

LEADERSHIP PANEL.

Minutes of meeting in Council Chamber, Town Buildings, Ayr,
on 25th September 2013 at 10.00 a.m.

Present: Councillors Bill McIntosh (Chair), Bill Grant, John McDowall, Rita Miller, Robin Reid, Philip Saxton and Margaret Toner.

Attending: E. Howat, Chief Executive; L. Bloomer, Executive Director – Economy, Neighbourhood and Environment; V. Andrews, Acting Executive Director – Resources, Governance and Organisation; K. Leinster, Head of Community Care and Housing; H. Carswell, Head of Children’s Services; D. Hutchison, Head of Education; D. Gillies, Head of Corporate Resources; C. Monaghan, Head of Policy, Community Planning and Public Affairs; J. Cronin, Head of Community, Enterprise and Development; K. Dalrymple, Neighbourhood Services Manager; T. Baulk, Chief Accounting Officer; and D. Knight, Democratic Services Administrator.

Also attending: Rev. David Gemmell, Miss Laura Hutton and Mrs. Mairi Raeburn (for items 1 to 5 only).

Apologies: Professor Andy Collier, Miss Phil Davey and Pastor Alastair Simmons.

Chair’s remarks

The Chair, on behalf of the Panel, welcomed Laura Hutton, the Pupil Council representative and Douglas Hutchison, Head of Education to their first meeting of the Leadership Panel.

1. 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.

2. Minutes of previous meeting.

The minutes of 27th August 2013 (issued) ([link attached](#)) were submitted and approved subject to Item 9 being submitted to next Council meeting for approval as a “C” item.

Community Services - Lifelong Learning.

3. Proposed Relocation of Ayr Academy and Change to the Catchment Area of Belmont Academy – Proposal Document.

There was submitted a report (issued) of 21st August 2013 ([link attached](#)) by the Executive Director – Care, Learning and Wellbeing seeking approval of the proposal document relating:-

- (1) to the proposed relocation of secondary provision at Ayr Academy to a new Ayr Academy learning campus to be built within the Craigie Estate, Ayr; and
- (2) to an amendment to the catchment area for Belmont Academy so that parents of pupils who resided in Craigie area as shown in the map in Appendix 1 of the report were zoned for Belmont Academy and the new Ayr Academy learning campus.

Clarification was sought and provided that the new campus facility would be ready for the start of the August term in 2017 and proposals were currently being developed for the new learning campus. It was noted that proposals were being reviewed regarding further rezoning of the catchment area and that the provision of Gaelic education in the new learning campus was still in the early stages of development.

In relation to staffing, the Panel noted that the industrial relations process would be managed in accordance with the Council's policies and procedures and agreements, and the Panel

Decided:

- (a) to approve the proposal document as detailed in Appendix 1 of the report; and
- (b) to request the Executive Director – Care, Learning and Wellbeing
 - (i) to issue the proposal paper for consultation; and
 - (ii) to submit a report on the outcome of the consultation process to a future meeting of the Leadership Panel.

4. Consultation on Amending the Schools (Consultation) (Scotland) Act 2010.

There was submitted a report (issued) of 3rd September 2013 ([link attached](#)) by the Executive Director – Care, Learning and Wellbeing advising of a response that had been submitted on behalf of this Council to the Scottish Government's consultation on amending the Schools (Consultation) (Scotland) Act 2010.

The Panel

Decided: to note and to confirm the response sent on behalf of the Council as detailed in Appendix 1 of the report.

C-I

5. School Performance 2012/13.

There was submitted a report (issued) of 5th August 2013 ([link attached](#)) by the Executive Director – Care, Learning and Wellbeing outlining progress in key areas of performance in South Ayrshire schools for the 2012/13 session.

Clarification was sought and provided in relation to the downward trend in the statistics for 2012/13 for the attainment of looked after children, and the Panel

Decided:

- (1) to note the contents of this report; and
- (2) to approve the key areas for improvement in 2013/14 as detailed in the report.

Community Services - Social Services.

