

**SOUTH AYRSHIRE COUNCIL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 27th June 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, Sandra Goldie, Bill Grant, William J. Grant, 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 John Hampton.

**Attending:** E. Howat, Chief Executive; V. Andrews, Acting Executive Director – Resources, Governance and Organisation; H. Garland, Executive Director – Care, Learning and Wellbeing; L. Bloomer, Executive Director – Economy, Neighbourhood and Environment; C. Monaghan, Head of Policy, Community Planning and Public Affairs; D. Gillies, Head of Corporate Resources; M. Newall, Head of Neighbourhood Services; C. Cox, Planning Manager; L. Fyfe, Manager, Community, Enterprise and Development; F. Ross, Environmental Strategy Officer; C. Downie, Communications Officer; and E. Wyllie, Committee Services Officer.

**Also attending:** David Richardson, Audit Manager, Audit Scotland.

**1. Provost.**

The Provost

- (1) welcomed everyone to the meeting;
- (2) intimated that the Minutes of the Local Review Board of 18th June and the Rural Panel (Special) of 24th June 2013 had been tabled for consideration;
- (3) advised that she had written, on the Council's behalf, to express the Council's warmest congratulations to the following recipients of an award in the Queen's Birthday Honours List:-
  - Professor Janice Kirkpatrick, OBE for Services to Graphic Design;
  - Bernadette Docherty, MBE for Services to Childcare in Scotland;
  - Joseph Fisher, MBE for Services to Disability Sport;
  - George Hitchon, MBE for Services to the Community in Ayr;
  - Ian Valentine, MBE for Services to Education and the Community in Ayrshire;
  - Dr. Fiona Paterson, BEM for Services to People with Dementia and their Families in Ayrshire; and
  - Tarbolton Tenants' and Residents' Association, the Queens Award for Voluntary Service;
- (4) informed that an apology had been received from Councillor John Hampton; and

- (5) indicated that, given the length of the Agenda, adjournments for comfort breaks and lunch would be proposed throughout the course of the meeting.

**2. Sederunt.**

The Chief Executive called the Sederunt for the meeting.

**3. Declarations of Interest.**

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

- (1) Provost Moonie, Councillors Bill Grant and Kilpatrick
- (a) declared an interest in the report 'Bid from South Ayrshire Council to Creative Scotland for Place Partnership Status for South Ayrshire' as they were Curators of the Maclaurin Bequest; and
  - (b) indicated that they would not withdraw from the meeting as this was not material to the consideration of this report;
- (2) Councillor Hunter
- (a) declared an interest in the report 'Integration of Adult Health and Social Care in South Ayrshire: Initial Proposals' as he was the Council's representative on Ayrshire and Arran Health Board; and
  - (b) indicated that he would not withdraw from the meeting in accordance with paragraph 5.18 of the Councillors' Code of Conduct (Specific Exclusions);
- (3) Councillor Saxton
- (a) declared an interest in the report 'Marr College – Agreement on the Acquisition of Land and Buildings' as he was a Governor of CK Marr Educational Trust; and
  - (b) indicated that he would withdraw from the meeting during consideration of this item at the appropriate point in the meeting; and
- (4) Councillor Darwent
- (a) declared an interest in the report "Integration of Adult Health and Social Care in South Ayrshire: Initial Proposals" as she was the Vice-Chair of Ayrshire and Arran Health Board; and
  - (b) indicated that she would withdraw from the meeting during consideration of this item at the appropriate point in 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) 25th April 2013 ([link attached](#)); and
- (2) 30th May (Special) 2013 ([link attached](#)).

#### **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 23rd April 2013 ([link attached](#));
- (2) Local Review Body of 7th May 2013 ([link attached](#));
- (3) Local Review Body of 4th June 2013 ([link attached](#));
- (4) Local Review Body of 18th June 2013 ([link attached](#));
- (5) Leadership Panel of 30th April 2013 ([link attached](#));

Councillor McIntosh, seconded by John McDowall, moved the Minutes of the Leadership Panel of 30th April 2013 and the recommendations as contained within the 'C' paragraph on Page 309, paragraph 13 entitled 'Managing Workforce Change'.

By way of an Amendment, Councillor Douglas Campbell, seconded by Councillor McFarlane moved that the recommendation within the Managing Workforce Change document relating to employee salary preservation should be for a period of 36 months rather than a 12 month period.

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 to be carried.

