

LEADERSHIP PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 19th March 2013 at 10.00 a.m.

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

Attending: E. Howat, Acting Chief Executive; H. Garland, Executive Director – Care, Learning and Wellbeing; L. Bloomer, Executive Director – Economy, Neighbourhood and Environment; V. Andrews, Head of Legal and Democratic Services; M. Williamson, Head of Education; K. Leinster, Head of Community Care and Housing; M. Williamson, Head of Education; H. Carswell, Head of Children’s Services; C. Monaghan, Head of Policy, Community Planning and Public Affairs; M. Newall, Head of Neighbourhood Services; R. Kingisepp, Team Leader (Capital Planning and Business Support); C. Cox, Planning Manager; W. Phillips, Revenues and Benefits Manager; T. Baulk, Chief Accounting Officer; A. Greenwood, Asset Co-ordinator; E. Wyllie, Committee Services Officer; and D. Knight, Democratic Services Administrator.

Apologies: Miss Phil Davey, Rev. David Gemmell, Mrs. Mairi Raeburn and Pastor Alastair Simmons.

1. Declarations of Interest.

There were no declarations of interest by Members of the Panel in terms of Council Standing Order No. 17 and the Councillors’ Code of Conduct.

2. Chair’s Remarks.

The Chair referred to the forthcoming departure of Margo Williamson, Head of Education who would be shortly leaving this Council to take up a post with Angus Council and on behalf of the Panel, wished her well for the future and thanked her for her valuable contribution to this Council.

Community Services - Lifelong Learning.

3. Review of Non-Denominational Education Provision in Maybole.

There was submitted a report (issued) of 1st March 2013 by the Executive Director – Care, Learning and Wellbeing

(1) advising

- (a) that the outcome of the fundamental review of the school estate had been reported to this Panel on 16th June 2009 (Page 331, paragraph 3) and had highlighted the need to review the non-denominational provision in Maybole and had also been included in the annual update of the Council’s School Estate Management Plan;

- (b) that the three schools covered by the review were Carrick Academy, Cairn Primary School and Gardenrose Primary School all of which were under occupied and had a range of condition and suitability issues; and
 - (c) that a number of engagement events had been held to date involving the cluster schools, the non-denominational schools in Maybole, the wider Maybole community and Maybole Community Council and that the outcome of this engagement would help inform the development of the education strategy for Maybole;
- (2) highlighting that the aim of the initial engagement exercise was to explore the potential with key stakeholders for change within Maybole and that the outcome of the exercise had shown that there was a willingness to consider a different configuration of the education provision in the town; and
- (3) proposing
- (a) that an options appraisal exercise should now be undertaken to identify and explore the opportunities for reconfiguring the existing non-denominational provision within Maybole; and
 - (b) that the outcome of the exercise would be reported to a future meeting of this Panel for consideration.

A discussion took place regarding the inclusion of St. Cuthbert's Primary School within the consultation process and consideration of the whole locality of Maybole including non-educational facilities.

A concern was raised about inadequate or no consultation taking place with the Portfolio-holders or local Elected Members prior to reports being submitted to Panels and whether this could be reviewed by the Acting Chief Executive and the Panel

Decided:

- (i) to note the outcome of the initial engagement exercise with the Maybole community on the review of non-denominational education provision in Maybole,
- (ii) to approve the request to take the review through an options appraisal exercise and that the outcome of the exercise would be reported to a future meeting of this Panel for consideration;
- (iii) to agree that the options appraisal exercise should include St. Cuthbert's Primary School in Maybole and the locality of Maybole as a whole including non-educational facilities; and
- (iv) to request that the Acting Chief Executive review procedures for consultation in relation to reports to ensure that Portfolio-holders and local Elected Members were consulted prior to reports being issued for meetings.

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4. Columba 1400 Leadership Academy.

There was submitted a report (issued) of 4th March 2013 by the Executive Director – Care, Learning and Wellbeing

(1) advising

- (a) that Columba 1400 was a well established social enterprise and charity with its purpose being to help young people realise their inner strength, resilience and confidence to transform their own lives and those around them;
- (b) that an anonymous South Ayrshire benefactor had provided Columba 1400 with the sum of £575,000 to support nine leadership programmes each year from 2013 to 2015 with a programme for each Secondary School communities and one for staff across the Council working with the children and young people; and
- (c) of the three Phases for each programme over the period of nine months;

(2) reporting

- (a) that in order to accept the offer, Columba 1400 had requested that this Council contribute £270,000 or £90,000 per year for the next three years;
- (b) that to meet the costs of the Council's contribution, each Secondary School would be invited to contribute a proportion of the costs, that central Directorate funds would be diverted and with approval from this Panel, and that £81,000 would be funded from the Dr. Andrew Rennie bequest to be used for educational and social work purposes; and
- (c) that the Trustees of the Rennie Bequest comprised all Elected Members and accordingly use of these funds would require to be referred to the Council for final approval;

(3) proposing that this Council agree to work in partnership with Columba 1400 to design and deliver the Leadership Academy comprising 27 programmes to the benefit of young people with specific attention being given to the selection of young people who would benefit most from the Columba 1400 experience; and

(4) detailing the financial implications of Columba 1400.

The Head of Education advised the Panel that with regard to Section 5.1 of the report, that schools would fund the transport costs.

A concern was raised that no Equalities Impact Assessment had been undertaken with regard to this report and Councillor McIntosh advised the Panel that he would be meeting the Head of Legal and Democratic Services later that day to discuss this matter.

