

SOUTH AYRSHIRE COUNCIL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 3rd July 2014 at 10.00 a.m.

- Present: Councillors Helen Moonie (Provost), John Allan, Douglas Campbell, 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, John Hampton, Hugh Hunter, Mary Kilpatrick, John McDowall, Nan McFarlane, Bill McIntosh, Rita Miller, Alec Oattes, Robin Reid, Philip Saxton, Margaret Toner and Corri Wilson.
- Apologies: Councillors Andy Campbell, Ian Cavana and Brian McGinley.
- 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; C. Monaghan, Head of Communities; K. Leinster, Head of Community Care and Housing; K. O’Hagan, Head of Employee and Customer Services; R. Riddiough, Head of Legal and Democratic Services; D. Bell, Managing Director, Ayr Renaissance LLP; and D. Knight, Co-ordinator (Democratic Support).

1. Provost.

The Provost

- (1) welcomed
 - (a) everyone to the meeting;
 - (b) Tim Eltringham, Director of Health and Social Care and Ralph Riddiough, Head of Legal and Democratic Services to their first meeting of the Council; and
 - (c) the Deputation from Holmston Primary Parents Voice who had submitted a Petition regarding the proposed closure of the Holmston Primary School Kitchen and the Deputation from the GMB who had submitted a Petition regarding Save Our Schools;
- (2) congratulated Douglas Hutchison on his appointment yesterday as Director of Educational Services and Tim Balk on his recent appointment as Head of Finance and ICT;
- (3) intimated that apologies had been received from Councillors Andy Campbell, Ian Cavana and Brian McGinley;

- (4) advised that she had written, on the Council's behalf, to express the Council's warmest congratulations to Helen Dunk, Principal of Ayr College who had received a OBE for Services to Further and Higher Education in the Queen's Birthday Honours List;
- (5) indicated that during June it had also been her great pleasure to have represented the Council during the visit to South Ayrshire of the Queen's Baton Relay, to meet the Honorary Consul General of the Republic of Ghana and shortly to welcome the Ghanian athletes to South Ayrshire; and
- (6) intimated that given the length of today's agenda, there would be an adjournment for lunch around 12 noon.

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) the Provost declared an interest in item 4 (b) on the agenda – the petition from GMB regarding Save Our Schools - as she was a member of that Union and indicated that she would withdraw from the meeting at the appropriate point and that Depute Provost Kilpatrick would take the Chair;
- (2) Councillors McIntosh, Darwent and Wilson
 - (a) declared an interest in item 19 – “Ayr Town Centre Regeneration – Use of CPO Powers” and agenda item 24 - “Ayr Renaissance Business Plan 2014-2017” on the agenda, as they were Members of the Board of Ayr Renaissance LLP; and
 - (b) indicated that as there was no conflict of interest, they would remain in the meeting during consideration of these matters;
- (3) Lesley Bloomer, Executive Director – Economy, Neighbourhood and Environment
 - (a) declared an interest in item 19 – “Ayr Town Centre Regeneration – Use of CPO Powers” and item 24 - “Ayr Renaissance Business Plan 2014-2017” on the agenda, as she was a Member of the Board of Ayr Renaissance LLP; 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 on these reports; and

- (4) Councillors Hunter, McIntosh and Rita Miller
- (a) declared an interest in item 20 – “Health and Social Care Partnership Management Structure” on the agenda, as they were Members of the Health and Social Care Shadow Integration Board; and
 - (b) indicated that as there was no conflict of interest, they would remain in the meeting during consideration of this matter.

4. **Petitions.**

(1) **Proposed Kitchen Closure of Holmston Primary School, Ayr.**

There was submitted a letter (issued) dated 23rd April 2014 ([link attached](#)) which had been received from Holmston Primary School Parents Voice together with a petition in support of the school kitchen.

Under the provisions of paragraph 27 of the Council’s Standing Orders for Meetings, the Provost invited the delegation to come forward and the Council heard from Susan Elder and Carol Lambie requesting that the Council should reconsider its decision to close the kitchen at Holmston Primary School.

The Deputation were asked questions by Members of the Council in relation to the proposed school kitchen closure and the implications that they believed that it would have on the children.

The Provost, on behalf of the Council, thanked the Deputation members for their attendance.

Councillor Reid, seconded by Councillor Miller, moved that the Council should note the concerns expressed by Holmston Primary Parents Voice and respond as follows:-

- “ (a) South Ayrshire is committed to providing nutritionally balanced meals to all our children and young people which gives children access to healthy and nutritious food. This commitment does not depend upon where the meals are prepared;
- (b) all Primary Schools in South Ayrshire operate the same menu which is nutritionally analysed to meet the “Nutritional Requirements for Food and Drink in Schools (Scotland) Regulations 2008” and a full menu choice is available in all schools regardless of whether it is a production unit or import unit;
- (c) currently within South Ayrshire, there are 15 Primary Schools that have food exported in from other school kitchens and we have well established and effective procedures relating to the concerns raised;

- (d) the Cooksafe (Food Safety) System in place in all South Ayrshire Council's catering establishments is designed to ensure food safety and one of the important control measures is to ensure compliance with temperature control. Temperatures are checked on a daily basis before food leaves the production unit and this is then recorded on the "All in One Record". When the food reaches the import unit, the catering assistant will check the temperatures and record this on the "All in One Record". Documentary evidence of control measure compliance is available at all times; and
- (e) food is prepared on site within the production unit and exported to the import unit secured within insulated containers, the nutritional contents of the food are not affected by transporting and safe temperatures are maintained throughout the journey. There are no issues with cross contamination as all food is transported in lidded containers. No food is reheated in import units".

