

**SOUTH AYRSHIRE COUNCIL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 25th April 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, Kirsty Darwent, Hywel Davies, 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.

**Apology:** Councillor 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; K. Leinster, Head of Community Care and Housing; H. Carswell, Head of Children’s Services; M. Newall, Head of Neighbourhood Services; J. Cronin, Head of Community, Enterprise and Development; C. Cox, Planning Manager; and D. Knight, Democratic Services Administrator.

**Also attending:** David Richardson, Audit Manager and Sarah Lawton, Senior Auditor, Audit Scotland.

**1. Provost.**

The Provost

- (1) welcomed to the meeting
  - Councillors and Officers;
  - Councillors Eoghann MacColl, Bobby McDill and Douglas Reid from East Ayrshire Council; and
  - the three new Members of the Scottish Youth Parliament: Kirsty McCahill and Caitlyn McClue who had been elected to serve the Ayr constituency and Kate Fleming elected in the Carrick, Cumnock and Doon Valley constituency who were accompanied by Laura Kerr, Youth Strategy Officer;
- (2) on behalf of the Council, congratulated Ayr Rugby Club on their win over Melrose Rugby Club in the Scottish Cup Final on Saturday, 20th April 2103 at Murrayfield and Marr Rugby Club on their win over Livingston Rugby Club in the Shield Final on Saturday, 20th April 2013 at Murrayfield;
- (3) advised that with regard to item 8 on the agenda, Chief Superintendent John Thomson, the Local Police Commander for Ayrshire, Police Scotland and Billy Thomson, the Head of Community Safety for Ayrshire, Scottish Fire and Rescue Service would give a presentation to the Council on their respective Local Plans and welcomed them both to this meeting;

- (4) advised that with regard to items 18 and 19 on the agenda, David Bell, Managing Director, Ayr Renaissance LLP would give a presentation to the Council on Ayr Town Centre and welcomed him to this meeting;
- (5) requested that item 19 "Funding For Site Assembly, Ayr Town Centre" be taken before Item 18 "Ayr Renaissance Business Plan 2013-16" on the agenda and the Council so concurred;
- (6) intimated that the Minutes of the Scrutiny and Governance Management Panel of 16th April 2013 had been circulated to Elected Members earlier that morning; and
- (7) intimated that an apology had been received from Councillor Sandra Goldie.

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

In terms of Council Standing Order No. 17 and the Councillors' Code of Conduct,

- (1) Councillor Darwent
  - (a) declared an interest in the Fire and Rescue Local Plan on the agenda as she was a member of the Scottish Fire and Rescue Service; and
  - (b) advised that she would remain in the meeting during the presentation being given by the Scottish Fire and Rescue Service but would withdraw from the meeting when any decisions were being considered;
- (2) Councillors Darwent, McIntosh and Wilson
  - (a) declared an interest, as Board Members of Ayr Renaissance LLP, in the following two items on the agenda:-
    - Funding for Site Assembly, Ayr Town Centre; and
    - Ayr Renaissance Business Plan 2013/16; and
  - (b) indicated that they would withdraw from the meeting during consideration of these items at the appropriate point in the meeting; and
- (3) Lesley Bloomer, Executive Director – Economy, Neighbourhood and Environment
  - (a) declared an interest in the following two items of business as she was a Board Member of Ayr Renaissance LLP:-
    - Funding for Site Assembly, Ayr Town Centre; and
    - Ayr Renaissance Business Plan 2013/16; and
  - (b) advised that as she was not part of the decision making process she would, as lead officer, remain in the meeting to answer any questions from Elected Members.

### 3. **Sederunt.**

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

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

The Minutes of the undernoted South Ayrshire Councils (issued) were submitted and authorised to be signed as correct records of these meetings:-

- (1) of 14th February 2013 ([link attached](#)); and
- (2) 5th March (Special) 2013 ([link attached](#)).

