

**SOUTH AYRSHIRE COUNCIL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 29th October 2014 at 10.00 a.m.

- Present: Councillors Helen Moonie (Provost), John Allan, Andy 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.
- Apologies: Councillors Douglas Campbell and Sandra Goldie.
- 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; R. Riddiough, Head of Legal and Democratic Services; T. Baulk, Head of Finance and ICT; M. Newall, Head of Neighbourhood Services; D. McNeill, Treasury Manager; L. Jarvie, Sustainable Development Policy Officer; and D. Knight, Co-ordinator (Democratic Support).

**1. Provost.**

The Provost

- (1) welcomed everyone to the meeting; and
- (2) intimated that apologies had been received from Councillors Douglas Campbell and Sandra Goldie.

**2. Sederunt.**

The Chief Executive called the Sederunt for the meeting.

**3. Declaration of Interest.**

Councillor Darwent

- (1) declared an interest in item 13 - Integration of Health and Social Care in South Ayrshire: Proposal to Consult on Current Draft of Integration Scheme for Partnership as she was a Member of the Ayrshire and Arran Health Board; and
- (2) indicated that as there was no conflict of interest, she would remain in the meeting during consideration of this matter.

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

##### (1) **Minutes of previous meetings of Councils.**

The Minutes of South Ayrshire Council of 23rd June (Special) ([link attached](#)), 3rd July ([link attached](#)), 19th August (Special) ([link attached](#)) and 2nd October (Special) ([link attached](#)) 2014 (issued) were submitted and authorised to be signed as correct records of these meetings.

##### (2) **Minutes of previous meetings of Panels.**

The Minutes of the undernoted Panels (issued) were submitted for information:-

- (a) General Purposes of 21st May 2014 ([link attached](#)).
- (b) Local Review Body of 27th May ([link attached](#)), 1st July ([link attached](#)), 19th August ([link attached](#)) and 9th September ([link attached](#)) 2014.
- (iii) Leadership Panel of 17th June ([link attached](#)) and 26th August ([link attached](#)) 2014.
- (iv) Regulatory Panel of 19th June ([link attached](#)) 2014.
- (v) Regulatory Panel – Licensing of 28th August ([link attached](#)) 2014.
- (vi) Regulatory Panel – Planning of 23rd June (Special) ([link attached](#)), 3rd July (Special) ([link attached](#)) and 4th September ([link attached](#)) 2014.
- (vii) Chief Officers' Appointments Appraisal Panel of 19th June ([link attached](#)) and 2nd July ([link attached](#)) 2014.
- (viii) South Ayrshire Shadow Integration Board of 26th June 2014 ([link attached](#)).
- (ix) Ayrshire Shared Services Joint Committee of 23rd May ([link attached](#)) and 1st July ([link attached](#)) 2014.

**In accordance with the Scheme of Delegation and Standing Orders for Meetings, the undernoted minutes were submitted for approval and authorised to be signed as correct records of these meetings:-**

- (x) Scrutiny and Governance Management Panel of 18th June 2014 ([link attached](#)).
- (xi) Development and Environment Standing Scrutiny Panel of 24th June 2014 ([link attached](#)).
- (xii) Community Services Standing Scrutiny Panel of 25th June 2014 ([link attached](#)).
- (xiii) Corporate and Community Planning Standing Scrutiny Panel of 26th June 2014 ([link attached](#)).

**5. Targeted Best Value Follow Up.**

There was submitted a report (issued) of 21st October 2014 ([link attached](#)) by the Chief Executive providing a further update on progress against the Action Plan agreed by the Council on 22nd April 2014.

Clarification was sought and provided that the Chief Executive's Performance Appraisal had taken place on 27th October 2014 and that the key objectives had now been rolled out to Directors and the Chief Executive undertook to circulate an update from Directors to Elected Members.

Following a question by a Member as to whether local Members and the Trade Unions would also be consulted, the Chief Executive advised that she would update Elected Members on the progress being made against the Action Plan.

Having welcomed the improvements being made, the Council

**Decided:**

- (1) to note the progress made against the improvement Action Plan; and
- (2) to request that a further update be provided to the next meeting of the Council on 18th December 2014.

**6. Updated Performance Management Framework.**

There was submitted a report (issued) of 21st October 2014 ([link attached](#)) by the Chief Executive seeking approval of an updated Performance Management Framework.

Having welcomed the substantial progress being made through various actions, the Council

**Decided:**

- (1) to approve the draft Performance Management Framework as detailed in Appendix 1 of the report; and
- (2) to remit consideration of the operation and effectiveness of the Performance Management Framework to the Service and Performance Panel.

## 7. **Council Performance during 2013/14.**

There was submitted a report (issued) of 18th September 2014 ([link attached](#)) by the Head of Communities providing an update on the performance of the Council during 2013/14.

The Members of the Council then scrutinised the Performance in detail, raising the following matters:

### **Management of Customer Services**

- noted the positive progress being made in relation to Freedom of Information requests being responded to within 20 days of receipt.