By way of Amendment, Councillor Douglas Campbell, seconded by Councillor McFarlane, moved the Council should "re-consider the decision that had been taken by the Council at its meeting on 6th March 2014 when a number of revisions had been made to the Revenue Budget 2014/15 including the rationalisation of production kitchens being reduced from £0.159m to £0.130m as this efficiency could not now be achieved due to the recent Scottish Government announcement relating to the Free School Meals initiative".

The Provost asked for clarification as to whether the Standing Orders would require to be suspended in order that the terms of the Amendment by Councillor Douglas Campbell and seconded by Councillor McFarlane could be considered by the Council.

The Executive Director – Resources, Governance and Organisation advised that in order to reconsider a Motion contrary to a previous decision of the Council within six months from the date of that decision, the Council would require to agree to do this under the provisions of Council Standing Order No. 21.1 requiring a two-thirds majority.

On a vote being taken by a show of hands, nine Members voted in favour of proceeding under Council Standing Order 21.1 to take such a contrary decision.

Accordingly, as the Motion to take a contrary decision was not supported by two-thirds of those Members present and voting at the meeting, the Amendment moved by Councillor Douglas Campbell and seconded by Councillor McFarlane did not proceed.

A full discussion took place regarding the terms of the Motion raising issues in relation to the quality of food, type of provision for special events e.g. Burns Supper, the consultation process regarding the proposals, staffing implications and Breakfast Club provision.

By way of Amendment, Councillor Dorans, seconded by Councillor Douglas Campbell, moved the Direct Negative of the Motion.

On a vote being taken by a show of hands, nine Members voted for the Direct Negative of the Motion and fifteen Members voted for the Motion which was accordingly declared to be carried.

Decided: to approve the terms of the Motion.

The Provost, having previously declared an interest in the following item, withdrew from the meeting during its consideration. Depute Provost Kilpatrick took the Chair.

(2) Petition regarding Save Our Schools.

There was submitted a letter (issued) dated 30th May 2014 ([link attached](#)) which had been received from GMB Scotland Trade Union together with a petition regarding "Save Our Schools".

Under the provisions of paragraph 27 of the Council's Standing Orders for Meetings, the Depute Provost invited Mr. Paul Arkison, GMB to come forward and the Council heard from Mr. Arkison requesting that the Council should re-consider its position in relation to the planned cuts in services at schools including catering, janitation, cleaning, school support assistants and school crossing patrols.

Mr. Arkison was asked questions by Members of the Council in relation to the issues raised by him and the implications that he believed the changes would have on schools.

The Depute Provost, on behalf of the Council, thanked Mr. Arkison for his attendance.

Councillor Bill Grant, seconded by Councillor Reid, moved that this Council should

- " (a) recognise that the petition presented to us today flows directly from the issue of under-funding by the Scottish Government of local government services; and
- (b) agree that the petition should more correctly be directed to the Scottish Parliament Public Petitions Committee for their consideration".

By way of Amendment, Councillor Douglas Campbell, seconded by Councillor McFarlane, moved the Direct Negative of the Motion.

A discussion took place regarding the terms of the Motion raising issues in relation to risk assessment for School Crossing Patrols, budget constraints across local authorities and Trades Union role in the Petition.

On a vote being taken by a show of hands, nine Members voted for the Direct Negative of the Motion and fourteen Members voted for the Motion which was accordingly declared to be carried.

Decided: to approve the terms of the Motion.

The Provost rejoined the meeting at this point and re-took the Chair.

5. Minutes of previous meetings of Council and Panels.

(1) Minutes of previous meetings of Councils.

The Minutes of South Ayrshire Council of 15th May 2014 ([link attached](#)) (issued) were submitted and authorised to be signed as a correct record of this meeting.

(2) Minutes of previous meetings of Panels.

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

- (a) General Purposes of 12th March 2014 ([link attached](#)).
- (b) Chief Officers' Appointments / Appraisal Panel of 29th April ([link attached](#)), 14th May ([link attached](#)), 16th May 2014 ([link attached](#)) and 22nd May 2014 ([link attached](#)).
- (c) Scrutiny and Governance Management Panel of 2nd April 2014 ([link attached](#)).
- (d) Leadership Panel of 28th May 2014 ([link attached](#)).

In accordance with the Scheme of Delegation and Standing Orders for Meetings, Councillor McIntosh, seconded by Councillor McDowall, moved the recommendations as contained in the "C" paragraph on

- Page 1, paragraph 3 entitled "Implementation of High Hedges (Scotland) Act 2103".

Decided: to approve the recommendations as contained in the "C" paragraph on Page 1, paragraph 3 entitled "Implementation of High Hedges (Scotland) Act 2103".