### **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 12th February 2013 ([link attached](#));
- (2) Local Review Body of 26th February 2013 ([link attached](#));
- (3) Local Review Body of 12th March 2013 ([link attached](#));
- (4) Leadership Panel of 19th February 2013 ([link attached](#));
- (5) Leadership Panel of 19th March 2013 ([link attached](#));
- (6) Regulatory Panel of 21st February 2013 ([link attached](#));
- (7) Regulatory Panel of 21st March 2013 ([link attached](#));
- (8) Development and Environment Standing Scrutiny Panel of 26th February 2013 ([link attached](#));
- (9) Community Services Standing Scrutiny Panel of 27th February 2013 ([link attached](#));
- (10) Corporate and Community Planning Standing Scrutiny Panel of 28th February 2013 ([link attached](#));
- (11) Corporate and Community Planning Standing Scrutiny Panel of 28th March 2013 ([link attached](#));
- (12) General Purposes Panel of 6th March 2013 ([link attached](#));
- (13) Chief Officers' Appointments / Appraisal Panel of 21st March 2013 ([link attached](#));

- (14) Chief Officers' Appointments / Appraisal Panel of 26th March 2013 ([link attached](#)); and
- (15) Scrutiny and Government Management Panel of 16th April 2013 ([link attached](#)).

**5. Draft Single Outcome Agreement and the Framework for the Council's Business Plan.**

There was submitted a report (issued) of 17th April 2013 ([link attached](#)) by the Head of Policy, Community Planning and Public Affairs seeking approval for the draft South Ayrshire Single Outcome Agreement and for the framework being used to develop the Council's Business Plan.

Councillor McIntosh, seconded by Councillor McDowall, moved that the Council should approve the draft South Ayrshire Single Outcome Agreement as a basis for discussion with the Scottish Government and note the work on-going to develop the Council's Business Plan for June 2013.

By way of Amendment, Councillor Douglas Campbell, seconded by Councillor Dorans, moved that the Council should approve the recommendation and that on submission of the Council's Business Plan, request that Officers provide targets that are specific and measurable.

A full discussion then took place on the terms of the Motion and Amendment and clarification was sought and provided in relation to whether teenage pregnancy would be included in the Single Outcome Agreement, what steps could be taken to improve consultation and community engagement, the percentage of adults feeling safe should increase and not decrease as outlined on Page 47 of the Appendix of the report, public transport issues for rural communities and the timescale for identifying specific measures around directional targets for the Business Plan.

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

The Council

**Decided:** to approve the draft South Ayrshire Single Outcome Agreement as a basis for discussion with the Scottish Government and to note the work on-going to develop the Council Business Plan for June 2013.

**6. Assurance and Improvement Plan 2013-2016.**

There was submitted a report (issued) of 17th April 2013 ([link attached](#)) by the Head of Policy, Community Planning and Public Affairs advising the Council of the contents of Audit Scotland's Assurance and Improvement Plan for South Ayrshire Council for 2012 to 2016 and the proposed scrutiny activity for the next three years.

David Richardson, Audit Manager, Audit Scotland gave a presentation to the Council and highlighted in particular the following issues:-

- the requirement for this Council to issue a progress report on its Best Value Improvement Actions;
- national risk priorities and assuring that public money was being used properly;
- how Councils were responding to the challenging financial environment and aligning financial plans to strategic objectives;
- assessments of scrutiny risk that had been changed from the 2012/13 update; and
- the scrutiny plans – audit work would be undertaken in collaboration with colleagues in Best Value and Scrutiny Improvement to review the Council's progress.

Clarification was sought and provided in relation to the provision of targets that were specific and measurable, that targets should be realistic and achievable, the timetable for the study of the fostering and adoption services and the Audit Scotland review of the retirement of the Chief Executive.

A concern was raised by a Member of the Council that no specific scrutiny was planned for the roads network.

