

**SOUTH AYRSHIRE COUNCIL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 14th February 2013 at 10.00 a.m.

Present: Councillors Helen Moonie (Provost), John Allan, Andy Campbell, Douglas Campbell, Ian Cavana, Alec Clark, Ian Cochrane, Brian Connolly, Peter Convery, Allan Dorans, Ian Douglas, Ann Galbraith, Bill Grant, William J. Grant, John Hampton, Hugh Hunter, Mary Kilpatrick, John McDowall, Nan McFarlane, Brian McGinley, Bill McIntosh, Rita Miller, Alec Oattes, Robin Reid, Philip Saxton, Margaret Toner and Corri Wilson.

Apologies: Councillors Kirsty Darwent, Hywel Davies and Sandra Goldie.

Attending: E. Howat, Executive Director – Resources, Governance and Organisation; H. Garland, Executive Director – Care, Learning and Wellbeing; L. Bloomer, Executive Director – Economy, Neighbourhood and Environment; V. Andrews, Head of Legal and Democratic Services; C. Monaghan, Head of Policy, Community Planning and Public Affairs; and D. Knight, Democratic Services Administrator.

**1. Provost.**

The Provost

- (1) welcomed all Members and Officers to the meeting of the Council;
- (2) reminded Members that this meeting was now operating under the revised Standing Orders for Meetings which had been approved on 29th November 2012;
- (3) advised
  - (a) that the Minutes of the Scrutiny and Governance Management Panel of 6th February 2013 had been tabled for consideration; and
  - (b) that Ayrshire Housing would give a presentation to Elected Members following the conclusion of this meeting; and
- (4) intimated that apologies had been received from Councillors Kirsty Darwent, Hywel Davies and Sandra Goldie.

## **2. Declarations of Interest.**

The Head of Legal and Democratic Services reminded Members that

- (1) any declaration of interest should be made as soon as practicable after the start of a meeting and should identify the item or items of business to which it related and state clearly the specific nature of the interest;
- (2) any Councillor who had declared an interest must withdraw from the meeting and indicate to the Provost that he / she was leaving; and
- (3) should any Member, during the course of the meeting, be aware that they needed to declare an interest, that declaration should be made at the appropriate point.

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

## **3. Sederunt.**

The Executive Director – Resources, Governance and Organisation, as Depute Chief Executive, called the Sederunt for the meeting.

## **4. Minutes of previous Council meeting.**

The Minutes of 29th November and 18th December (Special) 2012 (issued) were submitted and authorised to be signed as correct records of these meetings.

## **5. Minutes of previous meetings of Panels.**

The Minutes of the undernoted Panels (issued) were submitted and approved as a correct record of these meetings:-

- (1) Local Review Body of 27th November and 11th December 2012 and 15th and 29th January 2013.
- (2) Leadership Panel of 4th December and 18th December 2012 (Special) and 22nd January 2013.
- (3) Regulatory Panel of 6th December 2012 and 24th January 2013.
- (4) Development and Environment Standing Scrutiny Panel of 11th December 2012.
- (5) Community Services Standing Scrutiny Panel of 12th December 2012 and 30th January 2013.
- (6) Corporate and Community Planning Standing Scrutiny Panel of 13th December 2012 and 31st January 2013.
- (7) General Purposes Panel of 19th December 2012.

- (8) Appeals Panel of 23rd January 2013.
- (9) Chief Officers' Appointments / Appraisal Panel of 5th February 2013.
- (10) Scrutiny and Government Management Panel of 6th February 2013.

**6. Schedule of Meetings from 20th August 2013 to 27th April 2017.**

There was submitted a report (issued) of 7th February 2013 by the Head of Legal and Democratic Services advising

- (1) that a draft timetable of Panel meetings had been prepared from 20th August 2013 to 27th April 2017 (immediately prior to the next local government) and included a number of Recess periods as follows:-
  - seven weeks over the summer period;
  - one week in mid-October (followed by one week set aside for report preparation and members' briefing);
  - two weeks over Christmas and New Year (followed by one week set aside for report preparation and members' briefing); and
  - two weeks at Easter;
- (2) that Members should note, however, that this timetable might be subject to minor changes from 2014 onwards as the school holidays and public holidays have not yet been confirmed and that any changes would require to be reported to the Council as soon as possible; and
- (3) that the Council, at its meeting on 28th June 2012, had approved a Schedule of Meetings up to June 2013 and the Planning Service/ Licensing Service have now advised that an additional meeting of the Regulatory Panel (Planning) and (Licensing) would be required to take place before the summer recess commenced to deal with any further applications.

