

SOUTH AYRSHIRE COUNCIL (SPECIAL).

Minutes of special meeting in County Buildings, Wellington Square, Ayr,
on 19th August 2014 at 2.00 p.m.

Present: Councillors Helen Moonie (Provost), John Allan, Andy Campbell, Douglas Campbell, Ian Cavana, Alec Clark, Brian Connolly, Peter Convery, Kirsty Darwent, Allan Dorans, Ian Douglas, Ann Galbraith, Sandra Goldie, 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 Ian Cochrane and Hywel Davies.

Attending: E. Howat, Chief Executive; V. Andrews, Executive Director – Resources, Governance and Organisation; L. Bloomer, Executive Director – Economy, Neighbourhood and Environment; D. Hutchison, Director of Educational Services; T. Eltringham, Director of Health and Social Care; K. Leinster, Head of Community Care and Housing; D. Gillies, Head of Property and Risk; K. O’Hagan, Head of Employee and Customer Services; J. Cronin, Head of Enterprise Development and Leisure; C. Cox, Planning Manager; T. Baulk, Head of Finance and ICT; R. Riddiough, Head of Legal and Democratic Services; and D. Knight, Co-ordinator (Democratic Support).

1. Provost.

The Provost

- (1) welcomed everyone to the special meeting; and
- (2) intimated that apologies had been received from Councillors Cochrane and Hywel Davies.

2. Sederunt.

The Chief Executive called the Sederunt for the meeting.

3. Declarations of Interest.

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.

4. **Scheme of Delegation and Standing Orders Relating to Meetings.**

There was submitted a report (issued) of 12th August 2014 ([link attached](#)) by the Executive Director – Resources, Governance and Organisation seeking approval to amend the Scheme of Delegation and the Standing Orders relating to Meetings following further review and approval for an amended timetable of meetings for the period up to 3rd May 2017.

Councillor McIntosh advised the Council that the SNP Group had not accepted the invitation to appoint any of their Members as Vice-Chairs of the three Scrutiny Panels.

Councillor Clark clarified his reasons for resigning as Chair and as a member of the Rural Panel to the Council.

The Council

Decided:

- (1) to approve the amendments to the Scheme of Delegation and the Standing Orders Relating to Meetings as set out in Appendices 1 and 2, respectively, and the interim arrangements relating to certain delegations to officers as set out in paragraph 4.2 and Appendix 3 of the report with effect from 1st September 2014;
- (2) to approve the membership of the new Panels as detailed below:-

| <i>Panel</i> | <i>Elected Members</i> | |
|-------------------------------|-------------------------------|-----------------|
| Audit and Governance Panel | Douglas Campbell | Ian Cochrane |
| Partnerships Panel | John Allan | William J Grant |
| Public Processes Panel | Alec Oattes | Ian Douglas |
| Service and Performance Panel | Allan Dorans | Nan McFarlane |

- (3) to agree that the Vice-Chairs be appointed to the new Panels as detailed below:-

| <i>Panel</i> | <i>Vice-Chairs</i> |
|-------------------------------|---------------------------|
| Audit and Governance Panel | Alec Clark |
| Partnerships Panel | Sandra Goldie |
| Public Processes Panel | Peter Convery |
| Service and Performance Panel | Hugh Hunter |

- (4) to agree that Councillor Galbraith be appointed to fill the vacancy of Chair of the Rural Panel on an interim basis and that the outstanding vacancy on this Panel should not be filled at this time;

- (5) to approve the revised timetable of meetings as set out in Appendix 4 of the report; and
- (6) not to agree that the Officer's recommendation that Councillors be appointed to Scrutiny Panels having regard to the political balance of the Council and that this be reflected in the Standing Orders relating to Meetings, as it would be a matter for consideration and decision by the Council Administration of the time to decide the membership of Scrutiny Panels.

