

SOUTH AYRSHIRE COUNCIL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 12th May 2016 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 John Wallace.

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; T. Baulk, Head of Finance and ICT; M. Baker, Head of Policy and Performance; C. Monaghan, Head of Communities; and J. McClure, Committee Services Lead Officer.

1. Provost.

The Provost

- (1) welcomed everyone to the meeting;
- (2) intimated that no apologies had been received;
- (3) congratulated John Scott and Jeane Freeman for their success in the Scottish Parliamentary election on 5th May 2016 for the Ayr and the Carrick, Cumnock and Doon Valley Constituencies respectively and also congratulated the seven list MSPs elected for the South Scotland region, namely Claudia Beamish, Joan McAlpine, Rachael Hamilton, Emma Harper, Colin Smyth, Paul Wheelhouse and Brian Whittle; and
- (4) outlined that an additional report had been received entitled “Proposed Scheme of Community Grants Using a Participatory Budgetary Approach” which the Council agreed to consider.

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 Panel in terms of Council Standing Order No. 17 and the Councillors’ Code of Conduct.

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

(1) **Minutes of previous meeting of Council.**

The Minutes of South Ayrshire Council of [27th January 2016](#) and [3rd March 2016](#) (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 approval:-

- (i) General Purposes Panel of [9th March 2016](#); and
- (ii) Rural Panel of [21st March \(Special\)](#) and [29th March 2016 \(Special\)](#).

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

- (i) Appeals Panel of [3rd February](#), [1st March](#), [2nd March](#) and [3rd March](#) 2016.
- (ii) General Purposes Panel of [13th January](#) 2016.
- (iii) Service and Performance Panel of [23rd February](#) 2016.
- (iv) Regulatory Panel – Planning of [27th January](#) (Special), [4th February](#), [2nd March](#) and [31st March](#) 2016.
- (v) Regulatory Panel – Licensing of [21st January](#), [2nd March](#) and [17th March](#) 2016.
- (vi) Local Review Body of [16th February](#) and [8th March](#) 2016.
- (vii) Partnerships Panel of [9th February](#) 2016.
- (viii) Audit and Governance Panel of [10th February](#) 2016.
- (ix) Leadership Panel of [16th February](#) and [15th March](#) 2016.

In accordance with the Scheme of Delegation and Standing Orders for Meetings, Councillor McIntosh, seconded by Councillor McDowall, moved the recommendations in the C paragraph of the Leadership Panel minutes of 15th March 2016 entitled “Policy for the Acquisition and Disposal of Land and Buildings” ([copy of excerpt of minute herewith](#)).

Decided: to approve the recommendations as contained in the “C” paragraph entitled Policy for the Acquisition and Disposal of Land and Buildings”.

- (x) Rural Panel of [12th November](#) 2015 and [15th February](#) 2016.
- (xi) Ayrshire Shared Services Joint Committee of [19th February](#) 2016.

5. Refresh of the Service and Improvement Plans for 2016-18.

There was submitted a [report](#) (issued) of 3rd May 2016 by the Head of Policy and Performance seeking approval of the Council's Service and Improvement Plans (SIPs) for 2016-18.

The Council

Decided: to approve the refreshed Service and Improvement Plans for 2016-18 as scrutinised by the Service and Performance Panel on 26th April 2016.

6. Review of Council Plan 2016-18.

There was submitted a [report](#) (issued) of 4th May 2016 by the Head of Policy and Performance seeking approval of the proposed Council Plan for 2016-18.

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

By way of Amendment, Councillor Douglas Campbell, seconded by Councillor Dorans moved that page 5 of the South Ayrshire Council Plan be amended following the bullet point entitled "Redesigning and Transforming Service Delivery" to substitute the three remaining paragraphs on that page to read:-

The Council Business Plan provides information and performance measures on the delivery of our services. In responding to recent Best Value reports, the Council identifies the need to work co-operatively within the Council and with other public sector agencies, to respond to the recent legislation on community empowerment which must involve local neighbourhoods in assessing and developing an outcome based approach to service delivery and to build an improved financial planning model that has the support of residents in South Ayrshire.

Within the need to deliver this broad range of services the Council has identified three priorities which it believes will support the needs of the most vulnerable in our communities, raise attainment levels for those children in our most deprived communities and provide more information and effective dialogue with our residents to support future planning.