The Council

**Decided:**

- (1) to note the publication of the Assurance and Improvement Plan and the planned scrutiny activity for 2013/14;
- (2) to agree that the Action Plans should include the name of the responsible Officer and timescales for completion; and
- (3) to refer this matter to a future meeting of the Corporate and Community Planning Standing Scrutiny Panel to identify responsible Officers for relevant actions and to monitor progress against the Action Plan.

**7. Equality and Diversity Strategy, Outcomes and Mainstreaming Report 2013.**

There was submitted a report (issued) of 18th April 2013 ([link attached](#)) by the Head of Policy, Community Planning and Public Affairs seeking approval of the South Ayrshire Council Equality and Diversity Strategy, Outcomes and Mainstreaming Report 2013.

The Head of Policy, Community Planning and Public Affairs advised the Council that with regard to paragraph 11.14 on Page 16 of the Annex, that it should be amended to read "officers are required to complete a scoping template which includes a statement outlining the rationale behind that decision, where it is decided that an EIA is not required."

A discussion then took place in relation to the duties that had been placed on the Council in terms of the Equality Act 2010 and how political affiliation had not been included in the Act as a protected characteristic.

The Council

**Decided:**

- (1) to approve the South Ayrshire Council Equality and Diversity Strategy, Outcomes and Mainstreaming Report 2013 as set out in Annex 1 of the report subject to minor amendments; and
- (2) as required by the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, to agree to the publication of:-
  - (a) the Equality and Diversity Outcomes for the Council as a service provider, employer, Education Authority and Licensing Board;
  - (b) an Equality and Diversity Mainstreaming Report for the Council as a service provider, employer, Education Authority and Licensing Board;
  - (c) gender pay gap information; and
  - (d) equal pay statements for the Council, Education Authority and Licensing Board.

**8. Police and Fire Reform.**

There was submitted a report (issued) of 18th April 2013 ([link attached](#)) by the Head of Policy, Community Planning and Public Affairs together with Police and Fire Local Plans for South Ayrshire which had been developed in light of the Police and Fire and Rescue Reform (Scotland) Act 2012.

Chief Superintendent John Thomson, the Local Police Commander for Ayrshire, Police Scotland gave a presentation to the Council on the Local Policing Plan and in particular highlighted the following matters:-

- the legislative requirements;
- the interim Plan for the first year;
- that the Council's approval of the Plan was required;
- the development / extension of existing practice;
- the Plan was closely linked to Single Outcome Agreement and was influenced by local concerns; and
- keeping people safe.

Chief Superintendent Thomson responded to a number of questions and comments as follows:-

- plans for the multi-member wards;
- resources for rural areas;
- the provision of facilities for young people;
- how vandalism issues fitted into the Plan;
- whether more informed statistical information could be provided at Community Council meetings with the Police;
- engagement with community groups;
- Police reports issued to Community Councils;
- community policing; and
- development of scrutiny of plans.

The Provost, on behalf of the Council, thanked Chief Superintendent John Thomson for his interesting and informative presentation.

Billy Thomson, the Head of Community Safety for Ayrshire, Scottish Fire and Rescue Service gave a presentation to the Council on the Local Fire Plan and in particular highlighted the following matters:-

- the priorities and objectives for Scottish Fire and Rescue Service to carry out duties and functions;
- reasons for selecting those priorities and objectives;
- how Scottish Fire and Rescue Service proposed to deliver those priorities and objectives;
- how they could be measured (as far as was reasonably practicable); and
- how those priorities and objectives were expected to contribute to the delivery of any other relevant local outcomes which were identified by Community Planning.

**Councillor Darwent, having previously declared an interest in this item of business, left the meeting as soon as the presentation from the Scottish Fire and Rescue Service had finished.**

The Head of Community Safety for Ayrshire responded to a number of questions and comments as follows:-

- the increased provision of smoke detectors in properties and resultant reduction in casualties;
- what provision was made for people with disabilities, etc. regarding the installation of smoke detectors and any special requirements that might be needed;
- whether organisations paid for call-outs to false alarms; and
- how could the take-up of home fire safety visits be improved.