6. Corporate Parenting in South Ayrshire Refresh 2013.

Reference was made to the Minutes of 30th April 2013 (Page 306, paragraph 4) and there was submitted a report (issued) of 10th September 2013 ([link attached](#)) by the Executive Director – Care, Learning and Wellbeing seeking approval of the Refreshed Corporate Parenting Strategy for South Ayrshire.

The Panel welcomed the Elected Members' Briefing that had taken place on 4th September 2013 on Corporate Parenting and in particular, the involvement of "Who Cares Scotland" and the presentation made by the young people.

Clarification was sought and provided in relation to the development of a Young Peoples Board for Elected Members and Looked After Young People and the role of the Community Planning Partners in Corporate Parenting, and the Panel

Decided:

- (1) to note the Refreshed Corporate Parenting Strategy for South Ayrshire; and
- (2) to agree the key actions proposed in the Refreshed Corporate Parent Strategy as outlined in the report.

7. South Ayrshire Adult Mental Health Strategy 2013-2016.

Reference was made to the Minutes of 28th May 2013 (Page 352, paragraph 3) and there was submitted a report (issued) of 12th September 2013 ([link attached](#)) by the Executive Director – Care, Learning and Wellbeing seeking agreement for the draft Adult Mental Health Strategy 2013-2016.

The Panel

Decided: to approve the South Ayrshire Adult Mental Health Strategy 2013-2016 as detailed in Appendix 1 of the report.

Community Services - Housing and Customer First.

8. Housing Capital Programme 2013/4 – Monitoring Report as at Period 4: 31st July 2013.

There was submitted a report (issued) of 11th September 2013 ([link attached](#)) by the Head of Corporate Resources updating the Panel on the actual capital expenditure and income, together with progress made on the Housing Capital Programme projects as at 31st July 2013.

Clarification was sought in relation to a further £110,902 being provided to cover central heating replacement and the Head of Corporate Resources gave an undertaking to provide this information to Elected Members.

Further information was sought in relation to the timescales for the Ayr North Maisonettes Project and that the Head of Corporate Resources gave an undertaking to provide this information to Elected Members.

The Portfolio Holder for Housing and Customer First requested that the Head of Corporate Services should clarify which Portfolio Holders should be consulted regarding the Housing Capital Programme, and the Panel

Decided:

- (1) to note the progress made on the delivery of the Housing Capital Programme to 31 July 2014; and
- (2) to agree to the adjustments as outlined in Tables 2 and 3 of Appendix 1 of the report.

9. Unacceptable Actions by Complainants Policy.

There was submitted a report (issued) of 11th September 2013 ([link attached](#)) by the Acting Executive Director – Resources, Governance and Organisation seeking approval for the draft Unacceptable Actions By Complainants policy.

Concerns were raised about some of the language used in the draft Policy and in response the Acting Executive Director – Resources, Governance and Organisation advised that it was only a small minority of service users whose actions resulted in unacceptable behaviour towards Council staff and that the Policy had been developed in order to protect and support staff. The wording used within the Policy was in line with other local authorities across Scotland and reflected the SPSO's own guidance on unacceptable actions, and the Panel

Decided: to agree that this report be continued to the next meeting of this Panel on 5th November 2013 in order that the Acting Executive Director – Resources, Governance and Organisation and Councillor McIntosh, in consultation with the appropriate Members, review further some of the language used within the draft Policy.

Development and Environment - Economic Development, Tourism and Leisure.

10. 2014-2020 Assisted Areas Map – Consultation Stage 1.

There was submitted a report (issued) of 11th September 2013 ([link attached](#)) by the Head of Policy, Community Planning and Public Affairs advising of the consultation from the Department for Business, Innovation and Skills and seeking agreement to respond to the Assisted Areas Map at Stage 1 of the consultation.