The Council, therefore, prioritises the following three policies:-

To establish a series of community schools that will be accessible for the delivery of a broad range of Council and other public services. Head Teachers will continue to be responsible for educational services, however, community schools will be accessible to the public for longer periods each day and, as services develop, during weekends and school holidays.

To establish community management boards for community schools that will assess community needs, develop initiatives and support community involvement in the delivery of public services and social enterprises. Community management boards will inform and support locality planning in the development and delivery of public services.

During each year the Council will have a minimum of two information sessions on the performance of the Council and that the public will have the opportunity to ask questions of the Leader of the Council and the Portfolio Holders. The Council will develop a new approach to the allocation of resources during the consideration of the budget where the Council will publish a draft budget in December and during January the Council will arrange information sessions, including the use of technology, where the views of the public can be gathered and assessed and that the Council will set the budget only after considering the views of the public.

Questions were raised by Members in relation to: whether the McKechnie Institute was included in the arts networks in rural areas and the Executive Director – Economy, Neighbourhood and Environment confirmed that it was; and whether schools could be rented out in evenings and weekends and the Executive Director – Economy, Neighbourhood and Environment confirmed that outside organisations could utilise school facilities.

On a vote being taken by a show of hands, ten Members voted for the Amendment and twenty for the Motion which was accordingly declared carried and the Council

Decided: to approve

- (1) the updated strategic objectives and strategic outcomes as detailed in [Appendix 1](#) to the report; and
- (2) the correspondingly refreshed Council Plan for 2016-18 attached as [Appendix 2](#) to the report.

7. **Local Scrutiny Plan 2016-17.**

There was submitted a [report](#) (issued) of 29th April 2016 by the Chief Executive advising of the contents of the Audit Scotland Local Scrutiny Plan for South Ayrshire Council for 2016 to 2017.

A question was raised in relation to whether non-emergency repairs not carried out timeously then led to essential repairs and the Executive Director – Economy, Neighbourhood and Environment advised that a triage system was operated to assess repairs and the most important were carried out first, however, non-essential repairs were not disregarded.

The Council

Decided: to note the Local Scrutiny Plan and the planned scrutiny activity for 2016/17, as attached to [Appendix 1](#) to the report.

8. **Financial Regulations.**

There was submitted a [report](#) (issued) of 3rd May 2016 by the Executive Director – Resources, Governance and Organisation seeking approval of the revised Financial Regulations.

The Council

Decided: to approve the revised Financial Regulations, as contained in [Appendix 1](#) to the report, effective from 13th May 2016.

9. Member Officer Working Group – Pre-2017 Local Government Election.

There was submitted a [report](#) (issued) of 3rd May 2016 by the Executive Director – Resources, Governance and Organisation seeking approval for the establishment of and agreement to membership of a Member/Officer Working Group to review arrangements for various democratic and administrative issues in preparation for the next Local Government Election in May 2017.

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

- (1) approve the creation of a Member/Officer Working Group to review and consider arrangements for democratic and administrative issues in preparation for the Local Government Election in May 2017;
- (2) approve Councillors Allan Dorans, William J. Grant, John Hampton, Brian McGinley, Helen Moonie and Robin Reid as the members of the Working Group and agree that this Group be authorised to appoint a Chair from amongst its numbers;
- (3) agree that the officer representation on the Group comprise the Chief Executive, the Executive Director – Resources, Governance and Organisation and the Head of Legal and Democratic Services;
- (4) agree that the remit for the Group be determined by the Working Group as appropriate; and
- (5) agree that a Committee Clerk should attend the meetings of the Working Group to take minutes which would be circulated to all Members.

Following a full discussion on the filling of vacancies on outside bodies, Councillor Bill Grant, seconded by Councillor Reid, moved in accordance with Standing Order No. 21.1(2) that the question be now put and this was agreed by Council.

The Council then

Decided: unanimously to agree the terms of the motion as outlined above.

10. Members' Remuneration.

There was submitted a [report](#) (issued) of 3rd May 2016 by the Executive Director – Resources, Governance and Organisation advising of the salaries payable to Members under the Local Government (Scotland) Act 2004 (Remuneration) Amendment Regulations 2016.