Clarification was sought and provided in relation to how this Panel would be kept informed of progress being made in relation to the programmes being delivered and whether participants could be invited to advise the Panel of their experiences at a future meeting and the Panel

Decided:

- (i) to accept Columba 1400's offer to design and deliver a wide range of leadership programmes for the young people of South Ayrshire, and where appropriate, staff working with them;
- (ii) to approve the use of the Rennie Bequest (subject to final approval by the Council at its meeting on 25th April 2013) and to approve the Council's contributions over the period from 2013 to 2015 as detailed in paragraph 5.1 of the report; and
- (iii) to request the Executive Director – Care, Learning and Wellbeing, at the appropriate time, to invite some of the young people who had participated in the programme to highlight their experiences to a future meeting of this Panel.

Community Services – Social Services.

5. Action Plan - Performance Inspection of South Ayrshire Council's Social Work Services 2012.

There was submitted a report (issued) of 1st March 2013 by the Executive Director – Care, Learning and Wellbeing

- (1) advising that services within Care, Learning and Wellbeing were inspected by external scrutiny bodies on a regular basis which activity was welcomed as it contributed to an overall programme of continuous improvement and service modernisation which ultimately led to better outcomes for the people of South Ayrshire; and
- (2) outlining the action that the Care, Learning and Wellbeing Directorate would undertake to address the recommendations made by the Care Inspectorate following publication of the outcome of their performance inspection of South Ayrshire Council's Social Work Services on 19th November 2012.

Having noted that that with regard to Appendix 1 of the report on Page 10, recommendation 6 that learning disability strategy should read mental health strategy as shown below in italics:-

Develop a mental health strategy for services for adults with partners	<i>Mental Health strategy</i> includes market research, anticipated service demands and resources, supported by a clear statement on direction, rationale and programme for delivery.
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The Panel

Decided: to note the contents of this report and to request that the Executive Director – Care, Learning and Wellbeing implement and monitor the action plan and provide a final report when the follow up inspection process had been concluded.

Community Services – Housing and Customer First.

6. Housing Operations Service Review.

There was submitted a report (issued) of 4th March 2013 by the Executive Director – Care, Learning and Wellbeing

- (1) advising
 - (a) that the Council currently provided its housing service from a network of five Area Offices, a centralised homelessness function in Ayr and hostel establishments in Ayr and Troon and that this model of service delivery had been in existence for a significant period of time;
 - (b) that the Council had approved a Corporate Customer Service Strategy and now operated a Customer Contact Centre and five Customer Service Centres which were based in the premises of the previous Area Housing Offices in Prestwick, Troon, Maybole and Girvan, with a new facility opening soon at the Wallace Tower in Ayr Town Centre; and
 - (c) that the creation of the Customer Service Strategy, Contact Centre and the new Service Centres had presented an opportunity for the Council to consider how best to provide core housing services to customers in the future; and
- (2) outlining a proposal to review the Council's Operational Housing Service, and seeking approval to implement the review and the revised staffing structures required to support the new model of service delivery.

Concerns were raised about the implications of Welfare Reform and the £400,000 from the 2012/13 surplus being used to manage and mitigate the risks of this reform and whether this Council would receive additional funding from the Scottish or Westminster Governments, the removal from the structure of one Sheltered Housing Warden without prior consultation and the impact of this, that Officers should ensure consultation took place with Portfolio-holders and local members regarding a number of issues within this report, the proposal that housing staff would no longer be based at the Customer Service Centres in Prestwick and Maybole on a full-time basis, that the report did not explain and clarify where these Housing Officers would be based, that only a partial Equalities Impact Assessment had been provided with regard to this report, whether the two posts receiving an increased grading could be justified, that project management was not funded for the Housing Capital Programme but only for General Services, the impact on the service of continuing this report to a future meeting and whether such a delay would have any impact on those affected by Welfare Reform and following discussion, the Panel

Decided: to agree that this matter be continued to the next meeting of the Council on 25th April 2013 to allow Officers to explore the concerns that had been raised by this Panel.

7. Homeless Former Tenant Rent Arrears – Irrecoverable Debt.

There was submitted a report (issued) of 18th February 2013 by the Executive Director – Care, Learning and Wellbeing seeking approval to write-off Homeless former tenant rent arrears, relating to specific cases in accordance with the Council's policy.

Clarification was sought and provided in relation to procedures in place for early intervention and income maximisation to prevent and / or reduce debt and what assistance and services the Council could provide to the homeless and the Panel

Decided: to approve the write-off of Homeless Former Tenant Rent Arrears amounting to £16,142.72.

8. Housing Capital Programme 2012/13 – Monitoring Report as at Period 10 to 31st January 2013.

There was submitted a joint report (issued) of 11th March 2013 by the Executive Director – Economy, Neighbourhood and Environment and Executive Director – Resources, Governance and Organisation

- (1) informing of the actual capital expenditure and income together with progress being made with the Housing Capital Programme for 2012/13 as at 31st January 2013 (Budget Monitoring Period 10);
- (2) advising that Appendix 1 of the report provided the progress made on projects to 31st January 2013;
- (3) intimating that as outlined in Table 2 of Appendix 1 of the report, there were adjustments that required budgets to be re-profiled from 2012/13 to 2013/14 (Table 2, ref 1 – 2) with corresponding CFCR adjustments also being required and, therefore, requesting that the required adjustments be approved as outlined in Table 2 of Appendix 1 of the report; and
- (4) reporting that as detailed in Appendix 1 of the report, at the end of Period 10, actual expenditure stood at £6,929,672 representing expenditure of 58.1% of the total budget with the net impact of the proposed programme adjustments being outlined in section 4.2 of the report and that detailed in Table 2 of Appendix 1 of the report was a net reduction in programming expenditure of £266,761 with a corresponding reduction in borrowing and CFCR.

