

SOUTH AYRSHIRE COUNCIL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 5th March 2015 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, 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.

Attending: E. Howat, Chief Executive; V. Andrews, Executive Director – Resources, Governance and Organisation; L. Bloomer, Executive Director – Economy, Neighbourhood and Environment; T. Eltringham, Director of Health and Social Care; T. Baulk, Head of Finance and ICT; M. Baker, Head of Performance and Policy; D. Bell, Managing Director, Ayr Renaissance LLP; R. Riddiough, Head of Legal and Democratic Services; and D. Knight, Co-ordinator (Democratic Support).

1. Provost.

The Provost welcomed everyone to 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) Councillors McIntosh, Darwent and Wilson

- (a) declared an interest in item 14 - "Ayr Renaissance Business Plan 2015-2018" 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 this matter;

(2) Lesley Bloomer, Executive Director – Economy, Neighbourhood and Environment

- (a) declared an interest in item 14 - "Ayr Renaissance Business Plan 2015-2018" 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 this report; and
- (3) Councillors Darwent and Hunter
 - (a) declared an interest in item 10 – “Scheme of Delegation - Health and Social Care Integration, etc.” on the agenda, as they were Members of the Board of NHS Ayrshire and Arran; and
 - (b) indicated that as there was no conflict of interest, they would remain in the meeting during consideration of this matter.

4. Minutes of previous meetings of Council and Panels.

(1) Minutes of previous meeting of Council.

The Minutes of South Ayrshire Council of [18th December 2014](#) (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 subject to the date for the General Purposes Panel of 28th October 2015 as detailed on the agenda being amended to 28th October 2014:-

- (i) General Purposes Panel of [28th October 2014](#).
- (ii) Service and Performance Panel of [11th November 2014](#).
- (iii) Regulatory Panel – Planning of [20th November 2014](#).
- (iv) Regulatory Panel – Licensing of [4th December 2014](#), [17th December \(Special\) 2014](#) and [22nd January](#) and [30th January \(Special\) 2015](#).
- (v) Local Review Body of [25th November](#) and [16th December 2014](#) and [27th January 2015](#).
- (vi) Partnerships Panel of [25th November 2014](#).
- (vii) Audit and Governance Panel of [26th November 2014](#).
- (viii) Leadership Panel of [2nd December 2014](#) and [20th January 2015](#).
- (ix) Appeals Panel of [22nd August](#) and [2nd December 2014](#).
- (x) Public Processes Panel of [10th December 2014](#).
- (xi) South Ayrshire Shadow Integration Board of [30th October 2014](#).
- (xii) Ayrshire Shared Services Joint Committee of [25th November 2014](#).

5. **Targeted Best Value Audit Work/Accounts Commission Findings.**

Reference was made to the Minutes of the Audit and Governance Panel of 11th February 2015 (Page 1, paragraph 4), and there was submitted a [report](#) (issued) of 23rd February 2015 by the Chief Executive allowing the Council to consider the Accounts Commission's findings and agreeing an improvement action plan.

Clarification was sought and provided that an additional column would be inserted in the Action Plan to include what progress had been achieved.

Councillor McIntosh, seconded by Councillor McDowall, moved the recommendations outlined in the report.

By way of an Amendment, Councillor Dorans, seconded by Councillor William J. Grant, moved that a Member from the opposition should be included in the review of scrutiny to be undertaken by the Portfolio-holders and Scrutiny Panel Chairs.

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

The Council

Decided:

- (1) to note the findings of the Targeted Best Value Audit work follow up – South Ayrshire Council;
- (2) to accept the recommendations/findings made by Audit Scotland/Accounts Commission and to approve the Council's response as detailed in the action plan Appendix 1 of the report;
- (3) to approve the arrangements for monitoring and reporting on progress on the action plan as outlined at 4.4 of the report; and
- (4) to request that a summary of the Council's decisions in respect of the Targeted Best Value Audit work be sent to the Accounts Commission for approval and subsequent publication.