- (6) Leadership Panel of 28th May 2013 ([link attached](#));
- (7) Regulatory Panel of 2nd May 2013 ([link attached](#));
- (8) Regulatory Panel of 30th May 2013 ([link attached](#));
- (9) Chief Officers' Appointment / Appraisal Panel of 3rd May 2013 ([link attached](#));
- (10) Chief Officers' Appointment / Appraisal Panel of 20th May ([link attached](#));
- (11) Development and Environment Standing Scrutiny Panel of 7th May 2013 ([link attached](#));
- (12) General Purposes Panel (Special) of 8th May 2013 ([link attached](#));

- (13) General Purposes Panel of 15th May 2013 ([link attached](#));
- (14) Corporate and Community Planning Standing Scrutiny Panel of 9th May 2013 ([link attached](#));
- (15) Corporate and Community Planning Standing Scrutiny Panel of 6th June 2013 ([link attached](#));

In relation to recommendation (2) contained in the 'C' paragraph on Page 393, paragraph 11 entitled 'Audit Scotland – Departure of Chief Executive', concerns were expressed in respect of the confidentiality of the report and on the availability of the Audit Manager, Audit Scotland to provide any clarification on the contents of the report at the end of this meeting given the length of the Agenda.

The Acting Executive Director – Resources, Governance and Organisation advised that it was the disclosure of this report that was being considered, as the content had been considered by the Corporate and Community Standing Scrutiny Panel at its meeting of 6th June 2013, and suggested that this be undertaken at the end of the meeting in conjunction with the consideration of the disclosure of the other confidential reports, and this was agreed.

- (16) Rural Panel of 30th May 2013 ([link attached](#));
- (17) Rural Panel (Special) of 24th June 2013 ([link attached](#));
- (18) Community Services Standing Scrutiny Panel of 5th June 2013 ([link attached](#));  
and
- (19) Scrutiny and Governance Management Panel of 11th June 2013 ([link attached](#)).

## **6. Leadership Panel Annual Report.**

There was submitted a report (issued) of 19th June 2013 ([link attached](#)) by the Head of Policy, Community Planning and Public Affairs presenting the Leadership Panel Annual Report for 2012/13 for consideration.

The Council

**Decided:** to note the Leadership Panel Annual Report for 2012/13.

## **7. Scrutiny and Governance Management Panel Annual Report.**

There was submitted a report (issued) of June 2013 ([link attached](#)) by the Scrutiny and Government Management Panel presenting its Annual Report for 2012/13 for consideration.

The Council

**Decided:** to note the Scrutiny and Governance Management Panel Annual Report for 2012/13.

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

There was submitted a report (issued) of 19th June 2013 ([link attached](#)) by the Head of Legal and Democratic Services advising of proposed changes to the timetable of meetings.

Clarification was sought and provided regarding the timing of the Leadership Panel prior to summer recess 2014 given the length of the Council agenda being considered today.

The Council

**Decided:** to agree

- (1) that the Licensing Board scheduled to take place on Thursday 22nd May 2014 now take place on Tuesday 20th May 2014; and
- (2) that the Licensing Board scheduled to take place on Thursday 18th September 2014 now take place on Tuesday 16th September 2014.

**9. Local Licensing Forum Membership.**

There was submitted a report (issued) of 19th June 2013 ([link attached](#)) by the Head of Legal and Democratic Services seeking to supplement the membership of the Local Licensing Forum.

A Member of the Council suggested that a formal selection process be compiled for future appointments to the membership of the Forum. The Acting Executive Director – Resources, Governance and Organisation indicated that she would review this process further and report back to Members.

The Council

**Decided:** to agree that the membership of the Local Licensing Forum be augmented by the appointment of Brenda Kidd, Peter Mason, Ronnie Maclellan and a member to be nominated by the Ayrshire Minority Ethnic Community.

**10. Scheme of Delegation.**

There was submitted a report (issued) of 19th June 2013 ([link attached](#)) by the Head of Legal and Democratic Services seeking

- (1) to amend the Scheme of Delegation following further review; and
- (2) agreement to delegated authority arrangement for summer recess.

Concerns were raised regarding the length of summer recess and whether this should be reduced and whether comparisons with other local authorities across Scotland could be made in terms of their respective recess periods. The Chief Executive indicated that she would review this matter.

The Council

**Decided:**

- (a) to approve the revisions to the Scheme of Delegation as set out in Appendix 1 of the report with immediate effect; and
- (b) to agree
  - (i) that a further review of the Scheme of Delegation be undertaken by the Scrutiny and Governance Management Panel, working with relevant officers, with any further proposed revisions being reported to a future meeting of the Council for approval; and
  - (ii) the proposed arrangement for the summer recess as set out in paragraph 4.8 of the report.

**11. Standing Orders Relating to Meetings.**

There was submitted a report (issued) of 19th June 2013 ([link attached](#)) by the Head of Legal and Democratic Services seeking approval to amend Standing Orders Relating to Meetings following a further review in accordance with the Improvement Agenda and the Council's Corporate Plan.

The Council

**Decided:** to approve the revised Standing Orders Relating to Meetings contained in Appendix 1 of the report with immediate effect.