The Provost, on behalf of the Council, thanked Billy Thomson, the Head of Community Safety for Ayrshire for his interesting and informative presentation.

A Member of the Council requested that electronic links to documents should be used whenever possible and the Head of Legal and Democratic Services advised that she would support this.

**Decided:** to approve the Local Police Plan as set out at Annex 1 and the Local Fire and Rescue Plan as set out at Annex 2 of the report.

**Councillor Douglas Campbell left the meeting during consideration of the foregoing item from 11.30 a.m. until 11.34 a.m.**

### **Adjournment.**

The time being 12.25 p.m., the Council adjourned for ten minutes.

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

### **Resumption of Meeting.**

The meeting resumed at 12.40 p.m.

**Councillor Darwent rejoined the meeting at this point.**

## **9. Consultation on the Redesign of the Community Justice System.**

There was submitted a report (issued) of 12th April 2013 ([link attached](#)) by the Executive Director – Care, Learning and Wellbeing together with an Appendix advising of the Scottish Government's consultation on the future arrangements for the delivery of community justice services and seeking approval of South Ayrshire Council's preferred option, being a local authority led service linked to Community Planning.

The Council

**Decided:** to agree that this Council's response to the Community Justice consultation should be to support Option B (as set out in the consultation document) being a local authority model, where local authorities assumed responsibility for the strategic planning, design and delivery of offender's services in the community and which should form part of the wider Community Planning Partnership.

## **10. Housing Operations Service Review.**

Reference was made to the Minutes of the Leadership Panel of 19th March 2013 (Page 233, paragraph 6) and there was submitted a report (issued) of 15th April 2013 ([link attached](#)) by the Executive Director – Care, Learning and Wellbeing together with Appendices 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.

Clarification was sought and provided in relation to what provision would be in place to provide cover, should any of the Housing Officers be absent from work.



The Council

**Decided:** having recorded their appreciation of the work undertaken by the Head of Community Care and Housing and his staff,

- (1) to agree to the new model for delivery of housing services including the creation of specialist teams and three Area Based Housing Management Teams;
- (2) to agree the proposed staffing structure as outlined in Appendix 1 of the report to support the new model of service delivery;
- (3) to agree to commit the sum of £0.400m from the 2012/13 Housing Revenue Account in-year under-spend to make financial provision to manage processes and work towards mitigating the risks to the Housing Revenue Account as a result of Welfare Reform; and
- (4) to confirm agreement to invest in the essential repairs, maintenance and reconfiguration work required at the offices at Riverside House and 80/88 Kyle Street, Ayr.

**Point of Order.**

In relation to item 11 on the Agenda dealing with “Welfare Reform: Housing Benefit Changes and Possible Impact on Housing”, a point of order was raised by a Member of the Council in relation to the Motion that had been approved at the meeting of the Council on 14th February 2013 (Page 166, paragraph 18) regarding Welfare Reform and whether the Standing Orders would require to be suspended to deal with the following matter.

The Head of Legal and Democratic Services advised that item 11 did not involve reconsideration of an item which was “the same or substantially the same as previously determined” and therefore, the Standing Orders would not require to be suspended.

**11. Welfare Reform: Housing Benefit Changes and Possible Impact on Housing.**

There was submitted a report (issued) of 19th April 2013 ([link attached](#) and [EIA](#)) by the Executive Director – Care, Learning and Wellbeing

- (1) highlighting the changes that have been introduced to Housing Benefit under the UK Government’s Welfare Reform Programme;
- (2) explaining the likely impact of these on a number of the Council’s tenants, on the corresponding services provided by the Council and on the resources deployed in the provision of these services; and
- (3) considering whether there should be a change to the Council’s Policy on Rent Arrears Recovery in light of the introduction of the under-occupancy provisions.

