

LEADERSHIP PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 15th February 2011 at 10.00 a.m.

- Present: Councillors Bill McIntosh (Chair), Douglas Campbell, Hywel Davies, Nan McFarlane, Robin Reid and Margaret Toner.
- Apology: Councillor Peter Convery.
- Attending: D. Anderson, Chief Executive; H. Garland, Executive Director – Children and Community; E. Howat, Executive Director – Corporate Services; L. Bloomer, Executive Director – Development and Environment; V. Andrews, Head of Legal and Administration; C. Monaghan, Head of Policy, Performance and Communication; D. Alexander, Head of Corporate Resources; K. Leinster, Head of Community Care and Housing; J. McQuillan, Head of Property and Neighbourhood Services; R. MacDonald, Head of Community Development; R. Kingisepp, Office Manager (Property and Asset Management); M. Newall, Head of Planning and Enterprise; G. Collins, Community Engagement Manager; J. McGill, Facilities Manager; D. Knight, Committee Services Officer; and A. Gerrish, Committee Administrative Officer.

Community Services – Social Services.**1. Social Work Complaints Annual Report 2009/10.**

There was submitted a report (issued) of 21st January 2011 by the Executive Director – Children and Community advising that fourteen formal complaints had been recorded in respect of Social Work Services in 2009/10 and informing of the Directorate's performance in handling and responding to these complaints as outlined in Appendix 1 of the report.

Decided: to note the contents of the report.

Community Services – Housing and Customer First.**2. Housing Capital Investment Programme 2010/11: Monitoring Report as at Period 9: 31st December 2010.**

There was submitted a joint report (issued) of 4th February 2011 by the Executive Director - Development and Environment and Executive Director – Corporate Services

- (1) informing of the progress being made with the Housing Capital Investment Programme for 2010/11 as at 31st December 2010 (Budget Monitoring Period 9) as contained in Appendix 1 of the report;
- (2) indicating that the total expenditure and income at Period 9 was £8,699,041 and that based on a budget of £14,268,542, this represented expenditure in percentage terms of 64.02%;

- (3) advising that a number of adjustments to the Programme had been approved by the Leadership Panels on 9th February, 13th April, 17th August and 26th October 2010 and 18th January 2011 and the Council on 1st July 2010 leading to a revised budget of £14,268,542, which was reflected in Appendix 1 of the report;
- (4) proposing a number of adjustments to the Programme as indicated in Section 4 of the report; and
- (5) reporting that the net results of these adjustments as follows:-
 - (a) £18,367 might be returned to the accumulated surplus for allocation to future projects; and
 - (b) £472,698 might be returned to the accumulated surplus in respect of the works outlined in Sections 4.1.1 and 4.1.3 of the report, but earmarked to be drawn down in 2011/12 to fund completion of these projects.

Decided:

- (i) to note the progress made on projects to 31st December 2010, as highlighted in Appendix 1 of the report; and
- (ii) to approve the project budget adjustments as requested in Section 4 of the report.

3. Write-off of Former Tenant Arrears.

There was submitted a report (issued) of 27th January 2011 by the Executive Director – Children and Community seeking approval to write-off former tenant rent arrears totalling £30,967.48 as all attempts to recover this debt from eighteen cases had been exhausted and informing that, in 2010/11, £577,506.70 had been set aside within the Housing Revenue Account for bad debt provision.

Decided: to write-off mainstream Housing Former Tenant Arrears totalling £30,967.48.

Development and the Environment – Sustainability and the Environment.

4. Galloway Hydro Scheme – River Doon.

Reference was made to the Minutes of the Council of 16th December 2010 (Page 23, paragraph 2) and there was submitted a report (issued) of 3rd February 2011 by the Chief Executive informing of the progress being made in preparing the joint response to the proposed application by Scottish Power for a technical variation to the Controlled Activities Regulations licence and seeking approval to proceed with submission of this response as outlined within the report.

Councillor McIntosh advised that he had represented the Council at a further stakeholder meeting yesterday and that the joint response had been signed with all parties present.

