

**Agenda Item No. 2****LEADERSHIP PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 27th August 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; H. Garland, Executive Director – Care, Learning and Wellbeing; L. Bloomer, Executive Director – Economy, Neighbourhood and Environment; V. Andrews, Acting Executive Director – Resources Governance and Organisation; C. Monaghan, Head of Policy, Community Planning and Public Affairs; K. Leinster, Head of Community Care and Housing; J. Cronin, Head of Community, Enterprise and Development; C. Cox, Planning Manager; M. Hastings, Enterprise Manager; M. Douglas, Solicitor; T. Baulk, Chief Accounting Officer; J. Brown, Benefits Officer, Revenues and Benefits; A. Gerrish, Committee Services Officer; and D. Knight, Democratic Services Administrator.

**1. Declarations of Interest.**

In terms of Council Standing Order No. 17 and the Councillors' Code of Conduct, Councillor Saxton declared an interest in the item on the agenda entitled "Licensing of Taxi and Private Hire Vehicles" as he was a private hire / owner / driver and indicated that he would withdraw from the meeting during consideration of this item at the appropriate point in the meeting.

**2. Chief Executive's Update.**

The Chief Executive advised

- that work was still ongoing regarding the item on Consolidating and Developing Golf South Ayrshire that had been continued to this Panel from the Council at its meeting on 27th June 2013 and that a report would be submitted to a future Panel meeting;
- that an item would be considered later in this meeting regarding Ayr Gaiety Partnership that had been continued from the Council at its meeting on 27th June 2013; and
- in relation to the Icelandic bank claims, that she had previously circulated a technical update on this matter to Elected Members.

### **Community Services - Social Services.**

#### **3. Policy on the Management and Administration of Medication in Community Care Services.**

There was submitted a report (issued) of 12th August 2013 ([link attached](#)) by the Executive Director – Care, Learning and Wellbeing seeking agreement to a South Ayrshire Policy on the Management and Administration of Medication in Community Care Services as detailed in Appendix 1 of the report.

Clarification was sought and provided that that this Policy would be reviewed and amended as necessary and that the recording of prescribed medicine was not currently able to be completed electronically and the Panel

**Decided:** to approve the adoption of the Policy on Management and Administration of Medication in Community Care Services as detailed in Appendix 1 of the report.

#### **4. Scottish Parliament Health and Sport Committee: Call for Written Evidence on the Integration of Health and Social Care.**

There was submitted a report (issued) of 5th August 2013 ([link attached](#)) by the Executive Director – Care, Learning and Wellbeing seeking approval for a draft written submission from South Ayrshire Council on the Public Bodies (Joint Working) (Scotland) Bill relating to the Integration of Health and Social Care which had been submitted to the Scottish Parliament's Health and Sport Committee by the due date of 2nd August 2013 by the Director of Care, Learning and Wellbeing.

The Panel

**Decided:** to homologate the action taken to lodge the draft written submission as detailed in Appendix 1 to the report with the Scottish Parliament's Health and Sport Committee during the period of the Council Recess.

#### **5. Social Work Complaints Annual Report 2012/13.**

There was submitted a report (issued) of 7th August 2013 ([link attached](#)) by the Executive Director – Care, Learning and Wellbeing advising of the formal complaints recorded in respect of social work services during 2012/13 and the Council's performance in handling and responding to those complaints.

A comment was made by in relation to the introduction of tracking systems to address the slippage in response times and the Panel

**Decided:**

- (1) to note the contents of the report and the improvement actions identified through the management of complaints processes; and
- (2) to refer the report to the next meeting of the Community Services Standing Scrutiny Panel for that Panel to decide whether to give further consideration of the statistics relating to Complaints based on “Reliability” as recorded in Appendix 1 of the report.