Councillor McDowall, seconded by Councillor McIntosh, moved that the Council should

- (a) request Executive Directors to closely monitor the impact that Welfare Reform was having on front-line services, on levels of rent arrears and homelessness, specifically, and to report on on-going implications and developments on a quarterly basis to the Leadership Panel; and
- (b) adopt the change to the Rent Arrears Policy outlined at paragraph 4.10 of the report which stated “that in those circumstances where a tenant is taking all reasonable steps to meet the required rent payment, and where their circumstances have changed as a result of the application of the size criteria rules referred to in paragraph 3.1 of the report, that eviction action will not be pursued for an initial period of up to 12 months from the date of this meeting, when the policy position will be reassessed by the Council.”

By way of Amendment, Councillor Dorans, seconded by Councillor Wilson, moved that the Council should, in those circumstances where a tenant is taking all reasonable steps to meet requirement rent payment, and where their circumstances have changed as a result of the application of the size criteria rules referred to in paragraph 3.1 of the report, that eviction action will not be pursued.

A full discussion then took place on the terms of the Motion and Amendment and concerns were raised in relation to what would happen after the 12 month period had finished and the implications of the under-occupancy rules for tenants and the costs to the Council should a property have to be re-adapted for a disabled tenant.

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
Kirsty Darwent	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 nineteen Members for the Motion which was accordingly declared to be carried.

The Council

**Decided:** having recorded their appreciation of the work undertaken by the Head of Community Care and Housing and his staff

- (i) to request Executive Directors to closely monitor the impact that Welfare Reform was having on front-line services, on levels of rent arrears and homelessness, specifically, and to report on on-going implications and developments on a quarterly basis to the Leadership Panel; and
- (ii) to adopt the change to the Rent Arrears Policy as outlined at paragraph 4.10 of the report which stated that in those circumstances where a tenant was taking all reasonable steps to meet the required rent payment, and where their circumstances have changed as a result of the application of the size criteria rules referred to in paragraph 3.1 of the report, that eviction action would not be pursued for an initial period of up to 12 months from the date of this meeting, when the policy position would be reassessed by the Council.

## **12. Representative on Outside Bodies - Local Flood Plan District No.12.**

There was submitted a report (issued) of 19th April 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking agreement on Council representation on the Steering Group for Local Flood Plan District No.12.

Councillor Convery, seconded by Councillor Darwent, moved that Councillor McDowall be nominated as the Council's representative on the Steering Group for Local Flood Plan District No. 12.

By way of Amendment, Councillor Douglas Campbell, seconded by Councillor McFarlane, moved that Councillor William J. Grant be nominated as the Council's representative on the Steering Group for Local Flood Plan District No. 12.

On a vote being taken by a show of hands, nine Members voted for the Amendment and seventeen for the Motion which was accordingly declared carried.

The Council

**Decided:** to nominate Councillor John McDowall as the Council's representative on the Steering Group for Local Flood Plan District No. 12.

### **Time of Meeting**

The time being 1.45 p.m., the Provost asked the Council if they would be willing to continue the meeting beyond 2.00 p.m. as the business of the meeting was not likely to be completed by 2.00 p.m.

The Council so concurred.

### **13. Draft Planning Guidance: Rural Housing, Alterations and Extensions to Houses, Historic Environment and the Ayrshire and Arran Forestry and Woodland Strategy.**

There was submitted a report (issued) of 12th April 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking approval of draft supplementary guidance on rural housing; alterations and extensions to houses; and historic environment, for public consultation and the Ayrshire and Arran Forestry and Woodland Strategy.

Clarification was sought and provided regarding the definitions of guidance and guidelines.

The Council

#### **Decided:**

- (1) to approve the draft “Rural Housing Supplementary Guidance”; “Alterations and Extensions to Houses Supplementary Guidance”; and, “Historic Environment Supplementary Guidance”, for public consultation; and
- (2) to approve the Ayrshire and Arran Forestry and Woodland Strategy as planning guidance and to grant delegated powers to the Executive Director - Economy, Neighbourhood and Environment to make non-substantive, editorial changes to the Ayrshire and Arran Forestry and Woodland Strategy, prior to its publication.