A Member of the Panel enquired about which Sheltered Housing Units would have work carried out to their common areas and the Team Leader (Capital Planning and Business Support) advised that he would provide a list of the Units to the Members of this Panel.

Concerns were raised in relation to the management of projects within the Housing Capital Programme particularly to ensure that slippage was reduced, additional staff being for General Services only and whether any additional staff would be made available for the Housing Capital Programme and the Acting Chief Executive clarified that the Corporate and Community Planning Standing Scrutiny Panel were to further consider staffing requirements for delivery of both the General Services and the Housing Capital Programmes following receipt of a future report from the Acting Chief Executive and Head of Property and Facility Services.

A Member of the Panel enquired about how many properties had been purchased under the Buy Back Scheme and the Team Leader (Capital Planning and Business Support) advised that he would provide a list of the properties to the Members of this Panel.

The Panel

Decided:

- (a) to note the progress made on the delivery of the Housing Capital Programme to 31st January 2013;
- (b) to approve the amendments as outlined in Section 4.2 of the report and as detailed in Table 2 of Appendix 1 of the report.

9. Remit from Community Services Standing Scrutiny Panel – Housing Capital Programme 2012/13 – Monitoring Report as at Period 9: 31st January 2013.

Reference was made to the Minutes of

- (1) the Leadership Panel of 19th February 2013 (Page 171, paragraph 4) when that Panel, having considered a joint report of 12th February 2013 by the Executive Director – Economy, Neighbourhood and Environment and Executive Director – Resources, Governance and Organisation in relation to the Housing Capital Programme 2012/13 – Period 9 Monitoring report, had agreed, *inter alia*, that in light of the concerns about the level of slippage and potential impact on the achievement of the Scottish Housing Quality Standards 2015, to refer this report to the next meeting of the Community Services Standing Scrutiny Panel to examine the reasons for the slippage and to identify actions which would assist in minimising slippage in the future and that their findings be reported back to the meeting of this Panel on 19th March 2013; and
- (2) the Community Services Standing Scrutiny Panel of 27th February 2013 (Page 206, paragraph 6) when that Panel, having considered that joint report, had agreed
 - (a) that the terms of this minute on the Housing Capital Programme should form this Panel's response to the Leadership Panel on 19th March 2013; and

- (b) to request that the Leadership Panel, when considering the Housing Capital Programme 2013/14 – Monitoring Report for Period 6 to the end of 30th September 2013, refer that report to this Panel for its consideration and to review progress at that stage.

The Panel

Decided:

- (i) to note the terms of the minute from Standing Scrutiny Panel on the Housing Capital Programme; and
- (ii) to approve the request from the Standing Scrutiny Panel that the Housing Capital Programme 2013/14 – Monitoring Report for Period 6 to the end of 30th September 2013 be referred to them for its consideration and to review progress at that stage.

Development and Environment - Sustainability and Environment.

10. Scotland's Climate Change Declaration Annual Report.

There was submitted a report (issued) of 11th March 2013 by the Head of Policy, Community Planning and Public Affairs

- (1) seeking approval of the South Ayrshire Council Annual Progress Report 2012 in relation to commitments under Scotland's Climate Change Declaration and climate change duties which had come into force on 1st January 2011 as introduced by the Climate Change (Scotland) Act 2009; and
- (2) indicating that the report reflected progress in South Ayrshire over the past year in relation to the template provided for these purposes via CoSLA and the Sustainable Scotland Network and also set out some of the Council's highlights and key points for moving the climate change agenda forward over the year ahead.

The Portfolio-holder welcomed this report, referred to the progress being made to reduce carbon omissions and indicated that the Council was continuing to make good progress in achieving the targets that had been set by the Scottish Government.

The Panel

Decided: to approve the South Ayrshire Council Scotland's Climate Change Declaration Annual Progress Report 2012 as outlined in Appendix 1 of the report and that the report be made publically available via submission to CoSLA.

11. Guidance for Road Construction Consents and Inspections.

There was submitted a report (issued) of 13th March 2013 by Executive Director – Economy, Neighbourhood and Environment

- (1) advising
 - (a) that developers were required under Section 21 of the Roads (Scotland) Act 1984 to apply to the local authority for a Roads Construction Consent (RCC) if, as a part of their development, they proposed to construct a new road or extension to an existing road;
 - (b) that within the terms of the Roads (Scotland) Act 1984, a road entailed the carriageway, footways, verge, service strips, lighting, drainage and any other associated work and that roads which were constructed in accordance with the RCC would be adopted into the Council's road network;
 - (c) that the Consent was valid for a three-year period from the date of issue, but the developer could apply for an extension if circumstances could be justified;
 - (d) that once an RCC had been issued, but prior to the construction of any dwellings, the developer was required to provide a Road Bond which reflected the actual cost of the construction of the new road should the developer not be in a position to complete the road construction; and
 - (e) that issues arising from Developers not adhering to the correct legislation had been identified and the provision of a guidance document would mitigate against these issues; and
- (2) seeking approval to introduce an approved Roads Construction Consent (RCC) guidance document for South Ayrshire as outline in Appendix 1 of the report.