Decided:

- (1) that this Council should join forces with East Ayrshire Council, Ayrshire Rivers Trust and the Save the Doon Campaign to strongly object to the Scottish Power application with the key points of the objection being:-
 - (a) the potential economic threat of the proposal; and
 - (b) the possibility of a better way to meet the Water Framework Directive that could provide a win-win-win solution for all involved; and
- (2) that, on these grounds, authority be delegated to the Executive Director – Development and Environment to sign the joint objection on behalf of this Council.

5. Proposed Charges for Traffic Count Data.

There was submitted a report (issued) of 7th February 2011 by the Executive Director - Development and Environment

- (1) advising that the Council, as local Roads Authority, had a duty to monitor traffic flow and movement throughout the Council area in order to meet its statutory requirements in respect of the Road Traffic Reduction Act 1997;
- (2) seeking approval for the introduction of charges relating to the distribution of data collected from Automatic Traffic Counters; and
- (3) informing of the proposed charges as outlined within the report and indicating that the fees collected would be used to supplement the existing programme of works pertaining to the collection of traffic count data both from the current count site locations outlined in the Appendix to the report and new sites to be introduced.

Decided: to approve the introduction of charges with immediate effect for the supply of count data as detailed within the report, income from which would be used to fund the ongoing annual maintenance and replacement costs of traffic counters.

6. Proposed Charges for Road Construction Consents and Inspections.

There was submitted a report (issued) of 7th January 2011 by the Executive Director - Development and Environment

- (1) advising that developers were required under Section 21 of the Roads (Scotland) Act 1984 to apply to the local authority for a Roads Construction Consent (RCC) if, as a part of their development, they proposed to construct a new road or extension to an existing road; and
- (2) seeking approval for the introduction of charges relating to a number of services provided as part of the RCC process as outlined within the report.

Decided: to approve the introduction of charges with immediate effect in relation to works being carried out by those staff processing Roads Construction Consents and the revision of the current charging method for RCC inspections.

Development and the Environment – Economic Development, Tourism and Leisure.

7. Results of Forehill Library Consultation.

Reference was made to the Minutes of the Council of 1st July 2010 (Page 378, paragraph 14) and there was submitted a report (issued) of 26th January 2011 by the Executive Director – Children and Community informing of the outcome of the consultation on the possible re-location of Forehill Library to an area within Forehill Primary School, Ayr.

Questions were raised by Members of the Panel in relation to the public consultation and whether the review would examine the Libraries' assets and the Head of Community Development responded accordingly.

Decided:

- (1) to note the results of the consultation and issues which had been raised as detailed in Section 4 of the report;
- (2) to agree that, in light of the consultation feedback, the Forehill Library should remain in its current location at this time; and
- (3) to further note that a review of all library service provision would be undertaken during 2011 which would consider access and entitlement criteria for users and would be subject to a future report to a meeting of the Council.

8. Maybole Pathfinder - Phase 2.

Reference was made to the Minutes of 21st January 2009 (Page 16, paragraph 7) and there was submitted a report (issued) of 24th January 2011 by the Executive Director – Children and Community

- (1) providing an update on the progress being made to take the Maybole Pathfinder Project forward and seeking support for a Phase 2 stage consisting of a full study of legal, business and consultative diligence with this being a required pre-asset transfer stage for a community partnership model of asset management;
- (2) informing that the implications to the Council as a partner of May-TAG of accepting this grant had been outlined in the offer letter from LEADER; and
- (3) proposing that match funding of £32,775 be provided by the Children and Community 2010/11 underspend.

David Kiltie, Maybole Community Council gave a brief outline to the background and the progress being made in relation to taking forward the Maybole Pathfinder.

Decided: having recorded their appreciation of the work undertaken by members of Maybole Community Council and Officers, to support the match funding requirements identified by LEADER to secure £100,000 of external funding by approving a contribution of £32,775 from the Children and Community 2010/11 underspend.

Councillor McFarlane left the meeting during consideration of the foregoing item, the time being 10.20 a.m.

Corporate and Community Planning - Corporate, Strategic and Community Planning.