**Community Services - Housing and Customer First.**

**6. Tenant Participation Strategy 2013-2015.**

There was submitted a report (issued) of 7th August 2013 ([link attached](#)) by the Executive Director – Care, Learning and Wellbeing seeking agreement to adopt the revised Tenant Participation Strategy 2011-2015.

Assurances were sought and provided that continued attempts would be made to ensure that all tenants were involved in tenant participation and that alternative methods of contacting tenants would continue to take place and in relation to staffing within the service, the Panel

**Decided:** to agree to adopt the revised Tenant Participation Strategy 2013 – 2015 as detailed in Appendix 1 of the report.

**Development and Environment - Economic Development, Tourism and Leisure.**

**7. Draft Sport and Leisure Strategy.**

There was submitted a report (issued) of 8th August 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking approval for the consultative draft of the Sport and Leisure Strategy.

The Panel

**Decided:** to agree a short term public consultation exercise in relation to the draft Sport and Leisure Strategy as detailed in Appendix 1 of the report.

8. **Supplementary Guidance - Historic Environment, Alterations and Extensions to Houses and Rural Housing.**

There was submitted a report (issued) of 16th August 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment providing a summary of representations received during public consultation on the draft Supplementary Guidance on Rural Housing; Alterations and Extensions to Houses; and Historic Environment and following consideration of representations, seeking approval of these policies, with minor modification, as final policy.

A discussion took place in relation to encouraging non-traditional and innovative design, the benefits of investing in rural communities and the continuing improvement in the time taken to process planning applications and the Panel

**Decided:** that subject to amendment for clarification of the wording used in the guidance relating to “traditional” and “non traditional” design,

- (1) to approve the “Rural Housing Supplementary Guidance”; “Alterations and Extensions to Houses Supplementary Guidance”; and “Historic Environment Supplementary Guidance” as set out in Appendices I-III of the report; and
- (2) to grant delegated powers to the Executive Director - Economy, Neighbourhood and Environment to progress “Rural Housing Supplementary Guidance”; “Alterations and Extensions to Houses Supplementary Guidance”; and “Historic Environment Supplementary Guidance” towards adoption following the required statutory procedures and subsequent to the adoption of the South Ayrshire Local Development Plan.

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9. **South Ayrshire Local Access Forum.**

There was submitted a report (issued) of 16th August 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking approval for the re-appointment of eight existing members and the appointment of two new members to the South Ayrshire Local Access Forum (SALAF).

The Panel

**Decided:** to agree

- (1) to the re-appointment of the eight existing, non-Council members of SALAF for a further three years term as follows:-

<b>Name</b>	<b>Sector of Interest/Organisation</b>
Chris Savage (Chair)	Land management/Factor, Cassillis & Culzean Estates;
Keith Muir	Land management/Forestry Commission;
Teresa Dougall	Land management/Scottish Land and Estates
Jenny Fergusson	Community, equestrianism/Dailly Community Council;
Douglas Graham	Community, walking/Troon Community Council, South Ayrshire Ramblers;
Colin Mair	Farming/National Farmers Union
Euan Terras	Walking/Scotways; and
Robin Wilson	Angling; and

- (2) the appointment of two new members to SALAF as follows:-

<b>Name</b>	<b>Sector of Interest/Organisation</b>
David Wilbraham	Inland water sports/Girvan Canoe Club, Scottish Canoe Association; and
Alasdair Malcolm	Golf, field sports/Ayrshire Golf Association.

#### 10. **Landscape Capacity Study for Wind Turbine Development in Ayrshire.**

There was submitted a report (issued) of 16th August 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking approval to use the Landscape Capacity Study for Wind Turbine Development in Ayrshire (LCS) in planning decisions to aid the assessment of the landscape and visual impact of wind turbine applications and as a basis to inform future preparation of updated planning guidance on wind turbine developments.

A concern was raised that a copy of the Landscape Capacity Study had not been available in the Members' Library as had been indicated in the report.