Confirmation was sought and provided by the Head of Neighbourhood Services in relation to whether there were standards in place for utilities' companies to comply with when undertaking street works and whether these standards were being met and the Panel

Decided: to approve the South Ayrshire Council's Roads Construction Consent guidance document as outlined in Appendix 1 of the report.

12. 2013/14 Members' Priorities Funding – Investment in Allotments.

There was submitted a report (issued) of 12th March 2013 by the Executive Director – Economy, Neighbourhood and Environment

- (1) advising
 - (a) that this Council currently administered three allotment sites at Alloway, Craigie in Ayr, and Fullarton Woods in Troon with the Council administering the waiting lists for all three sites;

- (b) that through sustained increase in demand for allotments, the waiting lists had grown over the years, with numbers currently standing at 79 in Alloway (waiting time of 2 years 11 months), 61 in Craigie (waiting time of 2 years 7 months) and 8 in Troon (waiting time of 6 months); and
 - (c) that the lack of a dedicated allotments budget had inhibited the ability to improve and upgrade the Council's three existing allotment facilities; and
- (2) proposing that Neighbourhood Services
- (a) contact the associated allotment holders' groups at the three existing allotment facilities in Alloway, Craigie, and Troon to investigate and assess the required improvement and/or upgrading works to such elements as storage facilities, water supply for irrigation purposes, welfare facilities, security, and accessibility etc.;
 - (b) examine the availability and suitability of existing Council-owned land throughout South Ayrshire where there was seen to be a sufficient demand to justify the creation of a new allotment facility, and the implementation of the necessary works to create new facilities and that given the waiting lists for both Alloway and Craigie, Neighbourhood Services would also consider whether cost-effective extensions of these sites were possible; and
 - (c) report back to a future meeting of this Panel with detailed proposals for use of the funding.

Concerns were raised that Members wished to see development of new sites rather than just upgrading existing ones, subject to infrastructure constraints.

Clarification was sought in relation to how rental reviews were undertaken for allotments and the Head of Neighbourhood Services advised that he would investigate this matter and inform the Members of this Panel accordingly and after discussion, the Panel

Decided:

- (i) not to approve the proposed approach for the improvement, upgrading and expansion of existing allotment facilities as outlined in the report; and
- (ii) to request the Executive Director - Economy, Neighbourhood and Environment to submit a further report to a future meeting of this Panel outlining detailed proposals for the investment of £100,000 in allotments with an emphasis on proposals for new sites, but also including upgrading to existing sites.

13. 2013/14 Members' Priorities Funding – Investment in Play Areas.

There was submitted a report (issued) of 13th March 2013 by the Executive Director – Economy, Neighbourhood and Environment

- (1) advising
 - (a) that South Ayrshire Council's Pavilion Road play area on Ayr's shorefront was one of only two large play areas mentioned in the Council's Open Space Strategy of 2012 as being important for encouraging visitors to the area and that the facility was extremely popular with locals, visitors and school-parties alike and therefore, as a result suffered from over-use and occasional abuse and that its very exposed position contributed to erosion and corrosion of the equipment;
 - (b) that every year, demonstrating good practice, and in line with standard health and safety recommendations, the Council engaged the services of an independent play equipment inspector from the Register of Play Inspectors International (RPII) to carry out an annual inspection of all play areas and to provide a detailed report and risk assessment;
 - (c) that these inspections had most recently been carried out in January 2013 and had highlighted some serious defects in a few items of equipment in the Pavilion Road play area that required to be attended to timeously; and
 - (d) that the RPII inspector's report had also highlighted issues at Troon shorefront play area where the cargo net of the Shipwreck unit was found to be worn and the steel wire cores were exposed as a result; and
- (2) reporting that a group of local skaters and BMX bikers in Troon had campaigned for many years to have a skate-park facility installed in Troon and that this would be subject to a consultation exercise with a report being submitted to a future meeting of this Panel; and
- (3) outlining a number of proposals to
 - (a) improve and upgrade the play area at Pavilion Road, Ayr; and
 - (b) replace the worn rope cargo net at Troon shorefront, and that the area of subsidised safety surfacing be levelled and reinstated.

Concerns were raised about too much emphasis being placed on upgrading the Pavilion Road play area and that Members had intended that the funds be used for play areas to be upgraded throughout South Ayrshire rather than most of the funds going to one play area.

The Portfolio-holder suggested two improvements totalling £15,000 that could be implemented in the meantime until detailed proposals were submitted to a future meeting of this Panel.

Following discussion, the Panel

Decided:

- (i) to agree the proposals
 - to replace the supports on cableways at the Pavilion play area at a cost of £5,000; and
 - to replace the rope cargo net and reinstate subsided surface at Troon shorefront play area at a cost of £10,000; and
- (ii) to request the Executive Director - Economy, Neighbourhood and Environment to submit a further report to a future meeting of this Panel outlining detailed proposals for the investment of the balance of £100,000 (less £15,000 as detailed at (i) above) in a programme of works for play areas across South Ayrshire.

Corporate and Community Planning - Corporate, Strategic and Community Planning.

