

SOUTH AYRSHIRE COUNCIL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 6th October 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; R. Riddiough, Head of Legal and Democratic Services; T. Baulk, Head of Finance and ICT; M. Baker, Head of Policy and Performance; D. McNeill, Treasury Manager; S Turner, Head of Roads, Ayrshire Roads Alliance; D. Richardson, Senior Auditor, External Audit; 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; and
- (3) outlined that, with the agreement of the Council, Item 10 on the agenda, the “Notice of Motion” from Councillor Allan Dorans, seconded by Councillor Ian Douglas would be considered after Item 4 on the agenda, the Minutes of Previous Meetings. The Council so concurred.

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 [30th June 2016](#) and [30th August 2016 \(Special\)](#) (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:-

- (i) Appeals Panel of [10th May 2016](#).
- (ii) Chief Officers' Appointments/Appraisal Panel of [28th April 2016](#).
- (iii) Service and Performance Panel of [31st May 2016](#) and [30th August 2016](#).
- (iv) Regulatory Panel (Planning) of [2nd June](#) and [29th June 2016](#).
- (v) Regulatory Panel (Licensing) of [26th May](#), [29th June](#) and [25th August 2016](#).
- (vi) Local Review Body of [21st June](#) and [24th August 2016](#).
- (vii) Partnerships Panel of [7th June](#) and [16th June 2016 \(Special\)](#).
- (ix) Audit and Governance Panel of [9th June 2016](#).
- (x) Leadership Panel of [14th June](#) and [23rd August 2016](#).

5. Variation in order of business.

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

6. Notice of Motion.

Councillor Allan Dorans, seconded by Councillor Ian Douglas, moved:-

"That Council agrees that the recently constructed bi-directional cycle lane at Holmston Road, Ayr imposed by the Ayrshire Roads Alliance without consultation is removed and the carriageway restored to the original condition existing prior to these works taking place.

That Council agrees that the Ayrshire Roads Alliance carry out this work immediately with the costs being met, at this stage, from uncommitted reserves.

That Officers are requested to enter into dialogue with East Ayrshire Council for reimbursement for any such costs incurred by this Council.

Further, that Council agrees that the Ayrshire Roads Alliance investigate alternative routes for the cycle path specifically including the route along the path running parallel to the South bank of the River Ayr."

By way of Amendment, Councillor McDowall, seconded by Councillor Goldie, moved:-

"that Council agrees that the recently constructed bi-directional cycle lane at Holmston Road, Ayr continues to operate for a further period of six months during which time its use is monitored, on a minimal monthly basis and that any consequential adverse impact on traffic management or safety considerations are identified.

That Council agrees that possible alternative routes for the cycle lane are evaluated.

That Council agrees that the Executive Director – Economy, Neighbourhood and Environment report back to the first appropriate meeting of the Council following this period on (a) the outcome of such monitoring; and (b) information on possible alternative routes and provides recommendation(s) as to the continued operation or otherwise of the current cycle lane in order that an informed decision can be taken.

That Council agrees that, following consideration of that report, should further remedial works be required, such works be subject to consultation with the community, emergency services, elected members and other interested parties.

That Council agrees that such monitoring is carried out by an independent qualified practitioner to be appointed by the Ayrshire Roads Alliance, the costs of such monitoring and route evaluation to be met from the local delivery element of the Ayrshire Roads Alliance budget.”

A full discussion then took place on the terms of the Motion and the Amendment and Councillor Hunter requested that an additional paragraph be added to the Motion, namely “further, that officers be requested to review the Scheme of Delegation and the Minute of Agreement with East Ayrshire Council and report back to the Leadership Panel with recommendations”. The Mover and Seconder of the Motion agreed to the addition of this paragraph.

A Member of the Council requested a roll call vote.

The Executive Director – Resources, Governance and Organisation then took the vote by calling the roll as follows:-

Helen Moonie	Amendment
Mary Kilpatrick	Motion
John Allan	Motion
Andy Campbell	Amendment
Douglas Campbell	Motion
Ian Cavana	Amendment
Alec Clark	Motion
Ian Cochrane	Motion
Brian Connolly	Amendment
Peter Convery	Motion
Kirsty Darwent	Amendment
Hywel Davies	Motion
Allan Dorans	Motion
Ian Douglas	Motion
Ann Galbraith	Motion
Sandra Goldie	Amendment
Bill Grant	Motion
William J. Grant	Motion
John Hampton	Motion
Hugh Hunter	Motion
John McDowall	Amendment
Nan McFarlane	Motion
Brian McGinley	Motion
Bill McIntosh	Amendment
Rita Miller	Amendment
Alec Oattes	Motion
Robin Reid	Amendment
Philip Saxton	Amendment
Margaret Toner	Motion
John Wallace	Motion

Eleven Members voted for the Amendment and nineteen for the Motion which was accordingly declared carried.