9. Public Performance Reporting.

There was submitted a report (issued) of 3rd February 2011 by the Head of Policy, Performance and Communication providing an update on current public performance reporting arrangements and seeking agreement to consult with a range of stakeholders on future arrangements between April and June 2011 with the outcome of that consultation reported to the meeting of the Leadership Panel on 13th September 2011.

Decided:

- (1) to note the Council's current public performance reporting arrangements;
- (2) to agree that a consultation exercise be undertaken to determine stakeholder views on future public performance reporting arrangements; and
- (3) that the outcome of the consultation and recommendations for future arrangements be reported to its meeting on 13th September 2011.

Corporate and Community Planning – Resources and Performance.

10. Housing and Council Tax Benefit – Performance Monitoring – Position at 31st December 2010.

There was submitted a report (issued) of 4th February 2011 by the Head of Corporate Resources advising of the service improvements being undertaken to help achieve the full range of national housing and Council Tax benefit performance standards as outlined in Appendix 1 of the report.

Decided:

- (1) to approve the contents of the report; and
- (2) to request the Head of Corporate Resources to provide a further quarterly report on service delivery to a future meeting of this Panel.

11. Common Good Funds – Revenue and Capital Budgetary Control – Position Statement at 31st December 2010.

There was submitted a report (issued) of 4th February 2011 by the Executive Director – Corporate Services in relation to the revenue and capital accounts of Ayr, Prestwick, Troon, Maybole and Girvan Common Good Funds for the period to 31st December 2010 and

- (1) detailing
 - (a) the revenue position at 31st December 2010, against the approved full year budgets and projected balances; and
 - (b) the accumulated revenue position at 31st December 2010 and the projected accumulated revenue surpluses at 31st March 2011;
- (2) advising that the accumulated capital reserves balance on the Ayr Common Good Fund at 31st December 2010 was £2,355,596 with the projected accumulated capital position at 31st March 2011, taking into account the capital issues highlighted in Appendix 3 of the report, was anticipated to be £2,345,323, a reduction of £190,000 since 1st April 2010; and
- (3) intimating that the accumulated capital reserves balance on the Prestwick Common Good Fund at 31st December 2010 was £50,000 and that this position was anticipated to remain unchanged at 31st March 2011.

Decided: to approve the contents of the report.

12. Housing Revenue Account – Revenue Budgetary Control 2010/11 – Position Statement at 31st December 2010.

There was submitted a joint report (issued) of 4th February 2011 by the Executive Director – Children and Community and the Executive Director – Corporate Services detailing the performance of the Housing Revenue Account's expenditure and income against its profiled budget for the period to 31st December 2010 and reporting

- (1) that there was an accumulated surplus as at 31st March 2010 of £18.970m and that an updated list of the approved commitments against this surplus totalling £14.080m was outlined in the report and that the balance of £4.516m plus any surplus from 2010/11 would be used towards funding the 2011/12 Capital Programme as agreed in the 2011/12 rent setting report at the special meeting of the Council on 19th January 2011; and
- (2) that the HRA was underspent by £0.878m for the period to 31st December 2010 and that the projected surplus for the year to 31st March 2011 was £1.063m.

Decided: to approve the contents of the report.

13. **Budget Management – Revenue Budgetary Control 2010/11 – Position Statement at 31st December 2010.**

There was submitted a report (issued) of 4th February 2011 by the Executive Director – Corporate Resources