**Decided:**

- (a) to approve the proposed schedule of meetings, including Recess periods, from 20th August 2013 to 27th April 2017, as detailed in the Appendix to this report; and
- (b) to agree that an additional meeting of the Regulatory Panel (Planning) and (Licensing) take place on Wednesday, 26th June 2013.

## 7. **Financial Regulations.**

There was submitted a report (issued) of 7th February 2013 by the Executive Director – Resources, Governance and Organisation

- (1) advising that in accordance with the commitments given under Corporate Governance, the Financial Regulations required to be kept under review; and
- (2) seeking approval to revise the Financial Regulations as outlined in Appendix 1 of the report.

**Decided:** to approve the revised Financial Regulations as detailed in Appendix 1 of the report to be effective from 1st April 2013.

## 8. **Scheme of Delegation.**

There was submitted a report (issued) of 7th February 2013 by the Head of Legal and Democratic Services

- (1) advising
  - (a) that a further review of the Scheme of Delegation had been completed, with the amendments being highlighted by way of tracked notes as detailed in the Appendix 1 of the report; and
  - (b) that the review had taken account only of the structural changes approved by Council last year, plus a few minor amendments to reflect changes in legislation and minor clarification; and
- (2) proposing
  - (a) that the revised Scheme of Delegation should come into effect immediately to take account of the structural changes which had come into effect on 4th February 2013;
  - (b) that subject to approval, the revised Scheme of Delegation would be published on The Wire and the Council's website;
  - (c) that the next stage of review required to be a more detailed consideration by Elected Members and Officers of the current scope of delegations, both to Panels and Officers, having regard to current operational structures and the Council's developing priorities through the Single Outcome Agreement and the Council's Business Plan; and
  - (d) that accordingly, further proposed revisions, following consultation and review, would be reported to a future meeting of the Council.

**Decided:** to approve the revised Scheme of Delegation as detailed in Appendix 1 of the report with immediate effect.

## 9. **Standing Orders Relating to Contracts.**

Reference was made to the Minutes of 29th November 2012 (Page 10, paragraph 6) when the Council had approved the revised Standing Orders Relating to Contracts, with the exception of Standing Order No. 28, relating to 'Disposal of Surplus or Scrap Materials', to allow this provision to be given further consideration and there was submitted a report (issued) of 7th February 2013 by the Head of Legal and Democratic Services

(1) advising that, having considered this matter further, Officers were of the view that the provisions of Standing Orders should apply to the making of contracts for the disposal by the Council of surplus or scrap materials and equipment as they did to other contracts which meant that different procedures did apply depending on the estimated total price or value of the materials or equipment in question, in accordance with Standing Order No. 3.3 as outlined in Appendix 1 of the report;

(2) proposing that Standing Order No. 28 should be amended to read:-

“These Contract Standing Orders shall apply to the making of contracts for the disposal by the Council of surplus or scrap materials and equipment, as they do to other contracts,” and

(3) indicating that subject to approval, the revised Standing Orders Relating to Contracts would be published on The Wire and the Council's website.

**Decided:** having recorded their appreciation of the work undertaken by the Head of Legal and Democratic Services, to approve the revised Standing Order No. 28 of the Standing Orders Relating to Contracts, to take effect from 1st April 2013.

## 10. **Representation on Outside Bodies.**

There was submitted a report (issued) of 7th February 2013 by the Executive Director – Resources, Governance and Organisation seeking the Council's approval to make alterations to the list of Outside Bodies that had been approved by the Council at its meeting on 17th May 2012 and subsequent alterations that had been approved by the Council on 28th June and 27th September 2012.

Clarification having been sought and provided in relation to the role of the link person on Ayr United Football Academy Ltd., the Council

**Decided:** to agree to take advantage of the opportunity for full representation on a number of organisations and to approve the following appointments:-

***Outside Bodies, etc***

***Representatives***

Galloway and Southern Ayrshire Biosphere

John McDowall (as a member of the Partnership Board and Charity Trustee) with provision for a proxy

Ayr United Football Academy Ltd.