### **14. Proposed Resourcing Arrangements for South Ayrshire Town Centres.**

There was submitted a report (issued) of 11th April 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment proposing the creation of a temporary post to support town centre development work in Maybole, Girvan, Prestwick and Troon.

Clarification was sought and provided in relation to whether a review would be undertaken and targets established, how would Elected Members be kept informed of progress and would they be consulted, the funding for this post including match funding and what procedures would be in place to consult with businesses and stakeholders.

The Council

**Decided:** to approve

- (1) the creation of 1.0 FTE Town Centres Officer post to support town centre development work in Maybole, Girvan, Prestwick and Troon on a two year fixed term basis; and
- (2) an allocation of £12,500 for town centre initiatives to be used as match funding for initiatives to support increased foot fall in the four town centres.

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

**15. Formal Questions.**

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

**Question 1**

To ask the number of individuals / families in South Ayrshire that have currently been identified as being subject to the benefit cap as at 15th April 2013?

**Answer 1**

17 households are currently identified as being subject to the benefit cap.

**Question 2**

To ask the number of Council tenant households affected by the introduction of the "bedroom tax" at the 14% rate of deduction due to being deemed to have too many rooms?

**Answer 2**

1,240 Council tenants are affected by 14% reduction.

**Question 3**

To ask the number of Council tenant households affected by the introduction of the "bedroom tax" at the 25% rate of deduction due to being deemed to have too many rooms?

**Answer 3**

231 Council tenants are affected by 25% reduction.

**Question 4**

To ask the number of individuals / families that have been accepted as being unintentionally homeless and awaiting a permanent allocation of a one bedroom / bedsit property on 15th April 2013?

**Answer 4**

As at 15th April 2013, there are 167 households on the Council's homeless list waiting on one bedroom/bedsit property.

**Question 5**

To ask the number of individuals / couples that have been accepted as being unintentionally homeless and awaiting a permanent allocation that are in temporary accommodation and affected by the "bedroom tax" at the 14% rate of deduction due to being deemed to have too many rooms?

**Answer 5**

There are 12 households that are currently in temporary accommodation that are affected by under-occupancy.

**Question 6**

To ask the number of waiting list applicants for one bedroom / bedsit properties on 15th April 2013?

**Answer 6**

There are 1925 applicants (inclusive of 167 homeless applicants) on the waiting list for one bedroom/bedsit property.

**Question 7**

To ask the number of transfer list applicants for one bedroom / bedsit properties on 15th April 2013?

**Answer 7**

There are 381 applicants on the transfer list for one bedroom/bedsit properties.

**Question 8**

To ask the number of one bedroom / bedsit properties available for mainstream allocation on 15th April 2013 after discounting those properties that are or likely to be available for elderly, frail and disabled applicants?

**Answer 8**

Within the Council's housing stock, there are 563 bedsit/one bedroom properties that would be eligible for mainstream allocation (discounting properties used as temporary furnished accommodation, ground level, amenity and sheltered properties, which are likely to be allocated to the ground level medical or sheltered list).

As at 15th April 2013, there were 14 one bedroom properties void available for allocation (discounting sheltered, amenity and ground level housing).

**Question 9**

To ask the Portfolio Holder for Housing what advice he will give to tenants affected by the benefit cap and bedroom tax?

**Answer 9**

In relation to the benefit cap, residents affected should seek advice from the DWP/ Benefits Services/ Money Advice/Welfare Rights to ensure that they are getting all the benefits they are entitled to and to identify if they qualify for any other of the benefits that make them exempt from the benefit cap.

In relation to under occupancy, where benefits services confirm to those residents that they are under occupying their properties, there are only a small number of options available including pay the difference in benefit to make up the rent and stay in the tenancy, move to a smaller rented property, think about taking in a lodger (but seek advice of the landlord first). Tenants can also discuss housing options with Housing Services staff. Alternatively to ensure tenants are getting all the benefits they are entitled to they can contact the Council's Money Advice and Debt Counselling Team.

