits such as free school lunches and legal aid, among others which were often known as 'passported benefits' and included benefits-in kind, cash benefits or discounts on charges;
  - (c) that when the UK Government made major changes in the welfare system, as now, it needed to review the criteria it set for access to support to ensure, as far as possible, it continued to support low-income or disabled people as intended; and
  - (d) that Scottish Ministers recognised the importance of these entitlements to the people who received them and were seeking to maintain similar access to them under the new arrangements and that it was not their policy intention to restrict access by narrowing the eligibility criteria or to cut budgets; however, they were responding to changes to welfare benefits being made by the UK Government;

- (2) reporting that the Scottish Government was examining the changes required to eligibility criteria as a result of UK welfare reform in two stages:-
- (a) to introduce revised eligibility criteria for April 2013 once the UK Government provided full details on how UC and PIP would operate; and
- (b) to consider from April 2013 onwards:-
- what the ramifications of UC and PIP were once actual behaviour and budgetary impact was clearer; and
  - whether in Scotland a more coherent system of passported benefits could be created, while maintaining access to those groups who currently benefited; and
- (3) intimating that the formal consultation document 'Scottish Passported Benefits: Consultation on Changes Required as a Result of the Introduction of Universal Credit and Personal Independence Payment' related to the second stage of this process, and that written responses had been requested by Friday, 28th September 2012 and that an extension had been requested to allow consideration by Elected Members.

**Decided:**

- (i) to approve the contents of this report; and
- (ii) to authorise the Executive Director – Corporate Services to submit South Ayrshire Council's response to the Scottish Government's consultation paper on Scottish Passported Benefits as outlined in Appendix 1 of the report.

**10. 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 during consideration of the remaining items of business on the grounds that they involved the likely disclosure of exempt information in terms of paragraphs 6 and 9 of Part 1 of Schedule 7A of the Act.

**11. Amendment to the terms and conditions of a lease of land at Crofthead Caravan Park.**

There was submitted a report (issued to Members only) of 19th September 2012 by the Executive Director – Development and Environment seeking consent to amend the terms of the original lease in favour of the sitting tenant at Crofthead Caravan Park.

Clarification was sought and provided in relation to:-

- the terms of the lease; and
- whether a further rental review under the lease would be undertaken.

**Decided:** to approve a variation of the terms of the original lease so as to:-

- (1) extend the original lease term; and
- (2) vary the method of rent calculation,

in order to rationalise the terms of the tenant's occupation of the overall site, which was currently governed by two leases containing different terms and conditions.

## **12. Former Cattle Market, Castlehill Road.**

There was submitted a report (issued to Members only) of 25th September 2012 by the Executive Director – Development and Environment

- (1) seeking authority to declare the above property surplus and to petition the Sheriff Court for consent to dispose of the site; and
- (2) authorising the Executive Director - Development and Environment to dispose of the site for the best price obtainable with the terms of any disposal being submitted to a future meeting of this Panel.

Clarification was sought and provided in relation to:-

- alternative car parks within this area; and
- proposals for the sale of this site.

**Decided:**

- (a) to declare the site surplus to requirements;
- (b) to authorise the Executive Director - Development and Environment to petition the Sheriff Court for consent to dispose of this site; and
- (c) to delegate authority to the Executive Director - Development and Environment to seek to dispose of the site on the open market or on a negotiated basis.

# C-I

## 13. Approval of Funding Allocation for Ayr Renaissance Business Plan 2012/13.

Reference was made to the Minutes of the Council of 15th December 2011 (Page 19, paragraph 12) when it had been agreed to approve the quantum of expenditure but not its allocation for Ayr Renaissance Business Plan for the period 2012-2015, there was submitted a report (issued to Members only) of 19th September 2012 by the Executive Director – Development and Environment seeking approval of the allocation of funds for the 2012/13 Ayr Renaissance Business Plan as outlined in the Appendix of the report.

**Decided:** to approve the allocation of funds for the 2012/13 Ayr Renaissance Business Plan as outlined in the Appendix of the report.

## Community Services – Social Services.

### 14. Outcome of the Complaints Review Committee.

There was submitted a report (issued to Members only) of 28th August 2012 by the Head of Legal and Administration informing of the outcome of the Complaints Review Committee which had been held on 22nd August 2012 and

- (1) outlining how the Complaints Review Committee had reached its conclusions as detailed in the Appendix of the report; and
- (2) that on the basis of these conclusions, the Complaints Review Committee made two recommendations on this matter.

Clarification was sought and provided in relation to the implementation of the two recommendations.

**Decided:**

- (a) to approve the recommendations made by the Complaints Review Committee following the hearing on 22nd August 2012 as detailed in the Appendix of the report; and
- (b) to request that the Executive Director – Children and Community circulate a briefing note to Elected Members prior to the next meeting of the Leadership Panel outlining the progress being made with regard to the implementation of the two recommendations that had been made by the Complaints Review Committee.

The meeting ended at 10.55 a.m.