Jill Cronin, Head of Community, Enterprise and Development as Link Officer

Thomas Davidson Trust

Councillors Alec Clark, Alec Oattes and John McDowall, and Valerie Andrews, Monitoring Officer, all ex-officio

**11. Representation on Outside Bodies – Ayrshire Area Support Team.**

There was submitted a report (issued) of 7th February 2013 by the Executive Director – Resources, Governance and Organisation

- (1) outlining the Council's involvement in supporting the Ayrshire Area Support Team (AST) established under the Children's Hearings (Scotland) Act 2011;
- (2) advising
  - (a) that the National Convener had proposed that the Ayrshire AST would have three local authority appointees, one from each of the three constituent local authorities;
  - (b) that the local authority appointees would have an overview of the Children's Hearing System and the Children's Panel in their area and that they would require to be aware of local issues and act as an important link between the Children's Panel and the local authority Elected Members and relevant local authority senior Officials and Directorates; and
  - (c) that this role was materially different from the role of local authority representatives on Children's Panel Advisory Committee and the expectation of Children's Hearings Scotland was that local authorities would be represented by an Elected Member (although this was not a requirement); and
- (3) proposing that given the revised role, it was considered appropriate to nominate an Elected Member to represent the Council on the Ayrshire AST.

Clarification having been sought and provided in relation to why an Elected Member would be appointed to the AST when lay persons had previously been appointed to the CPAC and what support would the Council provide to volunteers involved in the Children's Panel, the Council

**Decided:**

- (i) to approve the appointment of Councillor Rita Miller as the Council's representative on the Ayrshire Area Support Team; and
- (ii) to request that the Executive Director – Resources, Governance and Organisation write to the Council's two current representatives on the Children's Panel Advisory Committee, Pat Brown and Renee Gillan, who had both intimated their intention to retire with effect from June 2013 expressing this Council's appreciation for all of their hard work and commitment to the CPAC.

**12. Revenue and Capital Estimates 2013/14 onwards.**

Reference was made to the Minutes of 18th December 2012 (Special) (Page 59, paragraph 3) when the Council had set Revenue and Capital Budgets for 2013/14 to 2016/17 based on information contained in the Finance Circular issued on 27th November 2012 and there was submitted a report (issued) of 8th February 2013 by the Executive Director – Resources, Governance and Organisation

## (1) advising

- (a) that the Budget Bill was approved on 7th February 2013, and the 2013 Finance Order was issued on 7th February 2013 which confirmed South Ayrshire Council's Aggregate External Finance funding as follows:-

	<b>Revenue £m</b>	<b>Capital £m</b>
2013/14	196.019	8.192
2014/15	189.815	11.056

- (b) that an additional £6.319m had been included, £6.316m for Council Tax Reduction and £0.003m as a result of a lower reduction for the transfer of Police;
- (c) that a total of £328m of Council Tax Reduction funding had been included within the Finance Settlement to replace Council Tax benefit subsidy previously provided by the Department of Works and Pensions (DWP) and that 80% of this funding had been allocated with the balance retained until actual expenditure levels were known; and
- (d) that the transfer of £328m was based on DWP forecasts of actual subsidy in 2012/13 and that a 10% cut being applied (assumed to be £40m) with the Scottish Government and local authorities having already agreed how to bridge the assumed £40m funding gap for 2013/14 and further analysis was required to ensure that sufficient funds were available to meet projected Council Tax reduction scheme payments;

## (2) reporting that with regard to the Revenue Budget

- (a) that the funding confirmed within the 2013 Finance Order was higher than the level contained within the Proposals of the Conservative, Labour and Independent Members, the additional £0.003m had been allocated to general contingency and that the £6.316m replaced funding previously provided by the Department of Works and Pensions for Council Tax benefit subsidy and that it was anticipated that a further allocation would be received during 2013/14;
- (b) that the net effect of all adjustments increased the contribution to contingency by £0.003m as outlined below:-

<b>Funding</b>	<b>Per Council 18th December 2012 (£m)</b>		<b>Per Council 14th February 2013 (£m)</b>	
Council tax income		54.089		54.089
Community charge : prior year collections		0.005		0.005
Aggregate external finance		189.700		196.019
Additional AEF grants due:				
Teachers induction scheme	1.010		1.010	
Council tax benefit scheme support	0.110	1.120	0.110	1.120
Use of anticipated accumulated surplus to 31st March 2013		1.307		1.307
<b>Total funding</b>		<b>246.221</b>		<b>252.540</b>
<b>Planned expenditure:</b>				
Gross expenditure	346.775		346.775	
Income	100.754		94.438	
Net service expenditure		246.021		252.337
<b>Add:</b>				
Contribution to general contingency fund		0.200		0.203
<b>Total planned expenditure</b>		<b>246.221</b>		<b>252.540</b>