Housing Staff are currently in the process of contacting all households affected by the benefit cap and the under-occupancy reduction to their housing benefit. From this contact, staff are explaining the impact of the change in Housing Benefits entitlement, the consequential rent liability this creates for the tenant and providing details to tenants on ways to pay and how the rent charging structure operates.

Staff are exploring if any circumstances exist within the household which may prevent the under-occupancy reduction being applied i.e. if the tenant has a non-resident carer who provides overnight care, if so help and guidance is being provided to tenants about how to report this matter to Benefits Services to ensure that a reassessment of the tenant's entitlement takes place.

Where the reduction has been applied and will remain in place, staff are discussing the impact of this and the affordability of this change with tenants. Where it is identified that hardship is being caused by the change, assistance is being offered and being provided to help tenants complete an application for Discretionary Housing Payments.

Tenants are made aware of general housing options advice, including the option to apply for transfer to smaller accommodation, or to complete a mutual exchange application.

Advice is provided on other options available, such as responding to enquiries about family members joining the tenants household or enquiries about lodger applications.

#### **Question 10**

To ask the Executive Director – Resources, Governance and Organisation, the budget provision for preservation of staff salaries in the financial years 2013/14, 2014/15 and 2015/16?

#### **Answer 10**

There is no specific budget provision for preservation of staff salaries. Rather, when an employee's job grade is reduced, either through evaluation or by redeployment to a lower graded post, the resulting saving is simply delayed for the period during which preservation is payable. This is 3 years under the current policy provisions.

The full salary cost (including the element payable as preservation) is retained in staffing budgets and this amount varies depending on how many employees are in receipt of preservation. Based on the current position, staffing budgets include the following which will be payable as preservation.

<b>Year</b>	<b>Preservation element of staffing budget</b>	<b>Preservation element of staffing budget (including on-costs)</b>
2013/14	£82,837	£105,203
2014/15	£64,178	£81,506
2015/16	£46,966	£59,647

The above figures will change during the periods stated if additional employees move into or out of preservation.

#### **Question 11**

To ask the Council Leader to publish the terms of the coalition agreement with Labour of 20th May 2012.

#### **Answer 11**

Matters of a confidential nature between the Conservative Group and the Labour Group are, and will remain, confidential.



**Question 12**

To ask the Council Leader whether the terms of the agreement have been amended and to publish any revised document(s).

**Answer 12**

Matters of a confidential nature between the Conservative Group and the Labour Group are, and will remain, confidential.

**16. Notice of Motion.**

Councillor Dorans advised the Council that as a result of the decision taken earlier at Item 11 of the Agenda, he would withdraw his Motion, seconded by Councillor Wilson, the terms of which had been indicated on the Agenda that had been issued for this meeting.

**17. Exclusion of press and public.**

The Council 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 paragraph 6 of Part 1 of Schedule 7A of the Act.

**18. Proposed Local Development Plan.**

There was submitted a report (issued to Members only but was published following the Council's decision ([link attached](#))) of 12th April 2013 by the Executive Director – Economy, Neighbourhood and Environment seeking approval to submit the South Ayrshire Proposed Local Development Plan to Scottish Ministers for examination and of an updated development plan scheme as an accurate timetable for preparation and adoption of the Local Development Plan.

Councillor Bill Grant, seconded by Councillor Convery, moved that the Council should

- (1) agree to submit the South Ayrshire Proposed Local Development Plan to Scottish Ministers with the non-notifiable Plan modifications (as set out in Appendix 1 of the report);
- (2) approve Appendix 1 of the report as the evidence-base for the Council making detailed submissions to Scottish Ministers on the issues raised in objection to the Plan which would be the subject of examination;
- (3) agree that the content of this report including Appendix 1 of the report become publicly available following the Council's determination of this report; and
- (4) approve the updated South Ayrshire Development Plan Scheme.