**12. Standing Orders Relating to Contracts.**

There was submitted a report (issued) of 19th June 2013 ([link attached](#)) by the Head of Legal and Democratic Services seeking approval to amend Standing Orders Relating to Contracts following review in accordance with the Improvement Agenda and the Council's Corporate Plan.

The Council

**Decided:** to approve the revised Standing Orders Relating to Contracts contained in Appendix of the report with immediate effect.

**13. Representation on Outside Bodies and Working Groups.**

There was submitted a report (issued) of 20th June 2013 ([link attached](#)) by the Head of Legal and Democratic Services seeking approval to make alterations to the lists of outside bodies and working groups that were approved by the Council at its meeting on 17th May 2012 and subsequent alterations that were approved by the Council on 28th June and 27th September 2012.

Councillor McIntosh, seconded by Councillor McDowall, moved the recommendations as contained within the report.

By way of an Amendment, Councillor Douglas Campbell, seconded by Councillor McFarlane moved that recommendation 2.1(4) of the report should include the appointment of an additional Elected Member as a Director of SAC (LLP Nominees) Limited Company and nominated Councillor McDowall in this regard.

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

Thereon, clarification was sought and provided in relation to the legality of a single Elected Member representative serving on this Limited Company.

The Council

**Decided:** to agree

- (1) to remove the undernoted organisations from the lists of outside bodies and working groups as set out in paragraph 3 of the report as follows:
  - Ayrshire Joint Steering Group;
  - Strathclyde Fire and Rescue Board and its Forums;
  - Strathclyde Police Authority; and
  - Ayrshire Joint Strategic Waste Management Committee;
- (2) that Donald Gillies and Mark Hastings be appointed to Freeport (Scotland) Ltd. as Directors;
- (3) that Douglas Hutchison be appointed as a Governor of CK Marr Educational Trust;
- (4) that Eileen Howat, Chief Executive and Councillor Bill McIntosh be appointed as Directors of SAC (LLP Nominees) Limited Company;
- (5) that Councillor Kilpatrick be appointed to the Lowland Reserve Forces' and Cadets' Association; and
- (6) to the appointment of South Ayrshire Council's Monitoring Officer and Proper Officer for Administration of Financial Affairs ('Section 95 Officer') as Clerk and Treasurer to the Ayrshire Valuation Joint Board, respectively.

#### **14. Appointment to Panels.**

There was submitted a report (issued) of 19th June 2013 ([link attached](#)) by the Head of Legal and Democratic Services seeking approval to alter the membership of the Development and Environment Standing Scrutiny Panel and the Community Services Standing Scrutiny Panel.

The Council

**Decided:** that Councillor William J. Grant

- (1) replace Councillor Oattes as a member of the Development and Environment Standing Scrutiny Panel; and
- (2) replace Councillor McFarlane as a member of the Community Services Standing Scrutiny Panel.

**15. Annual Accounts 2012/13.**

There was submitted a report submitted (issued) of 19th June 2013 ([link attached](#)) by the Chief Executive

- (1) providing an overview of the figures contained within the Abstract of Accounts for the year ended 31st March 2013;
- (2) explaining significant variations from budget; and
- (3) outlining how the 2012/13 out-turn impacted on the Council's overall financial position.

Clarification was sought and provided in relation to the carry-forward of funds of £6.759m to ensure that these resources were fully utilised.

The Council, having thanked the Chief Accounting Officer and his staff for their work in providing these Accounts,

**Decided:**

- (a) to note the contents of the report and also that all figures remained subject to audit; and
- (b) to approve that the balance of uncommitted funds of £10.601m at 31st March 2013 be considered under the Updated Financial Reserves Strategy as the next item on the agenda.

**16. Updated Financial Reserves Strategy.**

There was submitted a report (issued) of 19th June 2013 ([link attached](#)) by the Chief Executive providing an update to the Council's Financial Reserves Strategy.

Clarification was sought and provided in relation to Repair and Renewal fund allocations not spent and when action would be taken on the condition of properties.

The Council

**Decided:** to approve the updated financial reserves strategy.



**17. Improvement Programme.**

There was submitted a report (issued) of 19th June 2013 ([link attached](#)) by the Chief Executive presenting Audit Scotland's findings from recent work on the Council's corporate improvement programme and outlining the next steps in the development of the Council's corporate improvement programme and business plan.

The Audit Manager outlined the content of Audit Scotland's findings and recommendations as contained within the letter appended to the report.

Concerns regarding timelines and processes for the development of the Council's business plan were expressed. The Chief Executive highlighted a course of action for the development of this plan in accordance with Audit Scotland's recommendations, to include seminars for both the Corporate Management Team and for Elected Members.

The Council

**Decided:**

- (1) to note Audit Scotland's findings;
- (2) to agree the management response as detailed in Appendix 1 of the report; and
- (3) to agree the next steps in the development of the Council's corporate improvement programme and business plan.