- (c) that further revisions to the funding levels for 2012/13 and 2013/14 to take account of the Scottish Welfare Fund and Council Tax Reduction Scheme would be advised in March 2013 as part of an Amendment Order and that these would be advised to members in due course; and

- (3) intimating that with regard to the Capital Budget
- (a) that the funding confirmed within the 2013 Finance Order was higher than the level contained within the Proposals of the Conservative, Labour and Independent Members; and
  - (b) that an additional £0.943m had been made available for new capital projects as a result of Barnett consequential which funding was conditional on projects being ready to go and not already funded in capital programmes for 2012/13 and 2013/14 and that proposals for the use of these funds would be presented to March Leadership Panel.

Clarification was sought in relation to whether the additional financial windfall could be invested in the Council's Roads Maintenance and the Executive Director – Resources, Governance and Organisation advised that this would depend on the nature of the proposed expenditure and she would undertake to examine this matter further, the Council

**Decided:**

- (i) to approve the revisions to the 2013/14 Revenue Budget as outlined at 2 (a) to (c) above and in section 4 of the report; and
- (ii) to note the revised Capital funding for 2013/14.

**13. Treasury Management and Investment Strategy Report 2013/14.**

Reference was made to the Minutes of the Corporate and Community Planning Standing Scrutiny Panel of 31st January 2013 (Page 143, paragraph 6) and there was submitted a report (issued) of 7th February 2013 by the Executive Director – Resources, Governance and Organisation seeking approval for the proposed strategy for treasury management activities within the Council for the financial year 2013/14, as attached at Appendix 1 of the report.

**Decided:** to approve the Annual Treasury Management Strategy for 2013/14 contained within Appendix 1 of the report and the specific approvals contained therein as follows:-

- (1) the capital expenditure forecasts as outlined within paragraph 1.1;
- (2) the capital financing requirement as outlined within paragraph 1.2;
- (3) the financing cost / net revenue stream ratio as outlined within paragraph 1.3;
- (4) gross debt compared to capital financing requirement as outlined within paragraph 2.1;
- (5) operational boundary limit as outlined within paragraph 2.2 (1);

- (6) authorised limit as outlined within paragraph 2.2 (2);
- (7) interest rate exposure as outlined within paragraph 2.4;
- (8) maturity structure of fixed interest rate borrowing as outlined within paragraph 2.4; and
- (9) principle sums invested for greater than 364 days as outlined within paragraph 3.5.

#### 14. **Panel Work Programme.**

There was submitted a report (issued) of 7th February 2013 by the Executive Director – Resources, Governance and Organisation

- (1) advising that the Standing Scrutiny Panels had considered various areas for review, and had agreed that the following should be taken forward:-

- ***Community Services***
  - \* **Music Tuition in Schools** – to review the Council’s arrangements for enhancing the musical experiences of children and young people through the provision of weekly instrumental instruction lessons and opportunities for ensemble playing at an Authority level; and
  - \* **Day Care for Older People** – to participate in a review of the Council’s approach to the provision of Day Care Services in South Ayrshire;
- ***Development and Environment***
  - \* **Community Involvement in Grounds Maintenance** – to consider the different roles that communities could play in assisting grounds maintenance services and how these could be encouraged and supported to help achieve Service Plan objectives, environmental improvements and budget efficiencies; and
  - \* **Library Service of the 21st Century** – to consider the future shape and purpose of libraries in South Ayrshire; and
- ***Corporate and Community Planning***
  - \* **Procurement – Contract and Supplier Management** – to review current arrangements for contract and supplier management, and recommend a corporate approach / template; and
  - \* **Budget Monitoring** – to review the format of financial information currently presented to elected members, and consider any improvements; and

- (2) reporting
- (a) that Portfolio Holders had considered the proposed reviews, and now presented them to the Council for approval;
  - (b) that the reviews would be undertaken by a sub-group of Elected Members supported by relevant Officers; and
  - (c) that scoping papers would be prepared for approval of the respective Standing Scrutiny Panels with regular updates on progress being reported to Standing Scrutiny Panels and that any recommendations arising from these reviews would be presented to Leadership Panel.