- (e) Regulatory Panel of 23rd April (Site Visit) ([link attached](#)) and 1st and 2nd May ([link attached](#)) and 29th May 2014 ([link attached](#)).
- (f) Local Review Body of 6th May 2014 ([link attached](#)).
- (g) Development and Environment Standing Scrutiny Panel of 7th May ([link attached](#)) and 3rd June 2014 ([link attached](#)).
- (h) Community Services Standing Scrutiny Panel of 7th May ([link attached](#)) and 4th June 2014 ([link attached](#)).
- (i) Corporate and Community Planning Standing Scrutiny Panel of 8th May ([link attached](#)) and 5th June 2014 ([link attached](#)).
- (j) South Ayrshire Shadow Integration Board of 24th April ([link attached](#)) and 3rd June 2014 ([link attached](#)).

In accordance with the Scheme of Delegation and Standing Orders for Meetings, the Minutes of the following Panels were submitted for approval given the timing of the next meetings of these Panels.

- (k) Appeals panel of 20th November 2013 ([link attached](#)).
- (l) Rural Panel of 27th March 2014 ([link attached](#)).

6. Leadership Panel Annual Report.

There was submitted a report (issued) of 26th June 2014 ([link attached](#)) by the Head of Communities presenting the Leadership Panel Annual Report for 2013/14 for consideration.

The Council

Decided: to note the Leadership Panel Annual Report for 2013/14.

7. Scrutiny and Governance Management Panel Annual Report 2013/14.

There was submitted a report (issued) of June 2014 ([link attached](#)) by the Scrutiny and Government Management Panel presenting its Annual Report for 2013/14 for consideration.

The Council

Decided: to note the Scrutiny and Governance Management Panel Annual Report for 2013/14.

8. Review of Scrutiny – Panel Structures and Remits.

There was submitted a report (issued) of 25th June 2014 ([link attached](#)) by the Executive Director – Resources, Governance and Organisation seeking approval for

- (1) a revised Panel structure and related changes to membership of Panels; and
- (2) a timetable of meetings to be implemented after the summer recess.

The meeting was advised that Councillor Alec Clark had resigned as the Chair and as a member of the Rural Panel.

The Leader of the Council invited the SNP Group to nominate one of their members to take the Chair of this Panel.

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

- “ (a) approve the revised Panel remits as outlined in Appendix 1 which forms part of this Minute and the proposed cycle for meetings of these Panels as set out in paragraph 4.2 of the report whereby these Panels would meet on an eight-weekly cycle and that the Public Processes Panel, which would deal with call-ins from Leadership Panel, would also meet on an ‘as required’ basis in alternate Leadership Panel cycles to deal with any call-ins from the previous week’s meeting;
- (b) agree the nominations for the Chairs of the Panels specified in paragraph 4.4 in the report including membership of these Panels as outlined in Appendix 2 which forms part of this minute, with Councillor Clark being appointed as Vice-Chair of the Audit and Governance Panel request that the SNP Group nominate members of their Group to make up the rest of the membership of these Panels including their nominations for Vice-Chair of the three other Panels and confirm these to the Executive Director – Resources, Governance and Organisation by no later than 31st July 2014, and agree to reserve the right to revisit membership of all Panels at the proposed special meeting of the Council in August including at that time nominations for the vacancy for the Chair and a member of the Rural Panel;
- (c) agree a revised timetable for meetings up to the end of October as detailed in Appendix 3 which forms part of this Minute;
- (d) agree that provision would be made for increased joint working between Portfolio-holders and Chairs of the new Panels as detailed in paragraph 4.3 of the report;
- (e) confirm the revised Senior Councillor posts as set out at paragraph 4.9 of the report and the membership of all other Panels (other than the Rural Panel as aforementioned) as set out in paragraph 4.10 of the report;
- (f) request Officers to submit proposed detailed revisions to Standing Orders for Meetings and the Scheme of Delegation, to reflect these changes to Panels, and the changes recently agreed to the Chief Officer structure together with a revised timetable for meetings with effect from October, to a Special Council meeting after summer recess for approval; and
- (g) request the Executive Director – Resources, Governance and Organisation to implement the plans for communication of the decision as set out in paragraph 4.8 of the report and to prepare a draft Scrutiny Handbook and revised Audit Handbook, as referred to in paragraph 4.7, to be considered by the Audit and Governance Panel prior to seeking approval by Leadership Panel thereafter”.

By way of Amendment, Councillor Douglas Campbell, seconded by Councillor Douglas, moved that the Council should