An assurance was sought and provided in relation to the impact on this Council of excluded zones and the Panel

**Decided:** to approve the use of the guidance contained in the Landscape Capacity Study for Wind Turbine Development in Ayrshire, as it related to South Ayrshire, in relevant planning decisions and to inform the future preparation of updated planning guidance on wind turbine developments.

## **Development and Environment - Sustainability and Environment.**

### **11. 2013/14 Members' Priorities Funding – Investment in Allotments – Follow-up Report.**

Reference was made to the Minutes of 19th March 2013 (Page 237, paragraph 12) and there was submitted a report (issued) of 12th July 2013 ([link attached](#)) by the Executive Director – Economy, Neighbourhood and Environment seeking approval for proposals to invest £100,000 in allotments.

Assurances were sought and provided that the necessary steps would be taken to publicise the allotments and that community groups would be contacted encouraging them to apply and the Panel

#### **Decided:**

(1) to approve the proposed approach for the creation of three new allotment facilities as follows:-

- Gower Place, Ayr;
- Overmills Day Centre (former Dalmilling Community Centre), Ayr; and
- Outdale Avenue, Prestwick,

as detailed in paragraph 4 of the report; and

(2) to approve the proposed approach for the improvement and upgrading of existing allotment facilities as follows:-

- Alloway – replace the old, rotting communal wooden storage shed;
- Craigie – install turf reinforcement mesh along the grass verge at the top gate to prevent grass and soil erosion by the plot-holders' when using the area as a car park;
- Craigie – increase height of two field gates at bottom of allotments for added security,

as detailed in paragraph 4 of the report.

**Councillor Saxton, having previously declared an interest in the following item of business, left the meeting during consideration of this matter.**

### **12. Licensing of Taxi and Private Hire Vehicles.**

There was submitted a report (issued) of 16th August 2013 ([link attached](#)) by the Acting Executive Director – Resources, Governance and Organisation advising of the concern of the members of the Taxi and Private Hire Operators' Forum over the age restriction on vehicles licensed as taxi and private hire vehicles in South Ayrshire and seeking approval to retain the current restrictions.

Councillor McDowall advised the Panel that the taxi and private hire trade had requested that the Council reconsider the age limits on vehicles as they were finding it difficult in the current economic climate to replace vehicles as they became ten and six years old respectively and had requested that the Panel reconsider this request and the Panel

**Decided:** to agree that the age restriction on vehicles licensed as taxi and private hire vehicles in South Ayrshire be increased by one year, to eleven years from the first date of registration of the vehicle for taxis and to seven years from the date of first registration for private hire vehicles and otherwise, to confirm the terms of the existing policy.

**Councillor Saxton rejoined the meeting at this point.**

**13. Consultation on Licensing of Sexual Entertainment Venues.**

There was submitted a report (issued) of 16th August 2013 ([link attached](#)) by the Acting Executive Director – Resources, Governance and Organisation seeking approval for the submission of a response to the Scottish Government to a consultation on the Licensing of Sexual Entertainment Venues.

Councillor Miller advised that she, as the Chair of the Community Safety Partnership and Councillor Galbraith, as the Chair of South Ayrshire Multi-Agency Partnership to Tackle Violence Against Women and Children had both been consulted about this matter.

Councillor Miller then requested that the Panel reconsider its response to Question 9, and moved that “South Ayrshire Council takes seriously the exploitation of women which may be an issue in some venues and considers that there should be emphasis placed on safety measures which should be provided by operators to ensure safety of the venue and of performers and to ensure that there is no exploitation of performers”.

The Panel

**Decided:** to approve the submission of a response as detailed in Appendix 1 of the report to the Scottish Government by 24th September 2013 and that the following be included as the Council’s response to Question 9:-

“South Ayrshire Council takes seriously the exploitation of women which may be an issue in some venues and considers that there should be emphasis placed on safety measures which should be provided by operators to ensure safety of the venue and of performers and to ensure that there is no exploitation of performers”.