Councillor McGinley, seconded by Councillor Toner, moved that the Council should approve the recommendations as outlined in the report subject to the deletion of the sentences under paragraphs 4.1 and 11(2) of that report.

By way of Amendment, Councillor Douglas Campbell, seconded by Councillor McFarlane, moved that the Council should amend paragraph 3.1 of the report as follows:-

#### **“Community Services**

To delete “Music Tuition in Schools” and insert “Welfare Reform” – to review the impact of Welfare Reform on Children and Family services, to review the Council’s initiatives to bring empty homes back into use and to assess the additional pressures on voluntary and third sector partners.

#### **Development and Environment**

To delete “Community Involvement in Grounds Maintenance” and insert “Community Asset Transfer Arrangements” – to investigate the delays in implementing Community Asset Transfer and to make recommendations to the Leadership Panel on more efficient and effective processes to deliver this Council priority.

To delete “Library Service of the 21st Century” and insert “Roads Maintenance and Improvement” – the report to the Council by Audit Scotland on 29th November 2012 stated “the 2012/13 budget spend on roads maintenance is less than that required to maintain the Council’s roads in a “steady state”, as defined by SCOTS. In our view, a key element to securing a planned improvement in the Council’s roads network is a long term investment strategy, this remains to be completed.”

The Scrutiny Panel shall review the planned maintenance programmes and make proposals to the Leadership Panel on necessary investment and / or changes in work practice to ensure an improvement in South Ayrshire’s roads”.

A full discussion then took place on the terms of the Motion and Amendment and clarification was sought and provided in relation to whether the Council had authority to deal this matter when the Work Programme had not been considered by the Leadership Panel in the first instance, the cancellation of a meeting with the Portfolio Holders and the Executive Officers’ Group and the areas of work that had been selected for review.

A concern was raised by a Member at this point regarding the competency of the Amendment.

The Head of Legal and Democratic Services advised that it was for the Council to determine the Work Programmes for the Standing Scrutiny Panels, although in terms of the Standing Orders, this should be considered first by the Standing Scrutiny Panels and the Leadership Panel.

A Member requested that the vote be taken by calling the roll in accordance with Standing Order No. 33.

The Head of Legal and Democratic Services then took the vote by calling the roll as follows:-

Helen Moonie	Motion
Mary Kilpatrick	Motion
John Allan	Amendment
Andy Campbell	Motion
Douglas Campbell	Amendment
Ian Cavana	Motion
Alec Clark	Motion
Ian Cochrane	Amendment
Brian Connolly	Motion
Peter Convery	Motion
Allan Dorans	Amendment
Ian Douglas	Amendment
Ann Galbraith	Motion
Bill Grant	Motion
William J. Grant	Amendment
John Hampton	Motion
Hugh Hunter	Motion
John McDowall	Motion
Nan McFarlane	Amendment
Brian McGinley	Motion
Bill McIntosh	Motion
Rita Miller	Motion
Alec Oattes	Amendment
Robin Reid	Motion
Philip Saxton	Motion
Margaret Toner	Motion
Corri Wilson	Amendment

Nine Members voted for the Amendment and eighteen Members for the Motion which was accordingly declared to be carried.

**Decided:** to agree the 2012/13 Work Programme subject to the deletion of the sentences at paragraphs 4.1 and 11(2) of the report.

**15. Police and Fire Reform.**

There was submitted a report (issued) of 7th February 2013 by the Head of Policy, Community Planning and Public Affairs inviting

- (1) the Council's agreement to the local scrutiny and engagement arrangements which would support the single police and fire services which would become operational from 1st April 2013; and
- (2) agreement that the Council should respond to the consultations on the Strategic Police Priorities and the Fire and Rescue Framework by way of supportive letter with a minor comment in relation to the order in which the Police priorities appeared.

Councillor McIntosh, seconded by Councillor McDowall, moved that the Council should approve the recommendations as outlined in the report.

By way of an Amendment, Councillor Allan, seconded by Councillor Dorans, moved that

“the Council agrees that

- (1) we respond positively to the consultations on Strategic Police Priorities and the Fire Framework but suggest that the order of priorities is changed in relation to the policing document; and
- (2) local scrutiny of Police and Fire is undertaken via the setting up of a separate “Blue Light” Scrutiny Panel which will meet on a quarterly basis with the local Police and Fire Commanders, undertake local reviews as necessary and to full council on an annual basis.”