Following discussion and clarification regarding the increase and acceptance of it, the Council

Decided:

- (1) to note the increased remuneration for Councillors and the Council Leader in terms of the Regulations with effect from 1st April 2016;
- (2) to agree the remuneration to be paid to the Civic Head with effect from 1st April 2016, as outlined in paragraph 4.6 of the report;

- (3) to agree the remuneration levels for Senior Councillors with effect from 1st April 2016, as outlined in paragraph 4.7 of the report; and
- (4) to agree the remuneration of the external lay Chair of the Audit and Governance Panel with effect from 1st April 2016, as outlined in paragraph 4.8 of the report.

11. Updated Records Management Policy Framework and Data Protection Policy.

There was submitted a [report](#) (issued) of 3rd May 2016 by the Head of Legal and Democratic Services seeking approval of the new updated Records Management Policy Framework and Data Protection Policy.

The Council

Decided: to approve the updated Records Management Policy Framework and Data Protection Policy attached as [Appendix 1](#) and [Appendix 2](#) respectively.

12. Scheme of Delegation.

There was submitted a [report](#) (issued) of 3rd May 2016 by the Executive Director – Resources, Governance and Organisation seeking approval to amend the Scheme of Delegation.

Having heard the Executive Director – Resources, Governance and Organisation advise that the updated Scheme of Delegation had removed all reference to the General Purposes and Rural Panels, both of which now ceased to exist, the Council

Decided: to approve the proposed revisions to the Scheme of Delegation, attached as [Appendix 1](#) to the report, effective from 13th May 2016.

13. Variation in order of business.

In terms of Council Standing Order No. 13(2), the Council agreed to vary the order of business as hereinafter minuted.

14. Proposed Scheme of Community Grants Using a Participatory Budget Approach.

There was submitted a [report](#) (issued) of 3rd May 2016 by the Executive Director – Economy, Neighbourhood and Environment outlining the proposed Scheme of Community Grants, including the use of a Participatory Budgeting approach.

Questions were raised by Members in relation to:- whether public consultation had been carried out and the Head of Communities advised that discussions had taken place through Locality Planning Groups; whether the difference in grants previously distributed by the General Purposes Panel and Rural Panel and the money now available was allocated as savings and the Head of Communities advised that there had been a requirement to make savings as part of the budget exercise; and when the Temporary External Funding Specialist Post would be advertised and the Head of Communities advised that the job description was currently being compiled and that the post would be advertised in the next few weeks.

A full discussion then took place in relation to the grant of £150 for young persons participating at a Scottish, UK or international level in arts, culture and sports activities and the recommendation, in the event that Council determined that such grants should be payable, that this grant be means tested.

Adjournment

The time being 12.05 p.m., the Council adjourned for ten minutes.

Resumption of Meeting

The time being 12.15 p.m. the meeting resumed.

The Council

Decided:

- (1) to approve the proposed Scheme of Community Grants including eligibility criteria and the decision-making process;
- (2) to approve a grant scheme as outlined at paragraph 4.9 of the report, with means testing being applied, with funding of £3,000 from the £15,000 set aside at an Ayrshire-wide level;
- (3) to agree that six monthly reporting be provided to the Public Processes Panel with an update to the Leadership Panel thereafter; and
- (4) to note that officers were in discussion with potential funders interested in providing match funding for participatory budgeting.

15. Notice of Motion.

Councillor Allan Dorans, seconded by Councillor William J. Grant, moved

“That the Council agrees that specific Twitter messages retweeted by Councillor Mary Kilpatrick are disrespectful of Islam, not representative of the views of South Ayrshire Council, contrary to the Council’s commitment to diversity and equality and not appropriate to be shared on social media by an Elected Member representing the people of South Ayrshire as Deputy Provost.

Council agrees under Standing Order 28.1 to remove Councillor Kilpatrick from the role of Deputy Provost and to proceed immediately to fill the vacancy.”

Councillor Dorans then spoke to the terms of his Motion.

Councillor McIntosh, seconded by Councillor Miller then moved, in accordance with Standing Order 21.1(4), that Council proceed to next business.

The Council

Decided: to proceed to next business and the item of business under consideration is considered as abandoned.

16. Formal Questions.

The Council noted that no formal questions had been submitted.

The meeting ended at 12.30 p.m.