**18. Housing Capital Investment Programme 2012/13: Monitoring Report as at Period 12; 31st March 2013.**

There was a submitted a joint report (issued) of 19th June 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment and the Chief Accounting Officer providing an update on the actual capital expenditure and income, together with progress being made on the Housing Capital Investment Programme projects for the year ended 31st March 2013.

Clarification was sought regarding housing stock investment and meeting Scottish Housing Quality Standards. The Portfolio-holder (Resources and Performance) confirmed that he would provide a written response on this matter.

The Council

**Decided:**

- (1) to note the progress made on the delivery of the Housing Capital Programme at Period 12; and
- (2) to agree to carry forward £1,341,775 to 2013/14 to complete projects not completed during 2012/13.

**19. General Services Capital Programme 2012/13' Monitoring Report as at Period 12; 31st March 2013.**

There was a submitted a joint report (issued) of 19th June 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment and the Chief Accounting Officer updating on the actual capital expenditure and income, together with progress made on the General Services Capital Programme projects for the year ended 31st March 2013.

Clarification was sought and provided regarding slippage within the programme and the delivery of projects, inflation costs and comparisons with other local authorities in terms of project management issues.

The Council

**Decided:**

- (1) to note the progress being made on the delivery of the General Services Capital Programme at Period 12; and
- (2) to agree to carry forward £666,468 to 2013/14 to complete projects not completed during 2012/13.

**20. Ayr Gaiety Partnership.**

There was submitted a report submitted (issued) of 19th June 2013 ([link attached](#)) by the Chief Executive seeking approval for a loan to Ayr Gaiety Partnership.

The Chief Executive provided an update in relation to the proposed loan and the state aid rules and requested that this matter be continued for further discussion and clarification.

A discussion took place and clarification was sought and provided in relation to loan repayments, the viability of the Business Plan and match-funding and associated timelines.

The Council

**Decided:** to continue consideration of this matter to the meeting of the Leadership Panel, following Council recess, taking place on 27th August 2013.

**21. Social Media Policy and Guidelines for South Ayrshire Council.**

There was submitted a report (issued) of 19th June 2013 ([link attached](#)) by the Head of Policy, Community Planning and Public Affairs seeking approval for a Social Media Policy and Guidelines that would set out the framework for how South Ayrshire Council would use social media and provide guidelines to ensure social media was used effectively as part of the wider communications mix.

A discussion took place in relation to the various ways in which social media was utilised as a communication and engagement tool.

Clarification was sought and provided regarding the use of social media within schools and safety measures in place, monitoring arrangements, training and support and whether there was scope for Council meetings to be recorded and made available to the public. It was noted that Elected Members and Officers would receive training on how to utilise social media technologies.

The Council

**Decided:** to approve the Social Media Policy and Guidelines as detailed within Appendix 1 of the report.

### **Adjournment.**

The time being 11.35 a.m., the Council adjourned for ten minutes.

### **Resumption of Meeting.**

The meeting resumed at 11.45 a.m.

## **22. Scottish Government Consultations.**

There was submitted a report (issued) of 19th June 2013 ([link attached](#)) by the Head of Policy, Community Planning and Public Affairs seeking agreement to responses on Scottish Government Consultations on European Structural Funds 2014-2020 and the Scotland Rural Development Programme 2014-2020, noting that some further refinement was needed on the former.

The Council

### **Decided:**

- (1) to note the consultations by the Scottish Government on European Structural Funds and the Scotland Rural Development Programme;
- (2) to agree the draft response to the Scotland Rural Development Programme 2014-2020, as detailed in Appendix 1 of the report, for submission to the Scottish Government; and
- (3) to note the draft response to the European Structural Funds 2014-2020, as detailed in Appendix 2 of the report and to delegate authority to the Head of Policy, Community Planning and Public Affairs to finalise this and submit to the Scottish Government by mid-July 2013.

**Councillor Darwent, having previously declared an interest in the following item of business, left the meeting prior to consideration of this matter.**

**23. Integration of Adult Health and Social Care in South Ayrshire: Initial Proposals.**

There was submitted a report (issued) of 18th June 2013 ([link attached](#)) by the Executive Director – Care, Learning and Wellbeing seeking approval

- (1) for the creation of a Transition Integration Board and, thereafter, a Shadow Integration Board to plan for the establishment of a formal Health and Social Care Partnership in South Ayrshire under the direction of an Integration Joint Board;
- (2) for the adoption of the Body Corporate Model of Integration;
- (3) for the establishment of the post of Chief Officer of the South Ayrshire Health and Social Care Partnership; and
- (4) for the process of appointment for the Chief Officer of the Health and Social Care Partnership.

Concerns regarding integration processes and governance arrangements were expressed.