By way of Amendment, Councillor Clark, seconded by Councillor Connolly, moved that the proposed Local Development Plan is submitted to Scottish Ministers with the exception of deletion of BAL1 which is the proposed site at Ballantrae, on the grounds that the exceptional majority of residents are against the proposal as shown by petition, individual objections, public meeting and withdrawal of support by Ballantrae Community Council.

A concern was raised by a Member of the Council at this point seeking advice regarding procedural implications of this Amendment.

The Planning Manager advised that this Amendment, if agreed, would result in a non-significant, notifiable change to the Plan and accordingly, a further limited consultation would need to take place and that recommendations (1) to (4) as outlined in the report would fall.

The Head of Legal and Democratic Services advised that the principle of the Amendment was competent and that the Planning Manager had explained what would result procedurally should the Council approve this Amendment, namely, further consultation would be required and a further Council decision before the draft plan could be submitted to the Scottish Ministers.

### **Adjournment.**

The time being 2.22 p.m., the Council adjourned for five minutes.

**Councillors Douglas and Saxton left the meeting at this point.**

### **Resumption of Meeting.**

The meeting resumed at 2.27 p.m.

Councillor Clark, seconded by Councillor Connolly, now moved that the proposed Local Development Plan is approved with the exception of BAL1 which is the proposed site at Ballantrae, on the grounds that the exceptional majority of residents are against the proposal as shown by petition, individual objections, public meeting and withdrawal of support by Ballantrae Community Council and not (2), (3) and (4).

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

On a vote being taken by a show of hands, five Members voted for the Amendment and eighteen for the Motion which was accordingly declared carried.

The Council

### **Decided:**

- (a) to agree to submit the South Ayrshire Proposed Local Development Plan to Scottish Ministers with the non-notifiable Plan modifications (as set out in Appendix 1 of the report);
- (b) to approve Appendix 1 of the report as the evidence-base for the Council making detailed submissions to Scottish Ministers on the issues raised in objection to the Plan which would be the subject of examination;

- (c) to agree that the content of this report including Appendix 1 of the report become publicly available following the Council's determination of this report; and
- (d) to approve the updated South Ayrshire Development Plan Scheme.

**Councillor Douglas Campbell left the meeting at this point.**

**Councillors Darwent, McIntosh and Wilson, having previously declared an interest in the following two items of business, left the meeting prior to consideration of these matters.**

**19. Funding for Site Assembly, Ayr Town Centre.**

There was submitted a report (issued to Members only) of 19th April 2013 by the Executive Director – Economy, Neighbourhood and Environment seeking approval to provide capital funding for the acquisition of certain properties in Ayr Town Centre and subsequent redevelopment.

David Bell, Managing Director, Ayr Renaissance LLP advised that Evelyn McCann, the interim Chair of the Ayr Renaissance Board, had been unable to attend this meeting.

Mr. Bell then proceeded to give a presentation to the Council on the contents of the report.

Clarification was sought and provided regarding the consultation process.

The Council

**Decided:** to provide capital funding for the acquisition of certain properties in Ayr Town Centre and subsequent redevelopment.

**Councillors Clark, Kilpatrick and McGinley left the meeting during consideration of the foregoing item.**

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

**20. Ayr Renaissance Business Plan 2013/16.**

There was submitted a report (issued to Members only) of 19th April 2013 by the Executive Director – Economy, Neighbourhood and Environment seeking approval of the Ayr Renaissance Business Plan for the period 2013 -2016.

The Council

**Decided:** to approve the Business Plan for the period 2013/16 and the level of contribution from South Ayrshire Council for 2015/16 as detailed in the report.

**21. Consideration of Disclosure of the above Confidential Reports.**

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

**Decided:**

- (1) to note that the Council had previously agreed at item 18 of this Minute that the Local Development Plan would be published; and
- (2) not to authorise the disclosure of the whole or part of any documents of the following reports falling under Standing Order 31.2:-
  - Funding for Site Assembly, Ayr Town Centre; and
  - Ayr Renaissance Business Plan 2013/16.

The meeting ended at 3.10 p.m.