A full discussion then took place on the terms of the Motion and Amendment.

A Member requested that the vote be taken by calling the roll in accordance with Standing Order No. 33.

The Head of Legal and Democratic Services then took the vote by calling the roll as follows:-

Helen Moonie	Motion
Mary Kilpatrick	Motion
John Allan	Amendment
Andy Campbell	Motion
Douglas Campbell	Amendment
Ian Cavana	Motion
Alec Clark	Amendment
Ian Cochrane	Amendment
Brian Connolly	Amendment
Peter Convery	Abstain
Allan Dorans	Amendment
Ian Douglas	Amendment
Ann Galbraith	Abstain
Bill Grant	Motion
William J. Grant	Amendment
John Hampton	Motion
Hugh Hunter	Motion
John McDowall	Motion
Nan McFarlane	Amendment
Brian McGinley	Motion
Bill McIntosh	Motion
Rita Miller	Motion
Alec Oattes	Amendment
Robin Reid	Motion
Philip Saxton	Motion
Margaret Toner	Motion
Corri Wilson	Amendment

Eleven Members voted for the Amendment and fourteen Members for the Motion with two Members abstaining. The Motion was accordingly declared to be carried.

**Decided:** having noted Councillor Darwent's recent appointment to the new Scottish Fire and Rescue Service

- (a) to respond positively to the consultations on Strategic Police Priorities and the Fire Framework but to suggest that the order of priorities be changed in relation to the policing document;
- (b) to agree that local scrutiny and engagement of Police and Fire be undertaken by the Council on an annual basis with a mid-year review and supplemented by quarterly meetings between the Leader and Chief Executive of the Council and the Local Police Commander and the Local Fire and Rescue Service Officer; and
- (c) to note that good progress was being made in developing local police and fire plans and that these would be presented to Council on 25th April 2013 by the Local Police Commander (Chief Superintendent John Thomson) and the Local Senior Officer for Fire and Rescue Services (still to be confirmed).

**16. Commonwealth Games.**

There was submitted a joint report (issued) of 7th February 2013 by the Head of Policy, Community Planning and Public Affairs and Head of Employee and Customer Services

- (1) intimating
  - (a) that the 2012 Olympic Games had been a huge success and had gripped the nation with sporting fever and that at a local level, the Olympic Torch Relay had been one of the most successful relay legs in the UK with an estimated 20,000 people lining the streets to view the torch including representatives from all schools with excellent media coverage being secured; and
  - (b) that stewarding had involved the Council's staff and volunteers from Ayr College and UWS with a wide range of community and school Olympic-related activities being supported;
- (2) inviting the Council's agreement to give employees who participated in the Commonwealth Games 2014 Volunteering Programme two days paid leave as part of their eight day volunteering commitment; and
- (3) outlining the intention to develop a volunteering strategy and providing a brief update on the preparation for the Commonwealth Games.

**Decided:** to agree that employees who participate in the Commonwealth Games 2014 Volunteering programme be granted two days paid leave as part of their eight day volunteering commitment.

**17. Ayrshire Shared Services – Minute of Agreement for Joint Committee.**

Reference was made to the Minutes of 8th March 2012 (Page 137, paragraph 8) and there was submitted a report (issued) of 30th January 2013 by the Executive Director – Economy, Neighbourhood and Environment seeking the Council's approval to adopt a Minute of Agreement that would govern the establishment and the operation of the Ayrshire Shared Services Joint Committee between East, North and South Ayrshire Councils.

Clarification having been sought as to which Elected Members would be appointed to the Joint Committee and it being confirmed that nominations would be sought at a future meeting once all three Councils had approved the establishment of the Joint Committee, the Council

**Decided:**

- (1) to approve the adoption of the Minute of Agreement; and
- (2) to request that the relevant Executive Director prepare a service level Minute of Agreement for each service that came within the jurisdiction of the Ayrshire Local Authority Shared Services Joint Committee and return to Council for approval.

**18. Notice of Motion.**

Councillor Douglas Campbell, seconded by Councillor Dorans, moved that

“The Council notes that the Westminster Government austerity measures will continue until 2017 and that an element of the deficit reduction programme is already impacting on Council budgets and measures to be implemented from April 2013 will further increase pressure on diminishing Council resources. South Ayrshire Council condemns these measures as they will result in an increase in child poverty, increase individual debt and rent arrears, with the consequential impact on individual and family health, the transfer of responsibility from Central Government to Local Government due to welfare reform will mean cuts to essential traditional local services such as education, social work and roads.