The Council

Decided: to approve the terms of the Motion as follows:-

“That Council agrees that the recently constructed bi-directional cycle lane at Holmston Road, Ayr imposed by the Ayrshire Roads Alliance without consultation is removed and the carriageway restored to the original condition existing prior to these works taking place.

That Council agrees that the Ayrshire Roads Alliance carry out this work immediately with the costs being met, at this stage, from uncommitted reserves.

That Officers are requested to enter into dialogue with East Ayrshire Council for reimbursement for any such costs incurred by this Council.

That Council agrees that the Ayrshire Roads Alliance investigate alternative routes for the cycle path specifically including the route along the path running parallel to the South bank of the River Ayr.

Further, that officers be requested to review the Scheme of Delegation and the Minute of Agreement with East Ayrshire Council and report back to the Leadership Panel with recommendations”.

Adjournment of Meeting.

The time being 11.15 a.m., the Council agreed to adjourn for ten minutes.

Councillor Darwent left the meeting at this point.

Resumption of Meeting.

The meeting resumed at 11.25 a.m.

7. Progress Against the Council Plan During 2015-16.

There was submitted a [report](#) (issued) of 28th September 2016 by the Head of Policy and Performance requesting that Members review progress over the course of 2015-16 towards the strategic objectives contained within the Council Plan.

A Member expressed concerns regarding this authority’s work on corporate parenting and whether it was adequate; and questions were then raised in relation to:-

- (1) the correlation between this report and the Integrated Children’s Services report which was published this week and the Director of Educational Services advised that the report being considered at this meeting was retrospective and related to 2015/16 and actions from the Inspection report would be taken account of in future years’ planning and reports;

- (2) the Ambition Programme and the usage of the Maybole Incubator unit by business start ups and the Executive Director – Economy, Neighbourhood and Environment advised that she would provide a written response to this question after the meeting;
- (3) the number of eligible 2 to 3 year olds utilising free early learning and childcare and the Director of Educational Services advised that he would provide a written response to this question after the meeting;
- (4) the latest available data from the Scottish Household Survey showing a fall in perceptions of being able to influence decisions within South Ayrshire from 15% in 2013/14 to 10% in 2014/15 and the Council's position in attempting to improve this and the Executive Director – Economy, Neighbourhood and Environment advised that a significant amount of work and engagement had now taken place at each locality group and that the Charrettes had given communities the opportunity to consider their area's needs; and
- (5) Elected Members having outdated information for consideration and the Head of Policy and Performance advised that the data provided to Members from this authority was as up-to-date as possible, however, information provided by external organisations tended to be more out-of-date.

The Council

Decided: to note the progress made against the Council's strategic objectives as set out in Appendix 1 to the report.

8. Adoption of Scottish Council on Archives Records Retention Schedules.

There was submitted a [report](#) (issued) of 28th September 2016 by the Head of Legal and Democratic Services seeking approval to adopt the Scottish Council for Archives Records Retention Schedule (SCARRS) model as the basis of the Council's approved retention schedules.

Questions were raised by Members regarding:-

- (1) whether the Council was aiming to move to digital records in the near future and the Head of Legal and Democratic Services advised that a number of projects were ongoing to examine the way forward regarding digitising records and archives; and
- (2) any future relocation of the Archives facility and the Head of Legal and Democratic Services advised that potential sites were currently being examined.

The Council

Decided: to adopt the Scottish Council for Archives Records Retention Schedule as the basis of the Council's approved retention schedules.

9. Treasury Management Annual Report 2015/16.

There was submitted a [report](#) (issued) of 28th September 2016 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 2015/16, attached as Appendix 1 to the report); and seeking Members' approval of its contents.