Councillor McIntosh, seconded by Councillor Reid, moved that the Council should approve the recommendations within the report and nominated four Members for the Transition Integration Board being Councillors Hugh Hunter, Mary Kilpatrick, Brian McGinley and Rita Miller with Councillor Miller nominated to serve as the Chair or Vice-Chair of the Board.

By way of Amendment, Councillor Douglas Campbell, seconded by Councillor McFarlane moved that the nominations for the Integration Transition Board should be Councillors William J. Grant, Mary Kilpatrick, Brian McGinley and Rita Miller with Councillor Miller nominated to serve as the Chair or Vice-Chair of the Board.

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

The Council

**Decided:**

- (a) to approve the proposals to create a Transition Integration Board and, thereafter, Shadow Integration Board arrangements in support of the Body Corporate Model of Integration;
- (b) to appoint Councillors Hugh Hunter, Mary Kilpatrick, Brian McGinley and Rita Miller to serve on the Transition Integration Board;
- (c) to note that current proposals similarly allowed for four NHS Board Members to be appointed;

- (d) to agree that one of the Elected Members and one NHS Board Member would act as Chair or Vice-Chair of the Transition Integration Board and that Councillor Rita Miller be nominated to serve in one of these roles;
- (e) to note that further reports on governance arrangements for the proposed Boards would be submitted to the Council and to the Health Board for consideration and approval at a future date;
- (f) to approve the appointment of the post of Chief Officer as set out at paragraphs 4.7 to 4.11 of the report; and
- (g) to approve the virement associated with funding the Chief Officer post.

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

#### **24. Establishment of a Shared Roads Service.**

There was submitted a report (issued) of 21st June 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking approval for the establishment of a shared roads service involving East and South Ayrshire Councils, to be known as Ayrshire Roads Alliance.

A full discussion took place regarding North Ayrshire Council's withdrawal from the process and the implications of a shared service with East Ayrshire Council.

Clarification was sought and provided in respect of staffing issues and TUPE, budgetary concerns and potential savings, options considered in relation to service delivery, future reporting to Council of savings achieved, the methodology used to appoint East Ayrshire Council as lead authority and what assurance could be provided regarding the future possibility of compulsory redundancies in the context of a TUPE transfer.

The Council

#### **Decided:**

- (1) to agree that the Roads and Transportation Service, as described in the Detailed Business Case, be delivered on a shared service basis with effect from 1st April 2014;
- (2) to note that the Ayrshire Shared Services Joint Committee, to be known as the Ayrshire Councils' Joint Committee, would have responsibility for the functions set out in paragraph 4.4.1 of the report in relation to Ayrshire Roads Alliance;
- (3) to agree that East Ayrshire Council be the lead authority for Ayrshire Roads Alliance;
- (4) to note that relevant employees from South Ayrshire Council would transfer to East Ayrshire Council under TUPE regulations on 1st April 2014;

- (5) to agree that the Head of Service post be advertised and filled as soon as possible, followed by the Programme Manager, with each Council contributing one half of any additional employment costs arising in the current year; and
- (6) to approve set up costs totalling up to £322,000 in 2013/14 and 2014/15 funded from the Change Fund and the Workforce Change Fund as appropriate.

**Adjournment.**

The time being 1.00 p.m., the Council adjourned for thirty minutes.

**Resumption of Meeting.**

The meeting resumed at 1.30 p.m.

**Time of Meeting.**

The time being 1.30 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., in accordance with Standing Order No. 6.2.

The Council so concurred.

**25. Scottish Government Consultations: National Planning Framework 3 (Main Issues Report) and Draft Scottish Planning Policy.**

There was submitted a report (issued) of 6th June 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking approval to forward to the Scottish Government the comments outlined in Appendices I and II of the report as the Council's response to its consultation on two draft planning documents being the National Planning Framework 3 and the Scottish Planning Policy.

The Council, having congratulated Planning Officers on this work,

**Decided:** to forward Appendices I and II of the report as the Council's response to the consultation by the Scottish Government on the National Planning Framework 3 (Main Issues Report) and the draft Scottish Planning Policy.

**Councillor Goldie left the meeting during consideration of the foregoing item.**

**26. 2013/14 Members' Priorities Funding – Investment in Play Areas – Follow-up Report.**

Reference was made to the Minutes of the Leadership Panel of 19th March 2013 (Page 239, paragraph 13) and there was submitted a report (issued) of 5th June 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking approval for proposals to invest the balance of £85,000 of the original £100,000 budget in a programme of works identified for play areas.

Clarification was sought and provided regarding developer contributions to playgrounds, investment in play areas, the programme of repairs and opportunities to work jointly with community groups in relation to play areas. The Head of Neighbourhood Services undertook to circulate the full current programme of investments and repairs to all Elected Members for their information.

The Council

**Decided:** to approve the detailed proposals outlined in Appendix 1 of the report for investment in play areas in South Ayrshire.