The Panel

Decided:

- (1) to note the consultation by the Department for Business, Innovation and Skills;
- (2) to agree the response to the Stage 1 consultation and to grant delegated authority to the Head of Policy, Community Planning and Public Affairs in consultation with the Portfolio Holder for Economic Development, Tourism and Leisure to finalise the Council's response by the deadline of 30th September 2013;
- (3) to note that the Stage 2 consultation was anticipated in the winter 2013/14; and
- (4) to agree that the Head of Policy, Community Planning and Public Affairs should provide Elected Members with a briefing note to further inform them on the salient points in a more accessible form.

C-I

11. Variation of Tree Preservation Order, Slaphouse Burn Gorge, Maybole Road, Ayr.

There was submitted a report (issued) of 28th August 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking approval to reduce the area of land protected by the existing tree preservation order at Slaphouse Burn Gorge, Maybole Road, Ayr, to reflect the fact that no trees were present on a significant portion of that land.

The Panel

Decided: to agree to make an order to vary The South Ayrshire Tree Preservation Order No. 2, 2001 (Slaphouse Burn Gorge, Maybole Road, Ayr), by deleting from it an area of land on which no trees were growing.

C-I

12. Consolidating and Developing Golf South Ayrshire.

There was submitted a report (issued) of 11th September 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking approval to

- (1) consider proposals designed to consolidate and develop the Council's Golf Service;
- (2) make proposals in relation to the lease arrangements for the catering and bar facilities at Troon Clubhouse;
- (3) make proposals in relation to the redevelopment of Troon Clubhouse; and
- (4) make proposals in relation to the existing contractual arrangements with the three PGA Golf Professionals engaged by the Council.

Concerns were raised in relation to the lack of consultation with interested parties regarding the development of the golf service and the costs of the potential investment in Troon Clubhouse and assurances were sought and provided in relation to the deadline for a further report to this Panel, and the Panel

Decided:

- (a) to note the review exercises currently underway and outlined in paragraph 4.1 of the report;
- (b) to agree to the proposal to commission an external body to provide expert advice on golf business plan;
- (c) to agree to consider the options for the redevelopment of Troon Clubhouse once work had been completed on the Golf Business Plan and the business case for alternative models for service delivery and to agree investment of up to £300,000 to undertake necessary works;

- (d) to agree to negotiate an extension to the lease for the existing operator of the catering and bar franchise at Troon Golf Clubhouse for a further period of up to twelve months which would allow a lead in time for tendering once the business plan was finalised in April 2014 and that a report should be submitted to the meeting of this Panel on 29th April 2014 outlining the proposals from the preferred bidder; and
- (e) to approve the extension of the contractual arrangements with the PGA Golf Professionals at Troon and Belleisle & Seafield Golf Courses until 31st March 2015, subject to the conditions set out in this report and in accordance with paragraph 23.2 of the Council's Standing Orders Relating to Contracts.

Development and Environment - Sustainability and Environment.

C-I

13. Service Modernisation - Special Uplifts.

There was submitted a report (issued) of September 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking approval of a new system and pricing structure for Special (bulky) Uplifts.

A concern was raised in relation to the withdrawal of the service that provided an occasional skip in urban areas and the Panel

Decided:

- (1) to approve the new streamlined system for application and service delivery relating to Special (Bulky) Uplifts and a new pricing structure based on number of items for uplift and the removal of the concession pricing as outlined in the report; and
- (2) to request the Neighbourhood Services Manager to explore the possibility of reintroducing provision of an occasional skip service when required in urban areas.

C-I

14. Maintenance on Grass Slopes Greater than 35 Degrees.

There was submitted a report (issued) of September 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking approval for alternative maintenance regimes for grass areas currently cut on slopes which posed a risk to the health and safety of the Council's operational employees.

Following an enquiry about purchasing self automated machinery, the Panel was advised that the cost of this would be prohibitive, and the Panel

Decided: to approve alternative maintenance regimes for twelve location with gradients of 35 degrees or over for which no alternative grass cutting machinery could be identified.

Corporate and Community Planning - Resources and Performance.