6. **Performance Progress against the 2014-17 Council Plan.**

There was submitted a [report](#) (issued) of 25th February 2015 by the Head of Policy and Performance providing an update on the progress that had been achieved in taking forward the Council Plan for 2014-17.

Following an enquiry from an Elected Member, the Executive Director – Economy, Neighbourhood and Environment gave an undertaking to provide him with a note on the progress being made in relation to maintenance works at Girvan Golf Club, and the Council

Decided:

- (1) to note the progress that had been achieved in taking forward the Council Plan for 2014-17; and
- (2) to agree to the modified timetable outlined at paragraph 4.4 of the report for the refresh of the Service and Improvement Plans.

7. Revenue and Capital Estimates 2015/16 to 2017/18 Update.

There was submitted a [report](#) (issued) of 26th February 2015 by the Head of Finance and ICT

- (1) providing an update on the details of the 2015 Finance Order;
- (2) confirming the final detail of the Revenue and Capital Budgets for 2015/16; and
- (3) advising of the updated indicative revenue funding gaps for 2016/17 and 2017/18.

Clarification was sought and provided that Officers' proposals for the first tranche of efficiency proposals would be made available to Elected Members before they were presented to the Council in June 2015 and would include information relating to anticipated impact, and the Council

Decided:

- (a) to approve the revisions to the 2015/16 Revenue Budget as outlined in paragraph 4.1 of the report;
- (b) to note that the capital funding for 2015/16 remained unchanged;
- (c) to note the 2015/16 budgets to be allocated to the South Ayrshire Integrated Joint Board as outlined in paragraph 4.2 of the report; and
- (d) to note the revised funding gaps for 2016/17 and 2017/18 as outlined at paragraph 4.4 (2) of the report; and
- (e) to request that Officers bring forward further efficiency proposals to future Council meetings for Members' consideration to bridge the remaining funding gaps identified for 2016/17 and 2017/18.

8. Treasury Management and Investment Strategy 2015/16.

There was submitted a [report](#) (issued) of 25th February 2015 by the Head of Finance and ICT requesting that the Council approve the proposed Treasury Management and Investment Strategy for the financial year 2015/16 as detailed in Appendix 1 of the report.

The Council

Decided: to approve

- (1) the draft Treasury Management and Investment Strategy for 2015/16 as detailed in Appendix 1 of the report; and
- (2) the proposed change to treasury reporting to Members in 2015/16 as outlined at paragraph 4.4 of this covering report.

9. Appointments to Panels and Representation on CoSLA, Outside Bodies and Working Groups, etc.

There was submitted a [report](#) (issued) of 25th February 2015 by the Executive Director – Resources, Governance and Organisation seeking the Council's approval to make alterations to the lists of Panels, CoSLA, representatives on Outside Bodies and Working Groups that had been approved by the Council at its meeting on 17th May 2012 and subsequent alterations that had been approved by the Council on 28th June and 27th September 2012, 27th June 2013, 15th May, 29th October and 18th December 2014.

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

- (1) approve the co-opting and appointment of an independent external Chair for the of Audit and Governance Panel as a model recognised by CIPFA in its Guidance for Audit Committees and as supported by Audit Scotland;
- (2) request the Executive Director – Resources, Governance and Organisation to prepare a detailed proposal for a suitable selection and recruitment/ appointment process, having regard to relevant considerations and including a proposed Job Remit and Person Specification and to submit a report to a special meeting of the Council to be held prior to the Easter recess;
- (3) agree that Councillor McGinley be appointed as Vice-Chair of the Audit and Governance Panel and that he would Chair the meetings of that Panel until an external Chair had been appointed;
- (4) agree that Councillor Andy Campbell be removed from the Audit and Governance Panel and be appointed to the Partnerships Panel and that accordingly, Councillor Moonie be removed from the Partnerships Panel and be appointed to the Audit and Governance Panel;
- (5) agree that Councillors McGinley, McIntosh, Miller (Chair/ Vice-Chair) and Reid be appointed to the South Ayrshire Integration Joint Board, and to further appoint Councillors Goldie and Bill Grant to act as proxies;