- (1) presenting an overview of the General Services Revenue Account for 2010/11 as at 31st December 2010;
- (2) detailing revenue monitoring reports for each Directorate for the period to 31st December 2010 as provided in Appendix 1 of the report; and
- (3) indicating that a number of service and budget issues were being raised in these reports and that Executive Directors had committed to management action to ensure that there was a break-even position at 31st March 2011 as follows:-
 - **Chief Executive's Strategic Office** – showed a current underspend of £0.077m which was mainly due to a saving in employee costs resulting from a current vacancy and maternity leave within the service and an underspend in relation to the budget set aside for best value initiatives and an underspend in relation to tackling deprivation payments to agencies with a year-end underspend of £0.142m was currently projected at 31st March 2011;
 - **Children and Community** – showed a current underspend of £1.343m which was mainly due to underspends in employee costs, property costs, supplies and services and administrative costs and payments to agencies offset by overspends in property and transport costs with a year-end underspend of £1.638m being currently projected at 31st March 2011;
 - **Corporate Services** – showed a current underspend of £0.020m which was mainly due to underspends in employee costs, supplies and services, payments to agencies and offset by an under-recovery of income with a year-end underspend of £0.208m being currently projected at 31st March 2011;
 - **Development and Environment** – showed a current underspend of £0.872m which was mainly due to underspends on employee costs, supplies and services, transport costs, third party payments and increased income with a year-end underspend of £1.617m being currently projected at 31st March 2011; and
 - **Miscellaneous** – showed an overspend of £0.009m which was mainly due to insurance premiums paid but not yet recharged to the Housing Revenue Account etc. offset by an underspend in payments to Ayr Renaissance with a year-end underspend of £0.095m being currently projected, £0.054m of this related to a projected underspend in contributions for the Townscape Heritage Initiative (THI) which had been previously approved as carry-forward to 2011/12 to add to the planned contribution for the THI in 2011/12 and requesting that £0.130m relating to a projected underspend in contributions to Ayr Renaissance be carry-forwarded to add to the planned contribution for Ayr Renaissance in 2011/12 resulting in a revised projected overspend of £0.089m;

- (4) outlining the current position with regard to:-
- targeted reductions;
 - Council Tax Income; and
 - Accumulated Balance at 31st December 2010 including:-
 - Contingency Balance 2010/11; and
 - Reserve Balances; and
- (5) reporting
- (a) that all Directorates have committed to bringing their budget in on-line, or better, by 31st March 2011; and
- (b) that an accumulated balance of £12.229m was currently anticipated at 31st March 2011.

Decided:

- (i) to note the contents of this report;
- (ii) to approve the carry-forward to 2011/12 of the £0.130m underspend in the Ayr Renaissance contribution held within Miscellaneous Services to be added to the planned 2011/12 contribution;
- (iii) to approve the management action being taken by Executive Directors to ensure a break-even budget at 31st March 2011 as outlined in Appendix 1 of the report; and
- (iv) to approve the virement as outlined in the Directorate budgetary control reports at Appendix 1 and summarised in Appendix 2 of the report.

14. General Services Capital Programme 2010/11: Monitoring Report as at Period 9: 31st December 2010.

There was submitted a joint report (issued) of 4th February 2011 by the Executive Director – Development and Environment and the Executive Director – Corporate Services

- (1) outlining the General Services Capital Programme for 2010/11 as at 31st December 2010 and detailing that at the end of Period 9, actual expenditure and income stood at £11,181,751 (62.5% of total budget), against a full year approved budget of £17,901,021;

- (2) recommending adjustments to the Programme as follows and as detailed in Appendix 2 of the report:-
- additional external funding for new projects;
 - funding for projects required to be carried forward from 2010/11 to 2011/12; and
 - projects requiring budget adjustments in 2010/11;
- (3) reporting that if approved, the adjustments would have the effect of increasing the current level of over-programming by £25,014, from £536,802 to £561,816 and informing that projects would continue to be reviewed and management action taken as appropriate to consider areas where the current level of over-programming might be reduced and would be reported to the next meeting of this Panel; and
- (4) seeking authority to negotiate the extension of an appointment for the Design Team for the refurbishment of Braehead Primary School.

Decided:

- (a) to note the progress made on projects to 31st December 2010, as highlighted in Appendix 1 of the report;
- (b) to approve the adjustments as outlined in Section 4 and Appendix 2 of the report; and
- (c) to agree that the Executive Director – Development and Environment be authorised to enter into negotiations with Messrs. Thomas C. Stewart LLP, DMP Consulting Engineers and Grossart Associates for the provision of consultancy services for the final phases of the re-development project at Braehead Primary School and that a contract be awarded as detailed in Section 5 of the report as allowed under Section 20.2 of the Standing Orders Relating to Contracts.