**Councillor Goldie re-joined the meeting during consideration of the foregoing item**

**27. Consolidating and Developing Golf South Ayrshire.**

There was submitted a report (issued) of 19th June 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment

- (1) advising of the proposals designed to consolidate and develop the Council's Golf Service which would make it possible to submit a draft Golf Business Plan to Members for consideration;
- (2) proposing a way forward on the future refurbishment and development of Troon Golf Clubhouse; and
- (3) suggesting proposals in relation to the existing contractual arrangements with the three PGA Golf Professionals engaged by the Council.

The Executive Director – Economy, Neighbourhood and Environment requested that, since further clarification was required in relation to Troon Golf Clubhouse, this matter be continued to the next meeting of the Leadership Panel taking place on 27th August 2013, following the Council recess.

Councillor McIntosh, seconded by Councillor Bill Grant, moved that this matter be continued to the next meeting of the Leadership Panel on 27th August 2013, following Council recess.

By way of an Amendment, Councillor Davies, seconded by Councillor Clark, moved that that this matter be continued and considered at the next meeting of the Council taking place on 10th October 2013.

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

The Council

**Decided:** to continue consideration of this matter to the next meeting of the Leadership Panel taking place on 27th August 2013, following Council recess.

**28. Parks for People, Heritage Lottery Application for Belleisle Park, Ayr.**

There was submitted a report (issued) of 12th June 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking delegated authority to submit a Parks for People Heritage Lottery Application in relation to Belleisle Park, Ayr in August 2013.

Clarification was sought and provided regarding budget provision for the project and associated costs with the Stables Block.

The Council, having thanked the Environmental Strategy Officer and staff involved for their excellent work on this project,

**Decided:** to grant delegated authority to the Executive Director – Economy, Neighbourhood and Environment to finalise and submit the Stage 2 Parks for People Heritage Lottery funding application during Council recess.

**29. Bid from South Ayrshire Council to Creative Scotland for Place Partnership Status for South Ayrshire.**

There was submitted a report (issued) of June 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking agreement to proceed to the final stages of the bid to Creative Scotland for Place Partnership status for South Ayrshire and to continue to develop a partnership approach to the development of arts and cultural activities in South Ayrshire.

Clarification was sought regarding the plans for the South Carrick area and any benefits to the McKechnie Institute arising from this Partnership Status and it was confirmed that partnership working extended to communities.

The Council, having thanked the Manager (Community, Enterprise and Development) and her team for this excellent work,

**Decided:**

- (1) to submit the final South Ayrshire Place Partnership Plan to Creative Scotland for approval to secure Place Partnership status for South Ayrshire for the period 2013 – 2015;
- (2) to continue to involve South Ayrshire Arts Partnership in the implementation of the Place Partnership plan;
- (3) to continue to work jointly with South Ayrshire Arts Partnership; and
- (4) to continue to work jointly with Ayr Gaiety Partnership to take a coordinated approach to programming.



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

**30. Knockcushan House, Girvan.**

There was submitted a report (issued) of 20th June 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking agreement for additional funding to bring Knockcushan House in Girvan back into use as part of the overall improvement initiatives in the town.

The Executive Director – Care, Learning and Wellbeing referred to paragraph 3.4 of the report and clarified that South Carrick Community Leisure had not been consulted as stated since the project had pre-dated the formation of that trust.

Clarification was sought and provided regarding the request for additional funding and management arrangements.

The Council

**Decided:** to agree to fund the additional costs of repairs to Knockcushan House, Girvan through the Girvan and South Carrick Regeneration monies and a draw on the Council's 2013/14 Contingency Fund as outlined in paragraph 5.1 of this report.

**31. Rationalisation of Office Accommodation in Ayr – Outline Business Case.**

Reference was made to the Minutes of 28th June 2012 (Page 370, paragraph 18) and there was submitted a report (issued) of 19th June 2013 ([link attached](#)) by the Head of Corporate Resources advising of the contents of the Outline Business Case which had been undertaken in relation to the potential options for rationalisation of the Council's office accommodation in Ayr.

Councillor Darwent, seconded by Councillor Bill Grant, moved the recommendations with an amendment proposing a Member/Officer Working Group consisting of Councillor Reid, as portfolio-holder and one member from each of the Conservative, Labour and SNP groups.

Concerns in relation to the costs associated with the development of a Full Business Case were expressed and Officers undertook to consider other methodologies to deliver this within the Member/Officer Working Group.

Clarification was sought and provided regarding various properties within Ayr Town centre locale, the identification of the long term needs of the Council, the costs associated with the possible use of consultants and opportunities for the sharing of premises with other public sector bodies and it was clarified that the Member/Officer Working Group could consider these issues.