5. Proposed Local Development Plan Modifications and Adoption.

There was submitted a report (issued) of 28th July 2014 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking approval

- (1) to modify the Proposed Local Development Plan in line with Scottish Ministers' recommendations arising from the examination of the Local Development Plan;
- (2) to publish the modified Plan, and submit it to Scottish Ministers as the Local Development Plan the Council intended to adopt; and
- (3) to retain the Local Development Plan Project Board as the mechanism to oversee the project management of the implementation of the Local Development Plan and preparation of associated supplementary guidance.

Clarification was sought and provided that there would be opportunity for further consultation with the community as planning applications come forward. It was also advised that following public consultation design briefs, setting out detailed development guidance for housing sites, would be submitted to the Council in the Autumn 2014.

The Council welcomed the proposed adoption of the Local Development Plan and noted its importance for the future economic development of South Ayrshire.

Decided: having recorded their appreciation of the work that had been undertaken on the Local Plan by the Head of Enterprise, Development and Leisure and the Planning Manager and their staff

- (a) to approve the modified Proposed Local Development Plan for publication and submission to Scottish Ministers as the Council's intended adopted Local Development Plan; and
- (b) to agree that the Local Development Plan Project Board would oversee the implementation of the Local Development Plan and the preparation of supplementary guidance associated with the Local Development Plan.

6. Notice of Motion.

Councillor Connolly, seconded by Councillor Clark, moved that:-

“The Council agrees that the decision to carry personal firearms as a matter of routine police duty is a decision that should be reserved for the Scottish Parliament.”

A full discussion took place on the terms of the Motion and concerns were raised by Elected Members that the decision for the Police to carry firearms had not been made by the Scottish Government but rather by Sir Stephen House, Chief Constable.

The Council

Decided: to agree that the decision to carry personal firearms as a matter of routine police duty is a decision that should be reserved for the Scottish Parliament and that this Council’s concerns should be conveyed to the Scottish Government through Kenny MacAskill, the Cabinet Secretary for Justice in a letter from the Chief Executive.

7. Formal Questions.

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

8. 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 it involved the likely disclosure of exempt information in terms of paragraph 1 of Part 1 of Schedule 7A of the Act.

9. Staffing and Structural Alterations within Property and Risk.

There was submitted a report (issued to members only) of 12th August 2014 by the Executive Director – Resources, Governance and Organisation seeking approval to agree a revised structural arrangements within Property and Risk services.

Councillor Reid, seconded by Councillor McGinley, moved that the Council should approve

- (1) the revised staffing and structural arrangements as outlined in paragraph 4 and detailed in the attached Appendices of the report; and
- (2) the draw on the Efficiency and Improvement Fund of £44,000 per annum for two years as detailed in paragraph 4.5 of the report.

By way of Amendment, Councillor Douglas Campbell, seconded by Councillor McFarlane, moved that this matter be continued to the Leadership Panel and that the Leadership Panel be granted delegated authority to finalise this decision, continued negotiations with the Trades Unions for a few weeks.

Concern was expressed regarding the timing of the issue of relevant information to the Trades Unions and an explanation was provided regarding the consultation process, including the next steps.

Clarification was sought and provided that Elected Members would continue to receive regular monitoring and update information in relation to the Capital Programmes.

Comments were made concerning the lack of progress being made in relation to Office Accommodation and the Head of Property and Risk gave an undertaking to submit a report to the next meeting of the Leadership Panel on 24th September 2014 outlining the next stage for Office Accommodation including the existing Ayr Academy building.

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

The Council

Decided: to approve

- (1) the revised staffing and structural arrangements as outlined in paragraph 4 and detailed in the attached Appendices of the report; and
- (2) the draw on the Efficiency and Improvement Fund of £44,000 per annum for two years as detailed in paragraph 4.5 of the report.

10. Consideration of Disclosure of the above Confidential Report.

Having heard the Executive Director – Resources, Governance and Organisation, the Panel

Decided: to authorise the disclosure of the report on Staffing and Structural Alterations within Property and Risk falling under Standing Order 31.2 of the Standing Orders relating to Meetings.

The meeting ended at 3.20 p.m.