- “ (i) replace recommendation 2.1 (2) with the following:-
- approve the remit of the Audit and Governance Panel as described in Appendix 1 of the report;
 - approve the remit of the Service and Performance Panel as described within Appendix 1 of the report but to include the aims and function of the proposed Partnership Panel (12 members) 8 weekly cycle;
 - delete the proposed Partnership Panel;
 - amend the remit of the General Purposes Panel to include the remit of the proposed Public Processes Panel (12 members) 8 weekly cycle;
- (ii) replace recommendation 2.1 (3) with the following:-
- agree the nominations for the Chairs of Panels for the Audit and Governance Panel and the Service and Performance Panel as described in the report and to nominate a Chair of the revised General Purposes Panel and to confirm the rest of the membership of these Panels to the Executive Director – Resources, Governance and Organisation by no later than 31st July 2014,
 - agree to have regard to the political balance of the Council in the distribution of Senior Councillor posts, membership of Panels and appointment to Outside Bodies, and Working Groups;
 - request that the Chief Executive report to the next regular Council meeting on 29th October 2014 with revised Standing Orders incorporating these principles and to include a further item on the agenda as per Standing Order 28 to nominate Senior Councillors, membership of Panels, Working Groups and Outside bodies to reflect the political balance of the Council;
- (iii) replace recommendation 2.1 (4) with the following:-
- approve the schedule of meetings in Appendix 2 of the report with the deletion of references to the Public Processes Panel, being replaced with General Purposes Panel as appropriate, and Partnership Panel; and
- (iv) replace recommendation 2.1 (6) with the following:-
- confirm the reduction in Senior Councillor posts by two as set out in this revised amendment and the membership of unaffected Panels as set out in paragraphs 4.9 and 4.10 of the report”.

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

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

The Council

Decided: to approve the terms of the Motion.

9. **Financial Regulations Review and Section 95 Officer.**

There was submitted a report (issued) of 24th June 2014 ([link attached](#)) by the Executive Director – Resources, Governance and Organisation seeking approval for

- (1) the revised Financial Regulations as contained in Appendix 1 of the report; and
- (2) an amendment to the Scheme of Delegation in relation to the Council's Section 95 Officer.

The Council

Decided: to approve

- (a) the revised Financial Regulations as contained in Appendix 1 to be effective from 4th July 2014; and
- (b) the amendment to the Scheme of Delegation in relation to the Council's Section 95 Officer as contained in Appendix 2 of the report.

10. **Annual Accounts 2013/14.**

There was submitted a report (issued) of 25th June 2014 ([link attached](#)) by the Head of Finance and ICT

- (1) providing an overview of the figures contained within the Abstract of Accounts for the year ended 31st March 2014;
- (2) explaining significant variations from budget; and
- (3) outlining how the 2013/14 out-turn impacted on the Council's overall financial position.

Clarification was sought and provided that no children or adults would be put at risk because of the any considerations within budgets for these services, the ongoing discussions regarding the transfer of budgets to the South Ayrshire Joint Integration Board in 2015 and that Elected Members would be kept fully informed of the position, that the vacant posts in Day Care services within the Girvan and Kyle areas were still subject to a service review, that the over-recovery in come of £77,000 in relation to cremation fees was as a result of higher than expected level of usage and that fees were benchmarked with other local authorities and that rent arrears continued to be pursued.

In response to questions from an Elected Member, the Portfolio-holder for Housing and Customer First advised that any surplus within the Housing Revenue Account was earmarked for future work and that tenants would be consulted regarding any proposed increase in rent.

The Council, having thanked the Head of Finance and ICT 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 £10.187m at 31st March 2014 be considered under the Updated Financial Reserves Strategy as the next item on the agenda and to note that the Council would have the opportunity to consider the implications of a longer term financial strategy later in the year.

Adjournment.

The time being 12.10 p.m., the Council adjourned for twenty minutes.

Resumption of Meeting.

The meeting resumed at 12.30 p.m.

11. General Services Capital Programme 2013/14: Monitoring Report as at Period 12, 31st March 2014.

There was submitted a report (issued) of 25th June 2014 ([link attached](#)) by the Head of Property and Risk

- (1) 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 2014; and
- (2) seeking approval for the changes to 2014/15 budgets resulting from the carry forward of project spend.

In response to a question from an Elected Member, Councillor McDowall gave an update on the progress being made to develop the multi-faceted facility to be built at the harbourside in Girvan and the fund raising being undertaken by South Carrick Community Leisure which was identifying additional sources of funding with funding bids being submitted to several funding organisations. He advised that it was hoped that a planning application would be submitted later this year and that a tender would be issued in April to June 2015 with the facility opening in September 2016.

Clarification was sought and provided that additional funding had been required at Kirkmichael Primary School New Build Project as a result of problems with the sewers and the Executive Director – Economy, Neighbourhood and Environment gave an undertaking to discuss traffic calming measures for this Primary School with Ayrshire Roads Alliance.

The Council

Decided: having recorded their appreciation of the work that being undertaken by Peter Linton, Girvan Project Manager and Andrew Sinclair, Chair, South Carrick Community Leisure

- (a) to note the progress being made on the delivery of the General Services Capital Programme to 31st March 2014;
- (b) to agree to carry forward £1,185,603 to 2014/15 to fund works not completed in 2013/14, to approve additional borrowing to fund 2013/14 project net overspend of £184,900 and to approve changes to 2014/15 budgets as highlighted in Table 2, Appendix 1 of the report; and
- (c) to agree that the Council allocate £4.000m of funding to the development of a multi faceted facility to be built at the harbourside in Girvan from the budget already set aside in General Services Capital Programme.

12. Housing Capital Programme 2013/14 2013/14: Monitoring Report as at Period 12, 31st March 2014.

There was submitted a report (issued) of 25th June 2014 ([link attached](#)) by the Head of Property and Risk 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 2014.

