

SOUTH AYRSHIRE COUNCIL (SPECIAL).

Minutes of a remote meeting
on 20 January 2021 at 10.00 a.m.

Present: Councillors Helen Moonie (Provost), Laura Brennan-Whitefield, Siobhian Brown, Andy Campbell Douglas Campbell, Iain Campbell, Ian Cavana, Alec Clark, Ian Cochrane, Brian Connolly, Chris Cullen, Ian Davis, Julie Dettbarn, Martin Dowey, Ian Fitzsimmons, William Grant, Peter Henderson, Hugh Hunter, Mary Kilpatrick, Lee Lyons, Craig Mackay, Derek McCabe, Brian McGinley, Bob Pollock, Philip Saxton, Arthur Spurling and Margaret Toner.

Apology: Councillor Peter Convery.

Attending: E. Howat, Chief Executive; D. Hutchison, Depute Chief Executive and Director – People; D. Gillies, Director – Place; K. Carr, Assistant Director – Place; C. Caves, Head of Legal, HR and Regulatory Services; T. Baulk, Head of Finance and ICT; M. Alexander, Service Lead – Housing Services; J. McClure, Committee Services Lead Officer; and D. Mulgrew, Committee Services Assistant.

1. Provost.

The Provost

- (1) welcomed everyone to the meeting;
- (2) intimated that an apology had been received from Councillor Peter Convery;
- (3) confirmed that today's meeting was not open to the press and public, which was permissible under the COVID-19 legislation;
- (4) outlined the procedures for conducting this meeting, including that all votes would be undertaken by means of a roll call;
- (5) intimated that item 5 on the agenda entitled "VAT Recovery Funds" had been withdrawn; and
- (6) advised that she had written, on the Council's behalf, to express the Council's warmest congratulations to the following recipients of an award in the New Year's Honours List:-
 - Richard Paterson of Troon who received an OBE for his services to the Scottish Whisky Industry;
 - Maxine Allan of Ayr who received a BEM for her services to Young People with Cancer and NHS Frontline Workers in Ayr during the Covid-19 Response; and
 - Bruce Harris of Ayr who received a BEM for service to Voluntary Services to the Duke of Edinburgh Award Scheme.

2. Sederunt.

The Chief Executive called the Sederunt for the meeting.

3. Declarations of Interest.

Having called the roll, the Head of Legal, HR and Regulatory Services confirmed that there were no declarations of interest by Members of the Council in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

4. Setting of Council House Rents and Other Rents and Charges (2021/22 – 2023/24) and Proposed Housing Revenue Account (HRA) Revenue Budget 2021/22 and Capital Budget (2021/22 - 2025/26).

There was submitted a report (issued) of 12 January 2021 by the Assistant Director – Place seeking approval to set an appropriate level for Council house rents, lock-up and garage site rents and other charges for the period 2021/22 – 2023/24 and to approve the proposed HRA Revenue budget for 2021/22 and the proposed five year Capital budget for 2021/22 – 2025/26.

Questions were raised by Members in relation to:-

- (1) the uncommitted reserves and whether these monies could be used for free meals for children; and Councillor Saxton, as Portfolio Holder advised that the uncommitted reserves were being utilised for housing purposes;
- (2) the impact of Covid-19 on the Capital Programme and the Service Lead – Housing Services advised that recent internal modernisation works had not taken place due to Covid-19, however, it was hoped to incorporate the works into next year's modernisation works programme; and that adjustments to the Capital Programme to date were outlined within the report and would be kept under review with future updates being provided to Leadership Panel; and
- (3) why a rent freeze was not presented as an option to tenants during their consultation, along with the ramifications of this;

Point of Order.

Following the Provost's decision that the above question (3) should be directed to the Service Lead – Housing Services and not the Portfolio Holder as this was an operational matter, a Point of Order was raised that it was outlined within the Standing Orders that a Member could direct a question to the relevant Portfolio Holder. Provost reiterated that, as this question was regarding an operational matter, the Service Lead – Housing Services was the appropriate person to reply; and the Service Lead – Housing Services responded as follows:-

that, as part of considerations around the Housing Revenue Account, the projected capital investment had been reviewed and that, within the proposed budget, new-builds had been taken account of and that had informed the options around potential rent increases; and that the three options offered to tenants had been the best options for the Business Plan.

Thereafter, a full discussion took place and comments were made in relation to the consultation with tenants and discussions with the tenants' participation group; implications of not increasing rental charges; the improvement works which had been carried out to Council houses utilising the rental charges; the systematic programme of investment which had led to the excellent quality of housing within South Ayrshire; the options given to tenants for the rent increase, recognising the need for houses requiring maintenance on an ongoing basis; that rental charges were for the modernisation of Council houses and not for general services as raised in a previous question from a Member; the positive impacts of modernisation to houses in terms of health and reducing other costs for tenants, e.g. heating costs; that the rate of increase proposed was amongst the lowest in the country and just above the rate of inflation; that raising the level of rent was necessary to retain the good standard of properties; and that, should the level of rent not be increased, there would be a compound effect of approximately £32m for each year that a rent increase was not applied which would have a longer term effect on the future Housing Investment Programme.