### **Management of Finances**

- queried the reason for the significant increase in the cost of collecting Council Tax per dwelling.

### **Management of Procurement**

- congratulated the procurement team who had been nominated for a GO Excellence in Public Procurement Award Scotland 2014/15 for their recent work in procurement including the outputs of the scrutiny review.

### **Management of Property**

- expressed concern regarding the increase in energy costs for Council buildings and queried the energy contracts that were in place.

### **Children and Families**

- commented on the disparity in costs between the gross cost of "children looked after" in a residential based setting compared to a community setting, and asked what steps were being taken to recruit more foster parents.

*Councillor Miller advised that the Council had a policy for the recruitment of foster parents and the measures that were in place to support them in their first few years.*

### **Community Care**

- queried how the percentages were reached in relation to the care of vulnerable service users, particularly people with dementia.

### **Community Development**

- noted the increased percentage of adults receiving accreditation through Community Based Adult Learning.

### **Early Years and Childcare**

- commented that the proportion of pre-school inspections by Education Scotland that were positive (core quality indicators evaluated at satisfactory or better) was an impressive outcome.
- queried whether all children aged 3 and 4 were guaranteed a pre-school place.

### **Economic Development and Employment Opportunities**

- queried how the percentage of young people leaving the Council's Employability Programmes and going on to a positive destination would be monitored.
- suggested that number of jobs created and safeguarded by Council economic development activities (FTE) would be more beneficial if benchmarking figures had been provided showing how the Council performed against other local authorities. The Chief Executive confirmed that Local Government Benchmarking Indicators were used where applicable to compare with other Councils.

### **Energy Efficiency and Conservation**

- queried the performance for percentage of council houses that are energy efficient, when they are not fitted with LED light bulbs.

### **Housing**

- queried the reason for the percentage of tenants who have had repairs or maintenance carried out in last 12 months satisfied with the repairs and maintenance service falling from 91% to 75%.

### **Leisure**

- queried the reason for the decrease in the overall number of people using the Council's pools, indoor sports facilities and the number of rounds of golf played per year.
- questioned what was being done in terms of investment to improve on what was a good core, ensuring that money was being spent in the right areas.

### **Planning and Buildings Standards**

- queried the lack of performance measures regarding the average timescale taken to determine domestic planning applications, appeals to the Scottish Inquiry Reporter and applications that had been determined by the Local Review Body.

### **Schools**

- queried the omission of measures in relation to the number of pupils studying physics and chemistry and to measures relating to staffing.
- noted that the cost per school meal had reduced.
- suggested that it would be helpful to give prominence to areas where performance had declined.
- welcomed the progress being made in relation to the number of Dyslexia Friendly Schools accredited to Bronze, Silver and Gold Levels
- queried the reduction in the proportion of primary school inspections that were positive

*The Director of Educational Services advised that the proportion had decreased from 100% to 67% as three inspections had been carried out with one school receiving negative comments. This school had now received a positive follow-up inspection.*

### **Trading Standards**

- complimented the service on the performance shown within the reported measures.

### **Waste Management**

- expressed concern in relation to the low levels of food waste being recycled from households and that the need to explore the reasons for this.

*Councillor McDowall and the Executive Director – Economy, Neighbourhood and Environment advised that the re-designation by SEPA of what constituted household waste had led to lower levels of recycling, but that options to improve on current levels of performance are under consideration.*

In concluding the consideration of this item, the Chief Executive gave an undertaking:

- to circulate a response to the points that had been raised where these had not already been highlighted in the report to the Service and Performance Panel and were to be reported back to that Panel; and
- to provide benchmarking figures within future reports when this information was available

The Council

### **Decided:**

- (1) to note the overview of the performance of the Council during 2013/14 as set out within Appendix 2 to this report;
- (2) to agree to the Chief Executive providing written responses to the queries raised by Members;
- (3) to note the next stage in the reporting process in relation to Public Performance Reporting; and
- (4) to agree to benchmarking figures being provided when this information becomes available in December 2014.

## **8. Treasury Management Annual Report 2013/14.**

There was submitted a report (issued) of 21st October 2014 ([link attached](#)) by the Head of Finance and ICT presenting, in line with the requirements of the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management, the annual report of treasury management activities for 2013/14 (as attached at Appendix 1), and seeking approval of its contents.

In response to a Member's query, the Head of Finance and ICT advised that it would be difficult to predict the future position with regard to the Eurozone banks or the implications, should the United Kingdom withdraw from the European Union at any future point.

The Council

**Decided:** having recorded their appreciation of the work that had been undertaken by the Head of Finance and ICT and his staff in relation to Treasury Management, to approve the Annual Treasury Management Report 2013/14, as detailed in Appendix 1 of the report.

**9. Appointments to Panels.**

There was submitted a report (issued) of 21st October 2014 ([link attached](#)) by the Executive Director – Resources, Governance and Organisation seeking approval to alter the membership of the General Purposes Panel following the resignation of Councillor Cochrane.