Councillor McFarlane raised her concerns about small fonts being used within the appendices in the General Services and Housing Capital Programmes and advised that the Scottish Accessible Information Forum “Making Information Accessible - Guidelines for producing accessible printed and electronic information” recommended that if using Arial font, that Point 12 be used as a minimum.

The Executive Director – Resources, Governance and Organisation gave an undertaking to increase the size of the fonts within these appendices.

The Council

Decided:

- (1) to note the progress made on the delivery of the Housing Capital Programme at 31st March 2014 and
- (2) to agree to carry forward £1,266,639 to 2014/15 to complete projects not completed during 2013/14.

13. Updated Financial Reserves Strategy.

There was submitted a report (issued) of 24th June 2014 ([link attached](#)) by the Head of Finance and ICT providing an update to the Council's Financial Reserves Strategy.

The Council

Decided: to approve that the balance of £10.187m uncommitted funds be held in reserve until the conclusion of the external audit process and thereafter until the Council has had the opportunity to consider the implications of a longer term financial strategy due to presented later in the year.

14. Service and Improvement Plans for 2014-17.

There was submitted a report (issued) of 26th June 2014 ([link attached](#)) by the Chief Executive informing of the outcome of the consideration by the Standing Scrutiny Panels of the Council's draft Service and Improvement Plans for 2014-17.

The Council

Decided: to agree

- (1) to the finalisation of the Council's Service and Improvement Plans for 2014-17 in line with the revisions and clarification sought through the scrutiny process as set out in Appendix 1 of the report;
- (2) to the further development of the Service and Improvement Plan process as set out within paragraphs 4.1 to 4.11 of the report; and
- (3) to the modified reporting arrangements as outlined in Appendix 2 of the report.

15. Targeted Best Value Follow-up.

There was submitted a report (issued) of 25th June 2014 ([link attached](#)) by the Chief Executive outlining the progress against the Action Plan agreed by Council on 22nd April 2014.

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 Council meeting on 29th October 2014.

16. The Future Model of Community Justice in Scotland – Proposed Consultation Response.

There was submitted a report (issued) of 24th June 2014 ([link attached](#)) by the Head of Children’s Services seeking approval for the draft response for the consultation on the Future Model of Community Justice in Scotland as contained in Appendix 1 of the report.

The Council

Decided: to agree the response proposed as at Appendix 1 of the report.

17. Nurture Strategy and Approach – Delivering a Nurturing Community in South Ayrshire.

The Council noted that this item had been withdrawn.

18. Draw on Dr. Andrew Rennie Bequest to Fund Columba 1400.

There was submitted a report (issued) of 2nd June 2014 ([link attached](#)) by the Head of Education seeking approval for a draw on the Dr. Andrew Rennie Bequest Fund.

The Council

Decided: having welcomed the success of the Columba 1400 Project, to approve a draw of £81,159.45 from the Dr. Andrew Rennie Bequest to fund the 2014.15 contribution to the Columba 1400 Leadership Academy.

19. Ayr Town Centre Regeneration – Use of CPO Powers.

There was submitted a report (issued) of July 2014 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking approval in principle for the use of compulsory purchase powers, as requested by Ayr Renaissance LLP under the terms of the Agreement with the Council, to facilitate the regeneration of Ayr Town Centre

The Managing Director, Ayr Renaissance LLP gave an undertaking to ensure that any ordnance survey maps submitted with reports would in future be up to date and that he would contact shop owners to ascertain whether improvements could be made to the pavement areas outside their premises.

The Council

Decided: having recorded their appreciation of the work being undertaken by the Managing Director, Ayr Renaissance LLP and Ayr Renaissance Board, to agree

- (1) in principle, to the making of a Compulsory Purchase Order or Orders (CPO) under Section 189 of the Town and Country Planning (Scotland) Act 1997 for the acquisition of land (including interest in land) buildings and rights of facilitate the regeneration of Ayr Town Centre, including, the Riverside Block area shown outlined in red on the attached plan at appendix A and properties required to provide access to the Affleck's block, also shown on the plan, subject to the detailed order(s) coming back to Council for approval at a later date in accordance with paragraph 5.2 of the report; and
- (2) to enter into a CPO cost indemnity agreement with Ayr Renaissance LLP for reimbursement of any associated costs incurred by the Council.

20. Health and Social Care Partnership Management Structure.

There was submitted a report (issued) of 20th June 2014 ([link attached](#)) by the Chief Executive seeking approval for the proposed management structure for the South Ayrshire Health and Social Care Partnership.

The Council

Decided:

- (1) to agree the management structure as outlined in Appendix 1 of the report;
- (2) to agree that Councillors Miller and McIntosh of the Shadow Integration Board be appointed to serve on the joint Selection Panel; and
- (3) to delegate authority to those Members to determine the specific selection arrangements.