The Council requests that officers, as part of the financial year end reporting mechanisms for the 2012/13 budget and beyond, include narrative information and a financial section on the cost to the Council that will include amongst other issues, the resources used to mitigate the effect of welfare reform, to keep HRA Business Plan under review to ensure that any increase in rent arrears will not impact on modernisation/planned maintenance programmes and to publish a Child Poverty Strategy to enable the Council and Community Planning Partners to measure the impact on health and well-being of our most vulnerable.”

By way of Amendment, Councillor Reid, seconded by Councillor McDowall, moved that

“The Council notes that the Westminster Government’s austerity measures are to continue until 2017, three years beyond the expected date of an independence referendum.

In the meantime, measures to be implemented from April 2013 onwards will put further pressure on finite Council resources. It is assumed also that the Scottish Government’s commitment to zero percent year on year increases in Council Tax will not alter at least post referendum and that any individual Council’s failure to implement this commitment will continue to result in financial penalty.

It is noted that this further restricts Council’s freedom of action.

Despite the foregoing this Council undertakes to continue with the ethos demonstrated in the recent budget in carefully crafting Council finances to provide for the spending priorities that are important to the people of South Ayrshire and to make economies only as prove to be necessary given the prescriptive position imposed both from a Westminster and an Edinburgh viewpoint. For the avoidance of doubt, the foregoing statement assumes the inclusion of resources that will be required to mitigate the impact of Welfare Reform.

This Council is committed to producing a Child Poverty Strategy to inform the work of the Council and of our Community Planning Partners.”

A full discussion took place regarding the terms of the Motion and the Amendment and clarification was sought and provided in relation to proper reporting procedures being in place.

A Member requested that the vote be taken by calling the roll in accordance with Standing Order No. 33

The Head of Legal and Democratic Services then took the vote by calling the roll as follows:-

Helen Moonie	Amendment
Mary Kilpatrick	Amendment
John Allan	Motion
Andy Campbell	Amendment
Douglas Campbell	Motion
Ian Cavana	Amendment
Alec Clark	Abstain
Ian Cochrane	Amendment
Brian Connolly	Abstain
Peter Convery	Amendment
Allan Dorans	Motion
Ian Douglas	Motion
Ann Galbraith	Amendment
Bill Grant	Amendment
William J. Grant	Motion
John Hampton	Amendment
Hugh Hunter	Amendment
John McDowall	Amendment
Nan McFarlane	Motion
Brian McGinley	Amendment
Bill McIntosh	Amendment
Rita Miller	Amendment
Alec Oattes	Motion
Robin Reid	Amendment
Philip Saxton	Amendment
Margaret Toner	Amendment
Corri Wilson	Motion

Seventeen Members voted for the Amendment and eight Members for the Motion with two Members abstaining. The Amendment was accordingly declared to be carried.

**Decided:** to approve the terms of the Amendment.

**19. Formal Question.**

In terms of Council Standing Order No. 16(b), there was submitted (tabled) a Formal Question from Councillor Douglas Campbell, details of which, together with the Answer, are outlined below:-

**Question 1**

With reference to the report entitled Raising our Ambitions for South Ayrshire dated 14th September and submitted by the Chief Executive to Council (agenda item 10) on 27th September, 2012, I would ask the Leader of the Council to provide the number of hours, as of today, that the Chief Executive, Executive Directors and Heads of Service have devoted to the inception, preparation, discussion and implementation of section 7 Raising our Ambitions of the report relating to the restructuring of senior management posts.

The hours shall include the development of the new structure, discussion on job content for each post, both on a one to one basis and in CMT discussions, discussion and negotiation on adjusted contracts, discussion and determination of the consequential new management structures required as a result of the new organisational chart and any other pertinent time spent on the review.

**Answer 1**

512 hours.

Councillor Campbell raised a supplementary question to the Leader of the Council enquiring that, as he believed that the 512 hours confirmed as spent on the restructuring would be diary hours only and given that the restructuring has been completed, what will we be able to do after this restructuring that we could not do before and the Leader of the Council advised that he would respond in writing to Councillor Campbell.

The meeting ended at 12.15 p.m.