- (6) agree that Councillors Convery and Dorans (and their named substitutes being Councillors Toner and William J. Grant) replace Councillors John Hampton and McFarlane (and their named substitutes) on the Convention of Scottish Local Authorities; and
- (7) agree that Councillor Reid replace Councillor Hampton as the representative on the North Ayrshire Resource Centre;
- (8) agree that Councillor Bill Grant replace Councillor Hampton as a Director of the West of Scotland Loan Fund;
- (9) agree that Councillor Dorans replace Councillor Douglas Campbell as a member of the 1st Tier Joint Consultative Committee; and
- (10) agree that Councillor Wilson replace Councillor Douglas Campbell on the Members'/ Officers' Working Group on Rationalisation of Office Accommodation in Ayr.

By way of Amendment, Councillor Dorans, seconded by Councillor Douglas, moved that the Council agree

- (a) that Councillor Ian Cochrane be appointed as the interim Chair of the Audit and Governance Panel; and
- (b) that Councillor McFarlane should replace Councillor Hampton on the North Ayrshire Resource Centre.

The Executive Director – Resources, Governance and Organisation confirmed that she would consult the two Councils within Scotland who had already appointed external lay Chairs of their Audit Committees and that her report to the special meeting of the Council would include reference to such matters as confidentiality and all relevant considerations with regard to this appointment.

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

The Council

Decided:

- (i) to approve the proposals as outlined at (1) to (10) above; and
- (ii) to note that Councillor Allan Dorans had become the SNP's representative on the following:
 - Community Planning Board; and
 - Best Value Working Group.

10. Scheme of Delegation - Health and Social Care Integration, etc.

There was submitted a [report](#) (issued) of 26th February 2015 by the Executive Director – Resources, Governance and Organisation seeking approval to amend the Scheme of Delegation, primarily in readiness for the next phase in the integration of health and social care.

The Executive Director – Resources, Governance and Organisation confirmed that draft Scottish Government Guidance had just been received in relation to housing support services forming part of the functions of the Integrated Joint Board and she advised that an e-mail would be sent to Elected Members with an update as soon as possible.

Clarification was sought and provided that it would be matter for the Council to decide whether to retain a Portfolio- holder for Health and Social Care and that governance around this would need to be considered, and the Council

Decided: to approve the revised Scheme of Delegation (as contained in Appendix 1 of the report) to be effective from:

- (1) the date specified in the strategic plan once approved by the South Ayrshire Integration Joint Board (SAIJB) as regards all changes to the Scheme of Delegation other than those set out at paragraph (2) below; and
- (2) the date specified in the strategic plan once approved by the East Ayrshire Integration Joint Board (EAIJB) as regards the changes to the Scheme of Delegation as set out in Section 6, paragraph 3 of the Scheme, which related to the out of hours social work services to be carried out by the EAIJB as lead IJB,

in both cases anticipated to be a date in early April 2015.

11. Financial Regulations.

There was submitted a [report](#) (issued) of 26th February 2015 by the Executive Director – Resources, Governance and Organisation seeking approval of revised Financial Regulations.

The Council

Decided: to approve the revised Financial Regulations (as contained in Appendix 1 of the report), subject to 3.1 (1), bulletin point four on Page 11 in relation to the approval of the Leadership Panel, being amended to read **“where a budget variance across capital projects is proposed to be balanced by a budget transfer from another capital project and the amount of the proposed transfer is more than £50,000”**, to be effective from 6th March 2015.

12. Polling Arrangements.

There was submitted a [report](#) (issued) of 26th February 2015 by the Chief Executive seeking approval to change the polling places in polling districts S309, S503 and S605/ 606.

The Chief Executive advised that the recommendation to approve the use of Heathfield Community Centre as the polling place for polling district S309 was withdrawn following concern expressed around voter confusion and that Heathfield Primary School should continue to be used as the polling place for district S309.