The Council

**Decided:**

- (1) to note the contents of the Outline Business Case and conclusions contained within it;

- (2) to approve the establishment of a cross-service Members/Officers' Working Group to progress the rationalisation programme and that Councillor Reid, as portfolio-holder, be appointed to serve on the Working Group along with one member each from the Conservative, Labour and SNP Groups; and
- (3) to agree that officers bring forward a series of workshops for Members following recess to review the options and agree the brief for a Full Business Case on the chosen option noting the various initiatives to assist in progressing organisational change.

**Councillors Galbraith and Saxton left the meeting during consideration of the foregoing item.**

**Public Announcement.**

The Provost referred to an earlier item on the Agenda entitled 'Establishment of a Shared Roads Service' and announced that East Ayrshire Council, at its Council meeting today, had also approved the establishment of the shared roads service now referred to as Ayrshire Roads Alliance.

**32. Notice of Motion.**

Councillor Oattes, seconded by Councillor Dorans, moved that

"This Council:-

(a) recognises that

- the use of nuclear weapons would be a crime against humanity;
- the UK has an obligation to disarm as a signatory of the international Nuclear Non-Proliferation Treaty; and
- the cost of a new nuclear weapons programme currently estimated at £25 billion for decommissioning; £20-£25 billion for each new Trident submarine; £3 billion maintenance costs for 30 years could be used more productively to improve public services; and

(b) resolves to

- affiliate to the Nuclear Free Local Authorities in order to contribute to local government's campaign for a safe, sustainable and nuclear free future;
- send copies of this motion to the Prime Minister, local MPs and MSPs to demonstrate our opposition to current nuclear policies; and
- encourage neighbouring local authorities to similarly consider nuclear free local authority membership."

By way of Amendment, Councillor Darwent, seconded by Councillor Toner, moved that

"This Council recognises that:-

- the Non-Proliferation Treaty is structured in the form of a preamble and eleven articles now subject to review once every five years, the original term having been twenty five years. It is generally accepted as being an onwardly evolving process;
- the Non-Proliferation Treaty is based on a central bargain made up of three elements. The first clearly is Non-Proliferation, the second is Disarmament and the third is the right to peaceful use of nuclear technology;
- it has been said that the reality of the central bargain within the Non-Proliferation Treaty is non nuclear weapons states agreeing never to acquire nuclear weapons and nuclear weapons states, in exchange, agreeing to share the benefits of peaceful nuclear technology with them and to pursue nuclear disarmament aimed at the eventual elimination of nuclear weapons.

This Council agrees with the aims of the Non-Proliferation Treaty."

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

A Member requested that the vote be taken by calling the roll in accordance with Standing Order No. 23.

The Acting Executive Director – Resources, Governance and Organisation then took the vote by calling the roll as follows:-

|                  |           |
|------------------|-----------|
| Helen Moonie     | Amendment |
| Mary Kilpatrick  | Amendment |
| Andy Campbell    | Amendment |
| Douglas Campbell | Motion    |
| Ian Cavana       | Amendment |
| Alec Clark       | Abstain   |
| Ian Cochrane     | Motion    |
| Brian Connolly   | Amendment |
| Peter Convery    | Amendment |
| Kirsty Darwent   | Amendment |
| Hywel Davies     | Amendment |
| Allan Dorans     | Motion    |
| Ian Douglas      | Motion    |
| Sandra Goldie    | Amendment |
| Bill Grant       | Amendment |
| William J. Grant | Motion    |
| Hugh Hunter      | Amendment |
| John McDowall    | Amendment |
| Nan McFarlane    | Motion    |
| Brian McGinley   | Amendment |
| Bill McIntosh    | Amendment |
| Rita Miller      | Amendment |
| Alec Oattes      | Motion    |
| Robin Reid       | Amendment |
| Margaret Toner   | Amendment |
| Corri Wilson     | Motion    |

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

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

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

**33. Formal Questions.**

The Council heard that no formal questions had been submitted to this meeting.

**34. 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 9 of Part 1 of Schedule 7A of the Act.

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

**35. Land at Cockhill, Ayr.**

There was submitted a report (issued to members only) of 21st June 2013 by the Executive Director – Economy, Neighbourhood and Environment advising of potential development options for the Council's landholding at Cockhill, Ayr.

The Executive Director – Economy, Neighbourhood and Environment emphasised that for the purposes of this report the role of the Council related to those matters concerned with landownership only and this was entirely separate from its role as a Planning Authority.

Clarification was sought and provided regarding alternative approaches and options available as landholders.

The Council

**Decided:** to agree not to seek to proactively progress the development of its land holding at Cockhill, Ayr under current market conditions.

**36. 2013/14 Capital Programme – Doonfoot Primary School.**

There was submitted a report (issued to members only) of 19th June 2013 by the Head of Corporate Resources seeking approval to advance further funds from the 2014/15 General Services Capital Programme to allow the construction contract for the new extension at Doonfoot Primary School to be awarded.

Clarification was sought and provided regarding the additional costs associated with the project.