14. Newton and Heathfield Community Council Sub-Warding.

There was submitted a report (issued) of 11th March 2013 by the Head of Policy, Community Planning and Public Affairs

- (1) advising
 - (a) that Newton and Heathfield Community Council, in common with several other Community Councils, was sub-warded and comprised of Newton (six members) and Heathfield (six members);
 - (b) that at the closure of the nomination for Community Council elections, no nominations had been received for the Newton sub-ward but that eight nominations had been received for the Heathfield sub-ward; and
 - (c) that it made little sense to force an election to whittle down the eight nominees in Heathfield down to six and create a Community Council which was just viable since if one of the members of the Heathfield sub-ward were to demit office, the future operation of the Community Council would be jeopardised as the overall number of Community Councillors remaining would be less than the permitted 50% and removing the sub-warding would allow all eight nominations to be accepted for the ward as a whole; and
- (2) proposing that, as the Community Council had requested that sub-warding be removed, to amend the Scheme of Community Councils to end the sub-warding of Newton and Heathfield Community Council with effect from 1st April 2013.

Concerns were raised about ending the sub-warding of this Community Council and that nominees from the Newton area should be encouraged to come forward to ensure that better arrangements could be put in place for the next term.

Following discussion, the Panel

Decided: to agree that the Scheme of Community Councils should be amended to end the sub-warding of Newton and Heathfield Community Council only, with effect from 1st April 2013 for the next term only.

Corporate and Community Planning - Resources and Performance.

15. Budget Management – Revenue Budgetary Control 2012/13 – Position Statement at 31st January 2013.

There was submitted a report (issued) of 11th March 2013 by the Executive Director – Resources Governance and Organisation

- (1) presenting an overview of the General Services Revenue Account, Housing Revenue Account and Common Goods Accounts for 2012/13 as at 31st January 2013;
- (2) advising that the unaudited General Services surplus at 31st March 2012 was £18.026m, the unaudited Housing Revenue Account surplus was £15.714m and the combined Common Good revenue surplus for all Common Good Funds was £0.934m and that the 2011/12 audit had been completed on 30th September 2012 with no changes to the reserves positions being required;
- (3) outlining the current position with regard to:-
 - overview of services position at 31st January 2013;
 - Council Tax Income;
 - Repairs and Renewal Fund; and
 - Accumulated Balance at 31st January 2013;
 - Contingency Balance 2012/13;
 - General Reserve Balances;
 - Housing Revenue Account Balance; and
 - Common Good Funds; and
- (4) reporting that all Directorates had committed to bringing their budget in on-line as minimum by 31st March 2013 and that an accumulated surplus of £9.849m was currently anticipated at 31st March 2013 for General Services, £1.857m accumulated surplus for the Housing Revenue Account and a combined £0.888m accumulated surplus for the Common Good Funds.

Clarification was sought in relation to the reasons for the shortfall in parking enforcement and parking income identified within Appendix 1d (Development and Environment) and the Chief Accounting Officer advised that he would provide information to the Members of this Panel about the shortfall in parking income.

Clarification was sought and provided in relation to the progress being made regarding the demolition of the dangerous building at Whitehall, Maybole, the delay with regard to the establishment of the Ayrshire and Arran Tourism Team, the problems being encountered with regard to the production of dog fouling signs and notices and the timetable for implementation and whether other local authorities in Scotland were experiencing similar problems, the figure for Payroll Management – Directorate target within Appendix 1a (Chief Executive’s Strategic Office) and the situation with regard to the completion of Service Reviews and why these would not be achieved during this financial year as detailed in Appendix 1b (Children and Community).

The Panel noted the good progress being made in relation to recharging within the Property Maintenance and Construction Trading Account as outlined in Appendix 1d (Development and Environment) and the Panel

Decided:

- (a) to approve the virement as outlined in the Directorate financial performance reports at Appendix 1 and summarised in Section 4.1 (2) of the report;
- (b) to approve the cumulative earmarking position to date for carry forward of resources to 2013/14 as outlined in the Directorate financial performance reports at Appendix 1 and summarised in Section 4.1 (4) of the report ;
- (c) to note that management action was being taken by Directors to ensure a break-even position at 31st March 2013 as outlined in Section 4.1 (5) of the report;
- (d) to note the Council Tax collection rates as outlined in Section 4.2 of the report; and
- (e) otherwise, to note the contents of this report.

16. General Services Capital Programme 2012/13: Monitoring Report as at Period 10 at 31st January 2013.

There was submitted a joint report (issued) of 11th March 2013 by the Executive Director – Economy, Neighbourhood and Environment and Executive Director – Resources Governance and Organisation

- (1) advising that a number of adjustments to the Programme had been approved by Leadership Panels and South Ayrshire Council since approval of the 2012/13 General Services Capital Programme, leading to a revised income and expenditure budget of £8,727,269 which was reflected in Appendix 2 of the report;
- (2) outlining the General Services Capital Programme for 2012/13 as at 31st January 2013 and detailing that at the end of Period 10, actual expenditure stood at £5,923,072m and represented expenditure of 67.9% of the total budget; and

- (3) reporting
- (a) that Appendix 1 of the report provided the progress made on projects to 31st January 2013; and
 - (b) that Table 2 of Appendix 1 of the report outlined a variety of adjustments that impacted on 2013/14 either through the slippage of projects from 2012/13 to 2013/14, the advancement of projects from 2013/14 to 2012/13 or through additional external funding being identified and profiled in 2013/14 and that the total impact on project expenditure in 2013/14 was detailed in Table 3b in Appendix 1 of the report.