The Head of Legal, HR and Regulatory Services then took the vote by calling the roll as follows:-

Helen Moonie	Agreed the Report
Laura Brennan-Whitefield	Agreed the Report
Siobhian Brown	Agreed the Report
Andy Campbell	Agreed the Report
Douglas Campbell	Agreed the Report
Iain Campbell	Did Not Agree the Report
Ian Cavana	Agreed the Report
Alec Clark	Agreed the Report
Ian Cochrane	Agreed the Report
Brian Connolly	Agreed the Report
Chris Cullen	Agreed the Report
Ian Davis	Did Not Agree the Report
Julie Dettbarn	Agreed the Report
Martin Dowey	Did Not Agree the Report
Ian Fitzsimmons	Did Not Agree the Report
William Grant	Agreed the Report
Peter Henderson	Agreed the Report
Hugh Hunter	Agreed the Report
Mary Kilpatrick	Did Not Agree the Report
Lee Lyons	Did Not Agree the Report
Craig Mackay	Agreed the Report
Derek McCabe	Did Not Agree the Report
Brian McGinley	Agreed the Report
Bob Pollock	Did Not Agree the Report
Philip Saxton	Agreed the Report
Arthur Spurling	Did Not Agree the Report
Margaret Toner	Did Not Agree the Report

Ten Members Did Not Agree the Report and seventeen Members voted to Agree the Report which was accordingly declared carried and the recommendations within the report were approved; and the Council, having thanked the Service Lead – Housing Services and his staff for their work on this matter,

Decided:

- (1) to agree to apply a fixed council house rent increase of 1.5% each year for three years from 2021/22 to 2023/24;

- (2) to agree to align the rental charge for one-bedroom new build properties with the rent level equivalent to one-bedroom bungalows, and apply the rent increase of 1.5% each year for three years from 2021/22 to 2023/24;
- (3) to agree to continue to freeze the rental charge for all other new build properties for the period 2021/22 to 2023/24;
- (4) to agree to increase other rents and charges for lock-up rents, garage site rents, garden maintenance charges, communal heating and amenity charges, by 1.5% each year for three years from 2021/22 to 2023/24;
- (5) to agree to freeze the rental charges for homeless temporary accommodation;
- (6) to note tenant feedback on the three top ranking priorities for investment of any identified uncommitted HRA reserves and agree that proposals be included in future reports to Leadership Panel as part of budget and capital programme monitoring;
- (7) to note the feedback from tenants and agree that the existing rent charging structure for sheltered housing remain the same as other mainstream properties; and
- (8) to approve the 2021/22 HRA revenue budget and the proposed five-year capital budget 2021/22 – 2025/26 as outlined in sections 4.4 and 4.5 of this report.

5. **VAT Recovery Funds.**

The Council

Decided: to note that, as previously intimated, this item had been withdrawn.

Councillor Grant left the meeting during consideration of the following matter.

6. **Notice of Motion.**

A Notice of Motion having been submitted in accordance with Council Standing Order No. 18, Councillor Julie Dettbarn, seconded by Councillor Philip Saxton, moved:-

“Improving the Lives of Gypsy / Travellers:

Council recognises the long-standing inequalities and injustices suffered by our Gypsy / Traveller communities; agrees that Gypsy / Travellers remain one of the most disadvantaged, marginalised and discriminated against communities in Scotland and resolves to deliver positive change in the experiences and outcomes of Gypsy / Travellers in South Ayrshire.

Council notes the actions laid out in the plan: “Improving the Lives of Gypsy Travellers 2019 - 2021”. The Plan is a joint action plan by the Scottish Government and the Convention of Scottish Local Authorities (COSLA) and identifies five key areas where work must be taken forward to improve experiences and outcomes for Gypsy/Travellers in Scotland:

1. Provide more and better accommodation;
2. Improve access to public services;
3. Better incomes in and out of work;
4. Tackle racism and discrimination; and
5. Improve Gypsy/Traveller representation.

Council therefore resolves to deliver positive change in the experiences and outcomes of Gypsy / Travellers in South Ayrshire by requesting that the Chief Executive set up a Member Officer Working Group to consider South Ayrshire's priorities in implementing the Plan "Improving the Lives of Gypsy Travellers 2019 - 2021" with the remit to present a report to Leadership Panel in June 2021 with its initial recommendations."

A full debate took place regarding the terms of the Motion and the Head of Legal, HR and Regulatory Services then took the vote by calling the roll as follows:-

Helen Moonie	Agreed the Motion
Laura Brennan-Whitefield	Agreed the Motion
Siobhian Brown	Agreed the Motion
Andy Campbell	Agreed the Motion
Douglas Campbell	Agreed the Motion
Iain Campbell	Agreed the Motion
Ian Cavana	Agreed the Motion
Alec Clark	Agreed the Motion
Ian Cochrane	Agreed the Motion
Brian Connolly	Agreed the Motion
Chris Cullen	Agreed the Motion
Ian Davis	Agreed the Motion
Julie Dettbarn	Agreed the Motion
Martin Dowey	Agreed the Motion
Ian Fitzsimmons	Agreed the Motion
Peter Henderson	Agreed the Motion
Hugh Hunter	Did Not Agree the Motion
Mary Kilpatrick	Agreed the Motion
Lee Lyons	Agreed the Motion
Craig Mackay	Agreed the Motion
Derek McCabe	Agreed the Motion
Brian McGinley	Agreed the Motion
Bob Pollock	Agreed the Motion
Philip Saxton	Agreed the Motion
Arthur Spurling	Agreed the Motion
Margaret Toner	Agreed the Motion

One Member Did Not Agree the Motion and twenty five Members Agreed the Motion and the Council

Decided: by a majority, to agree the terms of the Motion as set out above.

8. **Formal Questions.**

The Council noted that no formal questions had been submitted.

9. **Closing Remarks.**

Provost thanked all Members for their attendance and contributions.

The meeting ended at 11.45 a.m.