21. Notice of Motion.

Councillor Bill Grant, seconded by Councillor Sandra Goldie, moved that:-

“The next Commonwealth Games start in Glasgow on 23rd July 2014. This is a momentous sporting and cultural event and has been embraced by the schools and communities of South Ayrshire not least in the support they provided to the Glasgow 2014 Queen’s Baton Relay where an estimated 18,000 people turned out to support our 107 batonbearers across a full day of activities. All local authorities in Scotland have been matched with second teams, to provide some home support during the Games and the opportunity for cultural links. South Ayrshire has been matched with Kiribati, a small Pacific Island with a population of approximately 100,000 and with Ghana, a west African country with a population of around 25 million. From Saturday 28th June to Monday 21st July 2014, the Ghanaian Commonwealth Team of around 100 athletes and officials have their pre-Games training camp in South Ayrshire. This is a great accolade and an excellent opportunity for South Ayrshire to embrace elite athletes and support their final training for the Glasgow Games. The Council warmly welcomes Team Ghana to South Ayrshire and wishes Team Kiribati, Team Ghana and Team Scotland a very successful Commonwealth Games”.

A full discussion took place on the terms of the Motion and the Council noted the success of the Queen’s Baton Relay on 20th June 2014 in South Ayrshire and thanked the Head of Communities and the Head of Enterprise, Development and Leisure and their staff for their hard work in arranging this event.

The Council were also advised of the accommodation, transport and training arrangements in place for Team Ghana during their stay in South Ayrshire.

The Council

Decided: to support the terms of the Motion and to welcome Team Ghana to South Ayrshire.

22. Formal Questions.

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

23. 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 paragraphs 6 and 9 of Part 1 of Schedule 7A of the Act.

24. Schools for the Future: Ayr Academy and Marr College.

There was submitted a report (issued to members only) of 26th June 2014 by the Executive Director – Resources, Governance and Organisation

- (1) reporting
 - (a) on the outcome of the HubSW Strategic Support Services design development exercise for Ayr Academy and Marr College projects including stakeholder engagement; and
 - (b) on the most up to date costs and programmes for both projects and seeking approval to increase the Council's contributions;
- (2) outlining the progress on the negotiations with the University of West of Scotland (UWS) on the acquisition of land for the new Ayr Academy learning campus; and
- (3) seeking approval from the Council to submit new project request forms to HubSW who would deliver projects.

The Portfolio-holder for Lifelong Learning requested that the Council should continue consideration of the proposed governance arrangements for the establishment of the projects as detailed in Appendix 3 of the report to a future meeting of the Leadership Panel and the Executive Director – Resources, Governance and Organisation advised that continuation of the proposed governance arrangements would not affect the timescales.

The Council was advised of the current position with regard to the negotiations for the acquisition of land, discussions with the District Valuer and the position with regard to the all-weather pitches at Marr College.

The Council

Decided:

- (a) to note
 - (i) the outcome of the HubSW Strategic Support Services design development exercise for Ayr Academy and Marr College projects including stakeholder engagement and to approve the final out-turn costs;
 - (ii) the up to date costs of both projects and to agree to increase the Council's contribution as detailed in section 5.1 of the report; and
 - (iii) the progress of the negotiations with the UWS on the acquisition of land for the new Ayr Academy learning campus;
- (b) to approve the submission of new project request forms to HubSW who would deliver both projects;

- (c) to request that the Executive Director – Resources, Governance and Organisation submit a further report to the Council at the financial close stage for approval; and
- (d) to agree to continue consideration of the proposed governance arrangements for the establishment of the projects as detailed in Appendix 3 of the report to a future meeting of the Leadership Panel.

Councillor Davies left the meeting at this point, the time being 1.30 p.m.

25. Ayr Renaissance Business Plan 2014-2017.

There was submitted a report (issued to members only) of 3rd July 2014 by the Executive Director – Economy, Neighbourhood and Environment seeking approval for the Ayr Renaissance Business plan for the period 2014 to 2017 and the Council's contribution to the plan.

The Managing Director, Ayr Renaissance LLP advised that progress had stalled temporarily in relation to various town centre management initiatives since the Town Centre Project Officer had left her position earlier this year, however, the vacancy had now been filled and confirmed that one vacancy remained on the Board.

The Council

Decided:

- (1) to approve the Ayr Renaissance Business Plan for the period 2014 to 2017 as detailed in Appendix 1 of the report;
- (2) to note the carryover of £57,983 from financial year 2013/14 into 2014/15; and
- (3) to approve an additional contribution from the Council to Ayr Renaissance of £158,000 for 2014/15, £174,500 for 2015/16 and £162,500 for 2016/17.

Time of Meeting.

The time being 1.50 p.m., the Provost asked the Council if they would be willing to agree 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.

26. Consolidating Golf South Ayrshire.

There was submitted a joint report (issued to members only) of 18th June 2014 by the Executive Director – Resources, Governance and Organisation and the Executive Director Economy, Neighbourhood and Environment

- (1) outlining progress against actions agreed within the “Consolidating and Developing Golf South Ayrshire” paper agreed by South Ayrshire Council on 19th December 2013; and
- (2) seeking agreement of a series of recommendations emanating from work carried out to develop the Golf Business Plan.