The Council

**Decided:** to agree the proposal to bring forward an additional £181,057 from the £2.000m 2014/15 schools refurbishment budget so that the construction contract could be awarded for the extension to Doonfoot Primary School.

**37. Former Women's Aid Premises – 14 Green Street, Ayr.**

There was submitted a report (issued to members only) of 19th June 2013 by the Head of Corporate Resources seeking approval to declare surplus, and for the disposal of, the property at 14 Green Street, Ayr on the open market.

Clarification was sought and provided regarding the timescales involved for disposing of this property.

The Council

**Decided:** to formally declare 14 Green Street, Ayr, as shown hatched on the plan attached to the report, surplus to requirements and available for disposal on the open market.

**38. Former School House – 39 Barassie Street, Troon.**

There was submitted a report (issued to members only) of 19th June 2013 by the Head of Corporate Resources seeking approval to dispose of 39 Barassie Street, Troon at the revised price.

Clarification was sought and provided regarding the purchase price and subsequent use of this property.

The Council

**Decided:**

- (1) to approve the disposal of 39 Barassie Street, Troon to Stephen Julian Vallance and Donald McIntyre as detailed within the report; and
- (2) to delegate authority to the Head of Corporate Resources to conclude that transaction on suitable terms and conditions.

**39. Marr College – Agreement on the Acquisition of Land and Buildings.**

There was submitted a joint report (issued to members only) of 19th June 2013 by the Executive Director – Care, Learning and Wellbeing and the Head of Corporate Resources

- (1) providing an update on the outcome of the negotiations between the Executive Director – Care, Learning and Wellbeing and the Marr Trust on the acquisition of Marr College site and buildings and proposals to revise the lease for the playing fields and the pavilion; and

- (2) requesting that Members accepted the outcome of the negotiations which would allow the legal agreements to be finalised.

Clarification was sought and provided regarding timelines and the playing fields.

The Council

**Decided:**

- (a) to note the outcome of the negotiation between the Executive Director – Care, Learning and Wellbeing and the Marr Trust; and
- (b) to accept the outcome of the negotiations as detailed in section 4 of the report.

**40. Council Property – Proposed for Disposal.**

There was submitted a report (issued to members only) of 19th June 2013 by the Head of Corporate Resources seeking approval to declare four properties surplus to requirements and available for disposal, three by inviting offers on the open market and the fourth by excambion.

Clarification was sought regarding the alternative use of one of the Ayr properties and the Head of Corporate Resources indicated that he would circulate a response on this particular matter. Clarification was sought and provided regarding the disposal of the Maybole property.

The Council

**Decided:**

- (1) to declare the following properties surplus to requirements and available for disposal on the open market:-  
  
70 Kirkoswald Road, Maybole;  
35 Hillfoot Road, Ayr; and  
75b Dalblair Road, Ayr; and
- (2) to declare 195 square metres of land at Changue Road, Barr surplus to requirements and available for excambion as detailed within the report and to authorise the Head of Corporate Resources to conclude a land exchange under the provisionally agreed terms as outlined within paragraph 3.4 of the report.

**41. Icelandic Bank Investment.**

There was submitted a report (issued to members only) of 19th June 2013 by the Chief Executive seeking delegated authority in relation to Icelandic bank claims.

Clarification was sought and provided regarding the proposed sale of the Council's claims.

The Council

**Decided:** to delegate authority to the Chief Executive and the Chief Accounting Officer, in conjunction with the Leader/Depute Leader, to consider an offer to sell the Council's claims in Landsbanki.

**42. Consideration of Disclosure of the above Confidential Reports including the report entitled 'Audit Scotland – Departure of Chief Executive' previously considered by the Corporate and Community Planning Standing Scrutiny Panel of 6th June 2013.**

Having heard the Acting Executive Director – Resources, Governance and Organisation, the Council

**Decided:**

- (1) not to authorise the disclosure of the whole or part of any documents of the following reports falling under Standing Order 31.2:-
  - Land at Cockhill, Ayr;
  - Marr College – Agreement on the Acquisition of Land and Buildings; and
  - Icelandic Bank Investment;
- (2) to authorise the disclosure of the whole of the following reports falling under Standing Order 31.2 when the related transactions had been concluded:-
  - 2013/14 Capital Programme – Doonfoot Primary School; and
  - Former School House, 39 Barassie Street, Troon;
- (3) to authorise the disclosure of part of the following report falling under Standing Order 31.2:-
  - Council Property – Proposed for Disposal (that part of the report relating to the excambion to remain confidential until the transaction was concluded); and
- (4) to authorise the disclosure of the following reports falling under Standing Order 31.2:-
  - Former Women's Aid Premises – 14 Green Street, Ayr; and
  - Audit Scotland – Departure of Chief Executive.

The meeting ended at 4.20 p.m.