Clarification was sought and provided in relation to the reference on Page 2 of Appendix 1 of the report regarding the partial re-roofing of Mainholm Academy building and that this should be the John Pollock Centre, and also that "Project Ayr" was the Statutory Quality Partnership Project and the Panel

Decided:

- (i) to note the progress made on the delivery of the General Services Capital Programme on projects to 31st January 2013; and
- (ii) to approve the amendments as outlined in Sections 4.2 and 4.3 and detailed in Table 2 of Appendix 1 of the report.

17. Remit from Corporate and Community Planning Standing Scrutiny Panel – General Services Capital Programme 2012/13 – Monitoring Report as at Period 9: 31st January 2013 and Capital Programme Management.

Reference was made to the Minutes of

- (1) the Leadership Panel of 19th February 2013 (Pages 179 to 181, paragraphs 13 and 14) when that Panel, having considered a joint report by the Executive Director– Economy, Neighbourhood and Environment and the Executive Director – Resources, Governance and Organisation of 12th February 2013 on the General Services Capital Programme, had decided, *inter alia*, that in light of concerns about the level of slippage, potential for increased costs and the impact on service delivery, to refer this report and the joint report on Capital Programme Management by the Executive Director – Economy, Neighbourhood and Environment and the Executive Director - Resources, Governance and Organisation of 15th February 2013 (referred to at 4.2(f) on the Leadership Panel agenda) to this meeting to allow the Panel to examine the reasons for the slippage and to identify actions which would assist in minimising slippage in the future with the findings to be reported back to the Leadership Panel; and
- (2) the Corporate and Community Planning Standing Scrutiny Panel of 28th February 2013 (Page 214, paragraph 11) when that Panel, having considered these joint reports, had agreed to note

- (a) that the Executive Director – Resources, Governance and Organisation and the Head of Property and Facility Services would review the various issues raised and report their findings to a meeting of this Panel as soon as possible to allow the Panel to report timeously to the Leadership Panel thereafter; and
- (b) that the Leadership Panel would be asked to agree that the Head of Property and Facility Services would provide quarterly updates to this Panel following on from Leadership Panel quarterly updates in future.

Decided: to approve the recommendations from the Corporate and Community Planning Standing Scrutiny Panel.

18. **Energy Savings Projects.**

Reference was made to the Minutes of 19th February 2013 (Page 177, paragraph 12) when that Panel had agreed, *inter alia*, to request that the Executive Director – Economy, Neighbourhood and Environment submit a report to the meeting of this Panel on 19th March 2013 confirming the outcome of the investigation underway in relation to the £0.839m energy efficiency measures as referred to in paragraph 4.3 of the report and outlining the details of the proposed projects and any energy generation aspects within these and there was submitted a report (issued) of 12th March 2013 by the Executive Director – Economy, Neighbourhood and Environment

- (1) confirming the outcome of the review that had been undertaken in relation to the approved Repairs and Renewals draw of £0.839m for energy efficiency measures; and
- (2) proposing
 - (a) that to complete the review including a revised schedule of projects by 31st March 2013, a revised schedule would allow fuller assessment of the deliverability of proposed benefits;
 - (b) that this might allow an element of the proposed draw on Repairs and Renewals to be returned; alternative funding might be available through the Central Energy Efficiency Fund (CEEF) scheme, which appeared to be currently underutilised and that projects that could be supported by CEEF were being compiled.
 - (c) that full integration of Energy Management proposals with the Council's wider modernisation and upgrading projects would be sought on an ongoing basis but with particular regard to the revised schedule;
 - (d) that this schedule would also provide an updated assessment of the level of revenue savings likely to be achievable and deliverable; and
 - (e) that measurable performance indicators be introduced to allow for assessment of returns on investment.

Concerns were raised about the length of time that was being taken to put forward proposals for energy savings projects and whether the options could be submitted to an earlier meeting of this Panel on 30th April 2013 and after discussion, the Panel

Decided:

- (i) to note that the feasibility study had now identified that only marginal gains would be obtained from the original proposals for combined heat and power engines; and
- (ii) to approve the submission of a revised schedule, indicating alternative options for energy efficiency and energy generation, to the meeting of this Panel on 28th May 2013.

19. Request from Corporate and Community Planning Standing Scrutiny Panel.

Reference was made to the Minutes of 19th February 2013 (Page 182, paragraph 17) when that Panel, having considered a request from the Corporate and Community Planning Standing Scrutiny Panel to consider ways in which to undertake a rationalisation process of the Council's assets to maximise long term service delivery, with the involvement of Elected Members, had agreed to accept the Standing Scrutiny Panel's recommendations and that in the first instance, the Portfolio Holders would meet to discuss how to take this matter forward, would then discuss the detail with Officers and that their findings would be reported to the next meeting of this Panel and there was submitted a report (issued) of 12th March 2013 by the Executive Director – Resources, Governance and Organisation

- (1) advising that Portfolio-holders had met on 27th February 2013 to discuss the issue and had outlined a general approach and immediate actions with a further meeting being held with Officers on 4th March 2013 to explore these issues, discuss current work streams in relation to asset rationalisation and to agree a proposal for consideration by this Panel; and
- (2) reporting
 - (a) that Officers had also been working with Scottish Futures Trust to develop proposals in respect of office accommodation within Ayr and Members had asked that these proposals be brought forward in early course to allow a decision on future use of the County Buildings; and
 - (b) that specific actions have been requested by Members as follows:-
 - review of capital programme – members' briefing;
 - contact with Historic Scotland – explore options which could assist the sale of buildings;
 - provide a listing of all surplus assets to include possible sale proceeds, running costs and demolition costs;
 - consider including grant funding conditions which would prohibit recipients renting non-Council premises;

- work with local Members and communities to explore opportunities to share locations;
- site visits by Members to assess projects; and
- consideration of more creative land disposal options.