The Council

**Decided:** to appoint Councillor Dorans to fill the vacancy on the General Purposes Panel.

**10. Representation on Outside Bodies.**

There was submitted a report (issued) of 22nd October 2014 ([link attached](#)) by the Executive Director – Resources, Governance and Organisation seeking the Council's approval to make alterations to the lists of outside bodies.

Councillor Dorans, seconded by Councillor Douglas, moved that Councillor McFarlane be appointed as a Governor of CK Marr Educational Trust.

Councillor McDowall, seconded by Councillor Toner, moved that Councillor Miller be nominated as this Council's representative on CoSLA's Community Justice Sub-Group with Councillor McIntosh as her substitute.

By way of Amendment, Councillor Dorans, seconded by Councillor Douglas, moved that Councillor McFarlane be nominated as this Council's representative on CoSLA's Community Justice Sub-Group.

At this point, the Council concurred with the appointment of Councillor McIntosh as the substitute on CoSLA's Community Justice Sub-Group.

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

The Council

**Decided:**

- (1) to appoint Councillor McFarlane to replace the Chair of the Parent Council as a Governor of CK Marr Educational Trust as set out in paragraph 3.1 of this report;
- (2) to agree that consideration of the appointment of a trustee for the Ayr Gaiety Partnership Board as set out in paragraph 3.2 of this report be continued to the meeting of the Council on 18th December 2014; and

- (3) to appoint Councillor Miller (with Councillor McIntosh as substitute) to CoSLA's Community Justice Sub-Group as set out in paragraph 3.3 of this report .

#### 11. **Scheme of Delegation.**

There was submitted a report (issued) of 22nd October 2014 ([link attached](#)) by the Executive Director – Resources, Governance and Organisation seeking approval to amend the Scheme of Delegation following further review.

A discussion took place with regard to the functions delegated to East Ayrshire Council in connection with the Ayrshire Roads Alliance and the implications for this Council.

The Council

**Decided:** to approve the revised Scheme of Delegation as contained in Appendix 1 of the report, to be effective from 1st November 2014.

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

There was submitted a report (issued) of 21st October 2014 ([link attached](#)) by the Executive Director – Resources, Governance and Organisation seeking approval to amend the Standing Orders Relating to Contracts following review in accordance with the Improvement Agenda and the Council Plan.

A full discussion took place with regard to Community Benefits and the use of local businesses, compliance by Contractors with the current Health and Safety legislation and approved Codes of Practice, the provision by Contractors of appropriate insurance cover and payment of the Living Wage for staff employed by Contractors.

**Decided:** to approve the revised Standing Orders Relating to Contracts as contained in Appendix 1 of the report, to be effective from 1st November 2014.

#### 13. **Integration of Health and Social Care in South Ayrshire: Proposal to Consult on Current Draft of Integration Scheme for Partnership.**

There was submitted a report (issued) of 16th October 2014 ([link attached](#)) by the Director of Health and Social Care advising the Council of a proposal to consult on the current draft of the Integration Scheme (Partnership Agreement) between the Council and NHS Ayrshire & Arran which would, once finally approved set out the basis for the delegation of health and social care functions to a new Integration Joint Board in accordance with the provisions of the Public Bodies (Joint Working) (Scotland) Act, 2014.

Councillor Miller advised the Council that the Integration Scheme required to undergo a period of consultation in draft form with a number of Consultees and stressed the importance of meeting timescales for concluding the final Scheme.



The Council

**Decided:**

- (1) to approve the proposal to consult on the current draft of the Health and Social Care Partnership Integration Scheme between the Council and NHS Ayrshire and Arran in accordance with the provisions of the Public Bodies (Joint Working) (Scotland) Act, 2014; and
- (2) to request the Director of Health and Social Care to submit a further report to the meeting of the Leadership Panel on 20th January 2015.

**14. Scotland's Climate Change Declaration: Annual Report 2013/14.**

There was submitted a report (issued) of 2nd October 2014 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Enterprise seeking approval of the South Ayrshire Council Annual Progress Report 2013/14 in relation to this Council's commitments under Scotland's Climate Change Declaration and climate change duties which came into force on 1st January 2011 as introduced by the Climate Change (Scotland) Act 2009.

Clarification was sought and provided in relation to the use of electric vehicles through "Hire on the Wire", the adoption of the Ayrshire and Arran Forestry and Woodland Strategy, the role of the South Ayrshire Open Space Strategy 2012 in the mitigation of Climate Change and incorporated action measures where appropriate, the progress being made in reducing the Council's carbon emissions by 20% in 2012/13 from a 2005/06 baseline and the targets for future years.

The Executive Director – Economy, Neighbourhood and Enterprise gave an undertaking to provide Elected Members with further information as to how cycle routes were chosen for upgrade / consideration and confirmed that funding for these were ring fenced for this purpose.

The Council

**Decided:** to approve the South Ayrshire Council Scotland's Climate Change Declaration Annual Progress Report 2013-14 as detailed in Appendix 1 of the report and that the report be made publically available via submission to COSLA.

**15. Formal Questions.**

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

The meeting ended at 11.50 a.m.