15. The Public Services Network.

There was submitted a report (issued) of 12th September 2013 ([link attached](#)) by the Head of Policy, Community Planning and Public Affairs advising of a significant issue related to the Public Services Network (formerly known as the Government Secure eXtranet) which was affecting all Scottish local authorities and setting out the actions initiated by officers in this Council to address this issue.

Clarification was sought and provided in relation to the ICT health checks and that the Council adhered to all codes and Guidance that had been issued by the Government.

The Acting Executive Director – Resources, Governance and Organisation advised that Tell Us Once was a notification service provided by the Registration Service which collected information for DWP and other agencies at the time of the registration of a death.

The Panel

Decided:

- (1) to note the enhanced compliance requirements for continued connection to the Public Services Network;
- (2) to agree the work which officers had initiated and were currently undertaking to address this issue;
- (3) to agree that the Portfolio Holder for Resources and Performance be provided with fortnightly updates on this issue until the next Code of Connection was agreed with the Cabinet Office; and
- (4) to agree that an update be provided to the meeting of this Panel on 5th November 2013.

16. Budget Management – Revenue Budgetary Control 2013/14 – Position Statement at 31st July 2013.

There was submitted a report (issued) of 11th September 2013 ([link attached](#)) by the Chief Accounting Officer presenting a financial overview of the General Services Revenue Account, Housing Revenue Account and Common Good Accounts for 2013/14 as at 31st July 2013.

Clarification was sought and provided in relation to the frequency of reports being submitted to this Panel and whether they could be submitted more often and the Chief Accounting Officer advised that this matter was being considered as part of the current scrutiny review by the Corporate and Community Planning Standing Scrutiny Panel but was an issue of available resources, and the Panel

Decided:

- (1) to approve the revised Directorate budgets resulting from the 'Raising our Ambitions' restructure and other movements as outlined in 3.3 of the report;
- (2) to note the renaming of the Change Fund to that of the Efficiency and Improvement Fund as outlined in 3.11 of the report;
- (3) to approve the virement as outlined in the Directorate financial performance reports at Appendix 1 and summarised in 4.1(2) of the report;
- (4) to approve the requested earmarking for carry forward of resources to 2014/15 as outlined in 4.1(3) of the report;
- (5) to approve the £0.294m transfer to contingency from Care, Learning and Wellbeing relating to the revenue budgets not required in 2013/14 for the new build Children's residential unit as outlined in 4.1 (4) of the report;
- (6) to note that management action was being taken by Directors to ensure a break-even position at 31st March 2014 as outlined in 4.1(5) of the report;
- (7) to note the Council tax collection rates as outlined in 4.2 of the report; and
- (8) otherwise, to note the contents of this report.

17. General Services Capital Programme 2013/14: Monitoring Report as at Period 4: 31st July 2013.

There was submitted a report (issued) of 11th September 2013 ([link attached](#)) by the Head of Corporate Resources presenting an update on the actual capital expenditure and income, together with progress made on the General Services Capital Programme projects as at 31st July 2013.

The Head of Corporate Resources advised the Panel that he was currently considering the format of the Capital Programme reports and how the information contained therein was presented to this Panel and that the purchase of Marr College had been finalised on 12th September 2013 at a cost of £4,987,500.

Clarification was sought and provided as to how it was anticipated that the newly created posts could help to reduce slippage within the Programme and that whilst the installation of a new heating system at Cherry Tree Nursery would not proceed based on the lifespan of the building, the building would still have heating, and the Panel

Decided:

- (1) to note the progress being made on the delivery of the General Services Capital Programme to 31st July 2013; and
- (2) to agree to the adjustments as outlined in Tables 2 and 3 of Appendix 1 of the report.

18. Annual Performance Report to 31st March 2013.

There was submitted a report (issued) of 11th September 2013 ([link attached](#)) by the Head of Policy, Community Planning and Public Affairs presenting the Council's progress against its Corporate Plan to 31st March 2013 for Members' consideration.