Questions were raised by Members in relation to:-

- (1) the current low interest rates and the impact on the Council and economy at large and the Treasury Manager advised that the Council was utilising cash and reserves where possible to fund capital expenditure as returns on holding cash were historically low. In the low interest rate environment borrowing was currently cheap and the Council was also utilising short-term borrowing for cash flow purposes. The impact on the economy at large would continue to be very low returns for savers but the latest reduction in bank rate would probably not impact as significantly as might have been expected as the reduction in bank rate was from an already low base and most investors had already priced in low returns on their investments;
- (2) there being no imminent rise in interest rates following Brexit and whether this would be a good time to borrow and the Treasury Manager advised that, with no significant increases in borrowing rates forecast and rates very low, it would be a good time to lock in some longer term borrowing to fund capital expenditure. The Council, having borrowed £20m in the short term, would look to replace this and also take some new longer term borrowing in line with current strategy while long term rates were low; and
- (3) whether this Council's external borrowing position was fairly low compared to other Scottish Authorities and the Head of Finance and ICT confirmed that it was.

The Council

Decided: to approve the Annual Treasury Management Report 2015/16, as attached at Appendix 1 to the report.

10. Report to Members and the Controller of Audit on the 2015/16 Audit.

There was submitted a [report](#) (issued) of 30th September 2016 by the Head of Finance and ICT advising the Council of Audit Scotland's Audit of the Council's Accounts for financial year 2015/16.

Members expressed their pleasure at the Council's performance and progress; and questions were raised in relation to:-

- (1) budget setting and monitoring and the Senior Auditor confirmed that this Council had sound financial management arrangements, however, care required to be taken to ensure that budgets continued to be in line with expenditure; and
- (2) the Council requiring to reconsider its internal audit arrangements and the Chief Executive advised that she had examined other Authorities' reporting arrangements and staffing levels and that a report would be submitted to Council in due course on this matter.

The Council

Decided:

- (a) to note the report by Audit Scotland on the Council's Audit of Accounts 2015/16, as outlined in Appendix 1 to the report; and that the accounts had been given an unqualified audit certificate;

- (b) to note the action plan appended to the Audit Scotland report, designed to address the areas of concern which were highlighted; and
- (c) to note that regular updates on progress against the action plan would be provided to the Audit and Governance Panel.

11. Ayrshire Growth Deal – Strategic Business Case.

There was submitted a [report](#) (issued) of 28th September 2016 by the Executive Director – Economy, Neighbourhood and Environment seeking approval for the submission of the Ayrshire Growth Deal Strategic Business Case (SBC); and for continuation of funding to support the next stages of the work; and advising that North Ayrshire and East Ayrshire Councils had considered the SBC at their Cabinet meetings on 27th and 28th September 2016 respectively.

The Executive Director – Economy, Neighbourhood and Environment advised the Council that East and North Ayrshire Councils had both approved the SBC at their recent Cabinet meetings.

A full discussion took place in relation to the Ayrshire Marine Tourism Programme; the process for advancing the SBC; and the discussions with officers of the UK and Scottish Government; and, following a question on timescales for completion of the Deal, the Executive Director – Economy, Neighbourhood and Environment advised that a report would be submitted to Council late 2017.

Having congratulated all of the Officers involved, and strongly welcomed the report and the proposals within it, the Council,

Decided:

- (1) to approve the submission of the Ayrshire Growth Deal Strategic Business Case (SBC) as contained in Appendix 1 to the report;
- (2) to approve funding of £70,000 from uncommitted reserves to support the next stages of the work until end September 2017;and
- (3) to request regular updates on progress to members.

12. Formal Questions.

The Council noted that no formal questions had been submitted.

13. 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 item of business on the grounds that it involved the likely disclosure of exempt information in terms of paragraph 6 of Part 1 of Schedule 7A of the Act.

14. **Support for Company Development Proposal.**

There was submitted a report (issued to members only) of 28th September 2016 by the Executive Director – Economy, Neighbourhood and Environment seeking approval for the Leader of the Council and the Chief Executive to express support for a company's development proposal. A full discussion took place and questions were raised by Members and responded to by Officers, and the Council

Decided: to request the Chief Executive and the Leader to express the Council's support for the company's development proposal.

15. **Consideration of Disclosure of the above Confidential Report.**

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

Decided: not to authorise the disclosure of the following report falling under Standing Order 32.4:-

- Support for Company Development Proposal

The meeting ended at 12.45 p.m.