Having heard the Leader of Council clarify in relation to the report and propose that the Council should agree to retain all golf courses and that a review of the Business Plan should be undertaken on an annual basis, Councillor Bill Grant, seconded by Councillor Saxton, moved that the Council should

- “ (a) agree the actions within Golf Business Plan 2014 – 2019 and authorise the Executive Director - Environment, Neighbourhood and Economy to implement these using delegated authority;
- (b) approve a draw from the Council’s Efficiency and Improvement Fund of £150,000 to support the implementation of the business plan as detailed in paragraph 4.2.4 of the report;
- (c) agree to retain all golf courses;
- (d) undertake a further review of the Business Plan in early 2015 and that a review of the Business Plan should be undertaken thereafter on an annual basis;
- (e) agree to invest a sum of up to £30,000 from the Efficiency and Improvement Fund to develop detailed technical proposals to refurbish Troon Municipal Clubhouse and further agree to provide a sum of up to £1.750m (inclusive of temporary accommodation costs) from the Capital Programme to be funded by additional borrowing to deliver the Troon Municipal Clubhouse refurbishment; and
- (f) agree the implementation of a charging and pricing policy as set out in paragraph 4.2.4 of the report and authorise the Executive Director - Environment, Neighbourhood and Economy to implement these using delegated authority”.

By way of Amendment, Councillor Douglas Campbell, seconded by Councillor Dorans, moved that the Council should continue the report on Consolidating Golf South Ayrshire and the associated Golf Business Plan to the special meeting of the Council on 19th August 2014 and that Officers be requested to clarify the financial commitment that would be made to Consolidating Golf.

Clarification was sought and provided regarding the subsidy for the golf course at Maybole, the final costs for Troon Municipal Clubhouse, measurement of usage of courses and incorporating control of debt charges in the Business Plan.

The Council noted that the feasibility work in relation to the potential establishment of a Leisure Trust was currently ongoing.

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

The Council

Decided: to approve the terms of the Motion.

27. Consideration of Disclosure of the above Confidential Reports.

Having heard the 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: of the Standing Orders relating to Meetings-
 - Schools for the Future: Ayr Academy and Marr College but that the Executive Director – Resources, Governance and Organisation would arrange to issue a press statement in relation to this matter;
- (2) to authorise the disclosure of part of the undernoted report by the Executive Director – Economy, Neighbourhood and Environment falling under Standing Order 31.2 and that this report be redacted following consultation with the Executive Director – Resources, Governance and Organisation and Executive Director – Economy, Neighbourhood and Environment:-
 - Ayr Renaissance Business Plan 2014-2017; and
- (3) to authorise the disclosure of part of the undernoted report by the Executive Director – Economy, Neighbourhood and Environment falling under Standing Order 31.2 when the related transactions had been concluded and that this report be redacted following consultation with the Executive Director – Resources, Governance and Organisation and Executive Director – Economy, Neighbourhood and Environment:-
 - Consolidating Golf South Ayrshire.

The meeting ended at 2.20 p.m.

Review of Scrutiny Panels Proposals for Revised Panel Remits

1. Audit and Governance Panel

**8 weekly
[8 members]**

- To consider the effectiveness of the Council's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements and undertake regular scrutiny of the Council's risk register and challenge the effectiveness of the risk mitigations put in place by risk owners to reduce the risks in line with the Council's risk tolerance.
- To seek assurances that action is being taken on risk-related issues identified by auditors and inspectors.
- To be satisfied that the Council's assurance statements, including the Statement on Internal Control, properly reflect the risk environment and any actions required to improve it and promote a sound internal control framework in accordance with audit principles.
- To approve, but not direct, Internal Audit's strategy and plan, and to monitor its performance.
- To review summary Internal Audit reports and the main issues arising, and seek assurance that action has been taken where necessary.
- To receive the annual report of the Audit Services/ Programme Review Manager.
- To consider all reports of External Audit, Audit Scotland (and other inspection agencies, where not within the remit of the Leadership Panel) and, where appropriate, remit to another panel for further detailed scrutiny.
- To ensure that there are effective relationships between Internal and External Audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted.
- To review the financial statements, external auditor's opinion and reports to Members, and monitor management action in response to the issues raised by External Audit.
- To keep under review the Council's local Code of Corporate Governance (Delivering Good Governance Framework) and ensure arrangements for its review and continuing relevance and the publication of an annual statement in the Council's Annual Assurance Certificate confirming how well the Council is complying with the framework.
- To monitor and keep under review performance and delivery against the Council's corporate Improvement programme
- To undertake review and monitoring of progress against Action Plans agreed by Council as follow-up to Best Value Audit reports.

- To ensure that areas of concern arising from the Audit Committee function are reported to Council, including those that may require further scrutiny either by the Panel or Council.
- To consider any issues which are referred to it by the Council or Leadership Panel for detailed scrutiny.

Further detailed guidance is provided in the [Audit Committee Handbook](#) approved by Council – *to be reviewed*.

2. Service and Performance Panel**8 weekly
[8 members]**

- To monitor and challenge the performance of the Council and its services in relation to the Council Plan, strategic objectives and outcomes, Service and Improvement Plans and performance targets across all service areas.
- To oversee the development and operation of corporate frameworks in relation to the Council's powers and duties relating to Best Value so as to ensure continuous improvement and effective resource management in the provision of services, all in accordance with the Council Plan and strategic objectives, strategies and policies of the Council, including performance management, value for money, public performance reporting and business improvement/ re-design.
- To ensure the effectiveness of service performance reporting arrangements.
- To consider external inspection reports relating to services (where not within the remit of the Leadership Panel).
- To undertake in-depth reviews of particular issues of concern in areas of service provision where there are performance issues, all as detailed in, and in accordance with, the Scrutiny and Performance Handbook *[to be prepared and approved- will provide guidance on choosing topics for review/ approval of reviews process/ timescales/ annual work plans, etc.]*.
- To make recommendations to the Leadership Panel or Council (as appropriate) on matters arising from the outcome of the scrutiny processes as set out above.