The Panel

Decided: having thanked the members of the three Standing Scrutiny Panels for their thorough examination of the Annual Performance Report at their respective Panels

- (1) to note the work undertaken by the Standing Scrutiny Panels in reviewing the Council's performance in 2012/13;
- (2) to agree to the finalisation of the Annual Performance Report to 31st March 2013;
- (3) to agree to the publication of the performance information prior to 30th September as required by the Statutory Performance Indicator legislation; and
- (4) to agree that a six month interim report be provided to each of the three Standing Scrutiny Panels on those outcomes within their respective reports that were evaluated as being 'not on target - some concerns' or "not on target – major concerns.

C-I

19. Revised Media Relations Protocol for South Ayrshire Council.

Reference was made to the Minutes of 19th February 2013 (Page 175, paragraph 8) and there was submitted a report (issued) of 11th September 2013 ([link attached](#)) by the Head of Policy, Community Planning and Public Affairs seeking approval for a revised Media Relations Protocol for managing and implementing the professional relationships, working practices and operational activity between South Ayrshire Council, its Elected Members and Officers and representatives of the media whether local press, national media, broadcast media, specialist publications or online media.

The Panel

Decided: to approve the revised Media Relations Protocol as set out in Appendix 1 of the report.

20. Scheme of Enhanced Leave.

There was submitted a report (issued) of 11th September 2013 ([link attached](#)) by the Head of Employee and Customer Services seeking approval of the revised Scheme of Enhanced Leave.

Decided: to approve the revised Scheme of Enhanced Leave as outlined in Appendix 1 of the report.

21. 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.

22. Land at Greenfield Avenue, Ayr.

There was submitted a report (issued to members only) of 11th September 2013 by the Head of Corporate Resources requesting that 0.375ha (0.927acre) of land at Greenfield Avenue, Ayr, be declared surplus to requirements and available for disposal as shown hatched on the plan which forms an Appendix to the report.

Clarification was sought as to whether it would be appropriate to obtain outline planning permission in advance when disposing of a property, and the Panel

Decided:

- (1) to declare 0.375ha (0.927acre) of land at Greenfield Avenue, Ayr, surplus to requirements and available for disposal on the open market under Standing Order procedures; and
- (2) to request that the Head of Corporate Resources should give further consideration as to whether it would be appropriate under certain circumstances to obtain outline planning permission prior to seeking to dispose of a property on the open market.

23. Former Women's Aid Premises, 14 Green Street, Ayr.

Reference was made to the Minutes of the Council of 27th June 2013 (Page 22, paragraph 37) and there was submitted a report (issued to members only) of 11th September 2013 by the Head of Corporate Resources requesting approval to dispose of the property at 14 Green Street, Ayr which property was situated on a site extending to approximately 0.033 hectare as shown hatched on the plan which forms an Appendix to the report.

The Panel

Decided:

- (1) to formally approve 14 Green Street, Ayr available for disposal to William McConnell Kennedy; and
- (2) to delegate authority to the Acting Executive Director - Resources, Governance and Organisation to conclude the transaction on suitable terms and conditions as detailed within the report.

24. Icelandic Bank Investment.

There was submitted a report (issued to members only) of 13th September 2013 by the Chief Executive updating the Panel on sale of the Council's investment in Landsbanki.

The Panel

Decided:

- (1) to note the contents of this report; and
- (2) to authorise each of the Chief Executive, the Acting Executive Director – Resources, Governance and Organisation and the Chief Accounting Officer to conclude a sale at a price as detailed in the report.

26. Consideration of Disclosure of the above Confidential Reports.

Having heard the Acting Executive Director – Resources, Governance and Organisation, the Panel

Decided:

- (1) to authorise the disclosure of the part of the following reports falling under Standing Order 31.2 when the related transactions had been concluded:-
 - Land at Greenfield Avenue, Ayr; and
 - Former Women's Aid Premises, 14 Green Street, Ayr; and
- (2) not to authorise the disclosure of the whole or part of any documents of the following report falling under Standing Order 31.2:-
 - Icelandic Bank Investment.

The meeting ended at 11.30 a.m.