15. Treasury Management Quarter 3 Report 2010/11.

There was submitted a report (issued) of 4th February 2011 by the Head of Corporate Resources providing an update in relation to Treasury Management for the third quarter of the financial year 2010/11 and

- (1) presenting
- (a) an update of the economic background from September to December 2010; and
 - (b) a forecast for interest rates (Sector Treasury Services);
- (2) outlining the following within the Treasury Management Investment Strategy:-
- (a) investments;
 - (b) credit ratings definition;

- (c) borrowing;
 - (d) borrowing in advance of need;
 - (e) prudential indicators; and
 - (f) Icelandic deposits – update; and
- (3) detailing the resource implications for General Services and Housing Revenue Account.

Decided: having recorded their appreciation of the work undertaken by the Head of Corporate Resources and his staff, to approve the contents of the report.

16. **Integrated Resource Framework – Financial Mechanisms.**

There was submitted a report (issued) of 4th February 2011 by the Executive Director – Corporate Services

- (1) advising
 - (a) that the national Integrated Resource Framework programme sought to enable realisation of some of the goals of Shifting the Balance of Care (Scottish Government, 2008), through fostering closer integration between health boards and local authorities and that a number of sites across Scotland have been supporting the development of the framework by undertaking a broad ranging review of their service provision, and how this could be improved with the development work comprising two phases:-
 - **Phase 1:** explicit mapping of patient and locality level cost and activity information for health and adult social care, to provide a detailed understanding of existing resource profiles for partnership populations; and
 - **Phase 2:** partnerships identifying and focusing on a priority project to be progressed and financial levers and protocols that describe agreed and transparent methods to allow resource to flow between partners, to the care setting that delivered the best outcomes for the patient/client were produced to support optimal project outcomes and that within health there was a virement policy which specified devolved accountability for the management of resources and set out how resources could be transferred from hospital services to community or primary care services; and
 - (b) that Ayrshire and Arran and the three Ayrshire local authorities were participating as one of four phase 2 test sites and that four priority areas have been articulated as projects and key responsible personnel across the four organisations identified and that currently, the projects were at different stages of data collection and write-up; and
- (2) seeking approval of the financial mechanisms required as part of the progress on the Integrated Resource Framework.

Decided: to approve the financial mechanisms document attached as Appendix A of the report.

17. Belleisle Estate, Ayr.

Reference was made to the Minutes of 11th May 2010 (Page 265, paragraph 8) and there was submitted a joint report (issued) of 31st January 2011 by the Executive Director – Development and Environment and the Executive Director – Children and Community

- (1) providing an update on matters relating to Belleisle Estate
- (2) reporting
 - (a) that the preferred bidders have indicated that they would meet all professional fees and costs in relation to their proposals and this would be reflected in the terms of agreement;
 - (b) that there were no resource implications associated with the lease agreement for the Belleisle Conservatory;
 - (c) that the total value of the Belleisle Park project was estimated to be circa £2m and that based on the maximum level of funding allowable under the current Parks for People grant award criteria, the funding contribution being sought would equate to circa £1.5m and that there was no financial cost or commitment associated with the Stage 1 bid to the Heritage Lottery Fund in February 2011, however, should a Stage 2 bid be successful, the Council's capital funding contribution would be circa £0.5m which project presently featured in the Council's Capital Plan; and
 - (d) that a capital allocation of £85,000 was required to provide for the golf catering facility to include the construction, rental and fitting out of the temporary structure and that a revenue allocation of £15,000 was also required to provide suitable operational arrangements;
- (3) proposing that both of these requirements be funded from the underspend in the 2010/11 Children and Community Revenue Budget; and
- (4) seeking approval of the proposed actions outlined within the report.

Questions were raised by Members of the Panel in relation to the proposals for the Belleisle Estate, timescales to implement the recommendations contained in the report, whether the hotel would be leased or sold and when would the temporary catering facilities at Belleisle Golf Course be put in place and the Head of Property and Neighbourhood Services responded accordingly.