Clarification was sought and provided in relation to the unsuitability of Carvick Webster Hall, Monkton as a polling place mainly due to access constraints and the lack of suitable parking and the Director of Educational Services advised that he and the Head Teacher of any school being used for Elections, would decide whether teachers would work from the school or from home on Polling day, and the Council

Decided:

- (1) to approve the use of the Holy Trinity Church Hall, Ayr as the polling place for polling district S503;
- (2) to approve the use of Monkton Primary School as the polling place for polling district S605/ 606; and
- (3) to grant delegated authority to the Chief Executive, in her role as Returning Officer, to amend the scheme of polling arrangements for elections in the event of unforeseen circumstances where such amendments, if not made, would impede the process of voting for electors.

13. Formal Questions.

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

14. 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.

15. Ayr Renaissance Business Plan 2015-18.

There was submitted a report (issued to members only) of February 2015 by the Executive Director – Economy, Neighbourhood and Environment seeking approval of the Ayr Renaissance Business Plan for the period 2015-2018 and proposing a reduction to the Council’s contributions from the level approved in July 2014.

A discussion took place regarding activity in the four other town Centres within South Ayrshire, the detailed scrutiny which had been undertaken by the Partnerships Panel on 10th February 2015 on progress against the Ayr Renaissance LLP Business Plan approved at Council on 3rd July 2014, and the achievements that had been made by Ayr Renaissance and the Council requested that a presentation be organised for all Elected Members in this regard, and the Council

Decided:

- (1) to approve the Ayr Renaissance Business Plan for the period 2015/18 as set out in the report;
- (2) to approve the carryover of £93,160 from financial year 2014/15 into 2015/16;
- (3) to approve Council contributions to Ayr Renaissance of £436,000 for 2015/16, in addition to the carryover as outline at (2) above, and £436,000 for 2016/17;
- (4) to note return of funds of £219,740 to South Ayrshire Council from 2014/15 Ayr Renaissance budget;
- (5) to approve a contribution of £436,000 for 2017/18; and
- (6) to agree that a presentation be organised for all Elected Members in relation to Ayr Renaissance.

16. Craigie Estate – Proposed Acquisition of Land and Transfer of Assets at Craigie Estate for the New Ayr Academy.

There was submitted a report (issued to members only) of 26th February 2015 by the Executive Director – Resources, Governance and Organisation seeking approval to authorise the Executive Director - Resources, Governance and Organisation to acquire the land within the Craigie Estate for the New Ayr Academy Learning Campus on the terms set out within the report.

The Executive Director – Resources, Governance and Organisation outlined the progress that had been made with regard to the New Ayr Academy Learning Campus and suggested that either the Ayr Academy / Marr College Steering Group or another Member/Officer Working Group could be involved in progressing consideration of the further work in relation to Dam Park.

A full discussion took place in relation to the proposals as outlined within the report, and the Council

Decided:

- (1) to authorise the Executive Director - Resources, Governance and Organisation to complete the acquisition of the land required for the New Ayr Academy at Craigie Estate from the University of the West of Scotland (UWS) at a net value of £2.39m as detailed within the report, subject to formal approval from the Court of UWS being forthcoming as detailed in paragraph 4.7 of the report);
- (2) to authorise Officers to undertake work with the University of West of Scotland to explore operating and ownership models of the Dam Park complex in Craigie that would result in improved facilities being available to the University and the community; and
- (3) that further consideration be given to the appropriate Member/Officer Working Group to be involved in future consideration of work relating to Dam Park as referred to at (2) above.

17. Consideration of Disclosure of the above Confidential Reports.

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

- Ayr Renaissance Business Plan 2014-2017 but that the Executive Director – Economy, Neighbourhood and Environment, in consultation with the Executive Director – Resources, Governance and Organisation, would decide what information could be released to the public; and
- Craigie Estate – Proposed Acquisition of Land and Transfer of Assets at Craigie Estate for the New Ayr Academy but that the Executive Director – Resources, Governance and Organisation would arrange to issue a joint press statement with the UWS in relation to this matter following completion of the purchase.

The meeting ended at 11.45 a.m.