The Panel

Decided:

- (i) to note the work currently being undertaken in respect of asset rationalisation; and
- (ii) to request Officers to progress the actions outlined at Sections 4.3 and 4.4 of the report and to provide regular updates to this Panel.

20. Discretionary Housing Payments Budget 2013/14.

Reference was made to the Minutes of 19th April 2011 (Page 250, paragraph 18) when that Panel had approved the amendment to the discretionary housing payments policy to review awards at six monthly rather than three monthly intervals and there was submitted a report (issued) of 12th March 2013 by the Executive Director – Resources, Governance and Organisation

- (1) advising
 - (a) that as a result of reductions in local housing allowance and housing benefit due to welfare reform, awards of discretionary housing payments had been made to prevent rent arrears occurring or increasing or ensure that tenancies were maintained; and
 - (b) that in view of the above, the Council's benefits service had experienced a 21% per cent increase in discretionary housing payment awards in the period from 1st April 2012 to 28th February 2013 compared with the corresponding period in 2011/12; and
- (2) seeking amendment to the existing Discretionary Housing Payments policy as outlined in Appendix 1 of the report, following the issue of revised guidance issued by the Department for Work and Pensions to reflect amendments to the discretionary Financial Assistance Regulations which would ensure that the scheme covered the introduction of Universal Credit and the abolition of Council Tax benefit from 1st April 2013.

Clarification was sought and provided in relation to the provision of regular updates to future meetings of Panel, the implications of reducing the current weekly award of discretionary housing payments of £10 to £7 to help a greater number of claimants and whether it was anticipated that further funding would be received from the Scottish or Westminster Governments and the Panel

Decided:

- (i) to approve the amendment to the discretionary housing payments policy as outlined in Appendix 2 of the report; and
- (ii) to request the Executive Director - Resources, Governance and Organisation to provide regular updated figures of awards throughout 2013/14.

21. Scottish Welfare Fund Second Tier Reviews.

Reference was made to the Minutes of 19th February 2013 (Page 182, paragraph 17) and there was submitted a report (issued) of 12th March 2013 by the Executive Director – Resources, Governance and Organisation

- (1) reminding the Panel
 - (a) that the Scottish Welfare Fund was intended to offer grants or in kind support for two purposes:-
 - to provide a safety net in an emergency when there was an immediate threat to health or safety – Crisis Grants; and
 - to enable independent living or continued independent living, preventing the need for institutional care – Community Care Grants; and
 - (b) that the grants should be available to people who did not have alternative means of paying for what they needed, they did not need to be paid back and that these grants were intended to meet one-off rather than on-going expenses;
- (2) advising of the proposed arrangements for the Scottish Welfare Fund Second Tier Reviews in accordance with the draft Guidance provided by the Scottish Government; and
- (3) outlining the Constitution of the Review Panel.

The Panel

Decided:

- (a) to approve the model for second tier reviews as set out in Section 4 of the report and its Appendix, and as further developed by Officers in accordance with Scottish Government Guidance; and
- (b) to request the Executive Director - Resources, Governance and Organisation to provide quarterly updates on Scottish Welfare Fund performance including numbers of reviews carried out at first and second tier.

22. Raising Our Ambitions: Progress Report 2.

Reference was made to the Minutes of South Ayrshire Council of 27th September 2012 (Page 448, paragraph 13) and there was submitted a joint report (issued) of 12th March 2013 by the Head of Policy, Community Planning and Public Affairs and Head of Employee and Customer Services

- (1) providing the second progress report on 'Raising our Ambitions'; and
- (2) highlighting six major strands of activity as summarised below:-
 - Chief Officer Remit Changes,
 - Recruitment of Heads of Education and Corporate Resources;
 - Managing Workforce Change Policy;
 - Programme of Meetings with the Trade Unions;
 - Your South Ayrshire: Your Priorities; and
 - Single Outcome Agreement.

The Panel

Decided: to note this second progress report on Raising our Ambitions and to agree that this report be referred to the next meeting of the Corporate and Community Planning Standing Scrutiny Panel for its consideration.

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23. Procurement Strategy Update 2013.

There was submitted a report (issued) of 11th March 2013 by the Head of Legal and Democratic Services

- (1) advising
 - (a) that the Council's Procurement Strategy had been published in 2011 with a commitment to review the content of the Strategy at least annually and that the updated Strategy would seek to align the Strategy with current Government initiatives and during the period since October 2011 these initiatives had included:-
 - Commissioning and Social Care, Audit Scotland;
 - Procurement Reform Bill Consultation;
 - Review of Public Construction Contracts;
 - Review of the Public Procurement Directives; and
 - Local Government ICT Strategy; and

- (2) proposing
- (a) that this Panel be requested to endorse the updated Procurement Strategy which reflected the initiatives detailed in the report and that Appendix 1 of the report contained the updated Strategy document; and
 - (b) that in future, the annual review of the Procurement Strategy would be undertaken and approved by the Procurement Sub-Group of the Corporate Management Team with any major revisions being brought back to Leadership Panel for approval;
 - (c) that the Strategy would continue with the 13 key objectives previously outlined in 2011 and which now formed the basis of Procurement Improvement Plan and that the Strategy would also continue to focus upon the importance of an integrated organisation, technology, processes and performance management in delivering required procurement improvements; and
 - (d) that an ongoing programme of communication and consultation with all stakeholders would be essential in delivering the strategy and an update in relation to the Council's procurement improvement programme, and performance against the 13 key objectives would be reported annually to the Corporate and Community Planning Standing Scrutiny Panel.