Decided:

- (i) to note the response to the recent tendering exercise in respect of Belleisle Estate, Ayr;
- (ii) to authorise the Executive Director - Development and Environment to enter into formal negotiations with the preferred bidders with regard to the sale of Lot 1 (Gate House) and Lot 2 (Hotel);
- (iii) to agree that the Executive Director - Development and Environment should re-visit the 'expressions of interest' registered with the Council and seek to develop a process of dialogue with interested parties should the formal negotiations as outlined within the report prove to be unproductive;
- (iv) to agree the terms for a 10 year lease to the Conservatory Group Limited, and on such other terms and conditions as might be agreed by the Executive Director - Development and Environment when concluding the legal transaction;
- (v) to note the submission of a Stage 1 bid to the Heritage Lottery Fund in February 2011;
- (vi) to approve the total sum of £100,000 from the Children and Community 2010/11 underspend to fund temporary catering facilities at Belleisle Golf Course to be in place for the start of the golf season; and
- (vii) to request that the Executive Director submit a progress report to the meeting of the Leadership Panel on 19th April 2011.

18. Facilities Management Service Review.

There was submitted a report (issued) of 2nd February 2011 by the Executive Director - Development and Environment

- (1) informing of the progression of the Facilities Management Service Review, proposed efficiency savings and the phases to implementation; and
- (2) reporting
 - (a) that the efficiency target of £350,000 for 2010/11 had already been achieved;
 - (b) that a further saving of £200,000 had been approved by the Council for 2011/12 and identifying areas offering further opportunities for efficiency in 2011/12 and future years; and
 - (c) that further analysis of opportunities for income generation in both catering and cleaning, and consideration of multi-tasking and enhanced job roles across the wider Facilities and Property Management would be key components of the emerging first Service Plan for Facilities Management; and
- (3) seeking approval for the implementation of proposed efficiency savings.

Questions were raised by Members of the Panel in relation to the tender for the kitchen equipment, the introduction of the new target of 63 pence food cost per meal and the quality of the butcher meat being supplied to the Council and the relevant Officers responded accordingly.

Decided: having recorded their appreciation of the work undertaken by the Head of Property and Neighbourhood Services and the Facilities Manager and their staff

- (i) to note the progress being made in relation to meeting savings efficiencies; and
- (ii) to approve the next phases towards implementation as detailed in the report.

19. Exclusion of press and public.

The Panel 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 paragraph 9 of Part 1 of Schedule 7A of the Act.

20. Proposal to Dispose of Land to SAS International Ltd. at Balloney, Maybole.

There was submitted a report (issued to members only) of 7th February 2011 by the Executive Director – Development and Environment seeking approval for the sale of 1.28 Ha (3.18 acres) of land to SAS International Ltd. as outlined within the report.

Decided:

- (1) to approve the sale of land 1.28 Ha (3.18 acres), as hatched on the attached plan to the report, to SAS International Ltd. for the sum of One Pound (£1.00) and on such other terms and conditions as might be agreed by the Executive Director - Development and Environment when concluding the legal transaction;
- (2) to formally declare the 1.28 Ha (3.18 acres) referred to in 2.1 of the report as surplus to operational requirements;
- (3) to agree to the partial renunciation of the lease of Mr. Tom McBlain and the formalisation of Mr. McBlain's tenancy of the remaining 5.17 Ha (12.75 acres) by way of a lease under the Agricultural Holdings (Scotland) Act 1991; and
- (4) to approve the allocation of £80,000 from existing resources to assist with the abnormal cost of land remediation.

21. Cottage No.2, Carngillan, Tarbolton.

There was submitted a report (issued to members only) of 12th January 2011 by the Executive Director – Development and Environment seeking approval for the sale of Cottage No. 2, Carngillan, Tarbolton.

A question was raised by a Member of the Panel in relation to the whether the cottage would be suitable for affordable housing and the Head of Property and Neighbourhood Services responded accordingly.

Decided: to approve the sale of the subjects to Mr. Ross White for the sum of £65,000 and on such other terms and conditions as agreed by the Executive Director – Development and Environment when concluding the legal transaction.

The meeting ended at 10.55 a.m.