3. Partnerships Panel

**8 weekly
[8 members]**

To monitor and challenge performance of services in South Ayrshire delivered through or in partnership with external bodies, including improvement actions and performance targets, where applicable, having regard to duties of Best Value, Following the Public Pound, continuous improvement and effective resource management including (but not limited to) in relation to:

- Ayr Renaissance LLP and any Leisure trusts and other arms length external organisations;
- Scottish Police Authority;
- Scottish Fire and Rescue Service;
- Use of Common Good funds and assets;
- Community Planning (including funded projects);
- Ayrshire Shared Services Joint Committee;
- *[Health and Social Care Partnership – to be confirmed as legislation/ regulations develop];* and
- Any other South Ayrshire Council funded projects and organisations.

4. Public Processes Panel**8 weekly
[7 members]**

- Call-ins from Leadership Panel (*as per current procedure*).
- To receive and hear petitions/ deputations from public and report to Leadership Panel for consideration (*develop from current Council Standing Orders - to replace petitions to full Council – detailed guidance to follow*).
- To receive regular reports on public complaints handling and make recommendations to Leadership Panel in relation to any issues arising.
- To consider and review information governance arrangements including Records Management, Freedom of Information, Data Protection, Data Sharing and Information Security
- To receive regular reports on the implementation of Council and Panel decisions and monitor implementation.
- To consider and review provision of support for and engagement with Community Councils and other community representative bodies.
- To promote and maintain high standards of conduct by all Elected Members of the Council, including consideration of the management and operation of ethical standards as set out in the Councillors' Code of Conduct within the Council, and recommending to Council, if appropriate, the adoption of any protocols relating to Members' conduct supplementary to the Councillors' Code of Conduct, and to advise the Council on any requirements for supplementary training or additional support for Members in this regard.

**Audit and Governance Panel
(8 members – quorum 3)**

Brian Connolly (Chair)	Ann Galbraith
Alec Clark (Vice-Chair)	John Hampton
Andy Campbell	Brian McGinley
SNP	SNP

**Partnerships Panel
(8 members – quorum 3)**

John Hampton (Chair)	Sandra Goldie
Ian Cavana	Mary Kilpatrick
Ann Galbraith	Helen Moonie
SNP	SNP

**Public Processes Panel
(7 members – quorum 3)**

Brian McGinley (Chair)	Hugh Hunter
Alec Clark	Helen Moonie
Peter Convery	SNP
SNP	

**Service and Performance Panel
(8 members – quorum 3)**

Kirsty Darwent (Chair)	Hugh Hunter
Andy Campbell	Mary Kilpatrick
Peter Convery	Brian McGinley
SNP	SNP

**Schedule of Meetings
19 August to 30 October 2014**

2014

Date	Time	Meeting	
Tuesday 19 August	10.00 am 2.00 pm	Local Review Body South Ayrshire Council (Special)	
Wednesday 20 August	10.00 am	General Purposes	
Thursday 21 August	10.00 am	Licensing Board	
Tuesday 26 August	10.00 am	Leadership Panel	
Wednesday 27 August			
Thursday 28 August	10.00 am	Regulatory Panel – Licensing	
Tuesday 2 September	10.00 am	Service and Performance Panel	
Wednesday 3 September	10.00 am	Public Processes Panel (<i>only if required to consider a call-in from Leadership Panel</i>)	
Thursday 4 September	10.00 am	Regulatory Panel - Planning	
Tuesday 9 September	2.00 pm	Local Review Body	
Wednesday 10 September	10.00 am	Appeals Panel	
Thursday 11 September	10.00 am	Audit and Governance Panel	
Tuesday 16 September	10.00 am	Licensing Board	
Wednesday 17 September			
Thursday 18 September	For info	Referendum	
Friday 19 September		Public Holiday	
Monday 22 September		Public Holiday	
Tuesday 23 September			
Wednesday 24 September	2.00 pm	Audit and Governance Panel (Special)	
Thursday 25 September	10.00 am	Regulatory Panel – Licensing	

Date	Time	Meeting	
Tuesday 30 September	10.00 am 2.00 pm	Leadership Panel (Education) Local Review Body	
Wednesday 1 October	10.00 am		
Thursday 2 October	10.00 am	Regulatory Panel – Planning	
Tuesday 7 October	10.00 am	Public Processes Panel	
Wednesday 8 October	10.00 am	Appeals Panel	
Thursday 9 October			
<p><i>Schools close on Friday 10 October and re-open on Monday 20 October (In-service)</i></p> <p>Recess</p>			
Tuesday 28 October	2.00 pm	General Purposes	
Wednesday 29 October	10.00 am	South Ayrshire Council	
Thursday 30 October	10.00 am	Licensing Board	