Clarification was sought and provided in relation to how the Council could support local businesses and could other local authorities in Scotland be contacted to share good practice with regard to community benefit and an assurance was provided that major any revisions to this strategy would be brought back to this Panel and the Panel

Decided:

- (i) to approve the updated Procurement Strategy as contained in Appendix 1 of the report;
- (ii) to agree that, in future, the annual review of the Procurement Strategy would be undertaken and approved by the Procurement Sub-Group of the Corporate Management Team, with any major revisions being brought back to Leadership Panel for approval; and
- (iii) to agree that an update in relation to the Council's procurement improvement programme and performance against the 13 key objectives would be reported annually to the Corporate and Community Planning Standing Scrutiny Panel.

24. Update on Improvement Work.

There was submitted a report (issued) of 13th March 2013 by the Head of Policy, Community Planning and Public Affairs advising

- (1) that the Council at its meeting on 9th July 2009 (Page 396, paragraph 5) had agreed an Improvement Agenda structured around the findings of the best value audit comprising 12 strands designed to support and drive improvement throughout the organisation and to generate evidence to inform the revisit in April 2010;
- (2) that following the positive revisit report, the Council at its meeting on 7th October 2010 (Page 531, paragraph 14) had agreed a new Improvement Programme which had highlighted that in progressing towards Best Value 2, a strong emphasis should be placed on continuous improvement being part of day to day work rather than something which was separate and detached;
- (3) that the Council had agreed that Improvement work should be progressed around 6 themes:
 - Leadership;
 - Governance;
 - Strategy;
 - Performance;
 - Transformation; and
 - Engagement; and
- (4) that an exercise had been undertaken at that stage to map work on-going within Directorates that would support improvement against these themes and that reporting progress on improvement had not been distinguished from general reporting on progress which had left the focus on improvement somewhat dissipated.

The Panel

Decided: to note the Improvement Work that was on-going and to agree that Improvement Themes should now be agreed on an annual basis as part of the Council's business planning process.

25. 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 9 and 12a of Part 1 of Schedule 7A of the Act.

26. Disposal of land to the rear of 2/4 Whitfield Drive, Ayr.

There was submitted a report (issued to Members only) of 11th March 2013 by the Executive Director – Resources, Governance and Organisation seeking the Panel's instruction for the sale of an area of unused land declared surplus to their lease requirements by Polypackaging Ltd and for which there was interest from the two adjoining businesses.

A full discussion took place regarding a number of options for the disposal of this land and the Panel

Decided:

- (1) to dispose of the land previously declared surplus shown as Area 1 and Area 2 on the plans attached to the report;
- (2) to accept the offer from S&S Services for Area 2 on the terms outlined within the report and delegate power to the Executive Director – Resources, Governance and Organisation to conclude the sale on appropriate terms; and
- (3) that the Executive Director – Resources, Governance and Organisation be granted delegated powers to negotiate with TOM Property Ayr LLP regarding the terms of their proposed offer for Area 1 and to conclude the sale on appropriate terms.

27. Land at Cockhill, Ayr.

There was submitted a report (issued to Member only) of 13th March 2013 by the Executive Director – Economy, Neighbourhood and Environment seek approval to consider the potential development options for the Council's landholding at Cockhill and to engage specialist advisors to support that work.

Clarification was sought and provided in relation to the monitoring of the budget relating to the potential development of this site and the Panel

Decided:

- (1) to approve work to consider the potential development options for the Council's landholding at Cockhill;
- (2) to agree a draw of up to £100,000 budget from the Contingency Fund to obtain expert advice on the potential development of the Council's landholding at Cockhill;
- (3) to authorise the Executive Director - Economy, Neighbourhood and Environment, to negotiate with Montagu Evans to provide expert advice under Section 20.1 of Standing Orders Relating to Contracts;
- (4) to note that ancillary contracts for other specialist services, for example, geotechnical engineering advice, would be subject to standard procurement procedures; and

- (5) to request the Executive Director - Economy, Neighbourhood and Environment to submit a further report to a future meeting of this Panel or Council before the summer recess outlining the potential development options for the Council's landholding at Cockhill.

Development and Environment - Sustainability and Environment.

28. Asserted Public Right of Way from Midton Road to Main Street, Prestwick via Elliots Bar And Restaurant.

There was submitted a report (issued to Members only) of 11th March 2013 by the Executive Director – Economy, Neighbourhood and Environment outlining the current position with respect to the asserted, pedestrian right of way linking Midton Road with Main Street, Prestwick, via Elliots Bar and Restaurant.

After discussion, the Panel

Decided: to agree that this matter be continued to a future meeting of this Panel to allow Officers to investigate the concerns that had been raised by this Panel.

29. Consideration of Disclosure of the above Confidential Reports.

Having heard the Head of Legal and Democratic Services, the Panel

Decided: not to authorise the disclosure of the whole or part of any documents of the following reports falling under Standing Order 31.2:-

- Disposal of land to the rear of 2/4 Whitfield Drive, Ayr;
- Land at Cockhill, Ayr; and
- Asserted Public Right of Way from Midton Road to Main Street, Prestwick via Elliots Bar And Restaurant.

The meeting ended at 11.50 a.m.