**Corporate and Community Planning - Resources and Performance.**

**14. Approvals under Delegated Authority during Period of Recess.**

There was submitted a report (issued) of 16th August 2013 ([link attached](#)) by the Acting Executive Director – Resources, Governance and Organisation advising of a matter that had been determined under delegated authority during recess.

The Panel

**Decided:** to note the matter determined under delegated authority during recess.

**15. Treasury Management Quarter 1 Report 2013/14.**

There was submitted a report (issued) of 16th August 2013 ([link attached](#)) by the Chief Accounting Officer providing a Treasury Management update for the first quarter of the financial year 2013/14.

The Panel

**Decided:** to approve the contents of the report.

**16. Housing Benefit – Performance Monitoring – Position at 30th June 2013.**

There was submitted a report (issued) of 16th August 2013 ([link attached](#)) by the Acting Executive Director – Resources, Governance and Organisation advising of the service work being undertaken to achieve local housing benefit performance standards which were monitored by Audit Scotland as part of a national housing benefit risk assessment programme conducted on behalf of the Department for Work and Pensions.

It was noted that this service was performing well given the level of demand and that in due course, the Panel looked forward to receiving details of this Council's performance against other Councils and the Panel

**Decided:**

- (1) to approve the contents of the report; and
- (2) to request the Acting Executive Director – Resources, Governance and Organisation to provide a further quarterly report on service delivery to a future meeting of this Panel.



**17. Staffing Changes – Asset Management and Capital Programme Delivery.**

There was submitted a report (issued) of 16th August 2013 ([link attached](#)) by the Acting Executive Director – Resources, Governance and Organisation seeking approval for the creation of two additional posts within the Council's Asset Management service and providing an update on steps to improve delivery of the Capital Programme.

Clarification was sought and provided regarding these posts and funding and it was noted the risk to the Council should these posts not be approved and the Panel

**Decided:**

- (1) to approve the creation of the following two posts with funding to be met from the Change Fund for a period not exceeding two years:-
  - an Asset Manager at Grade 5 Level 16 who would assume overall responsibility for the Asset Management Service.; and
  - an Asset Systems Manager at Grade 4 Level 14 who would report to the Asset Manager and assume overall control for Technology Forge, the Council's Asset Management Data Management System;
- (2) to note the following three temporary posts being created to assist in the delivery of the Capital Programme with funding to be met from the Capital Programme under the allocation for 'Initial Work on Projects for Future Years':-
  - a Capital Programme Manager at Grade 5 Level 15 who would take responsibility for the preparation of outline schemes, costs, programmes and procurement strategy for projects to be delivered under the capital programme; and
  - the other two posts would be a Capital Programme Architect and a Capital Programme Surveyor at Grade 3 Level 11 who would assist the Capital Programme Manager with their remit providing architectural and surveying resource input; and
- (3) to request the Acting Executive Director – Resources, Governance and Organisation to provide a regular report on the delivery of these services to future meetings of this Panel.

**18. Ayr Gaiety Partnership.**

Reference was made to the Minutes of the Council of 27th June 2013 (Page 000 , paragraph 20) and there was submitted a report (issued) of 16th August 2013 ([link attached](#)) by the Acting Executive Director – Resources, Governance and Organisation seeking approval for a loan to Ayr Gaiety Partnership.

A discussion took place regarding the terms of the loan and thanks were expressed to the Ayr Gaiety Partnership, and the volunteers and patrons of the Theatre and the Panel

**Decided:** to approve a loan from the Ayr Common Good Fund to Ayr Gaiety Partnership of £250,000, interest free, repayable in 48 equal monthly instalments

**19. Public Mourning Procedures.**

There was submitted a report (issued) of 16th August 2013 ([link attached](#)) by the Head of Policy, Community Planning and Public Affairs seeking approval for procedures to be adopted in the event that public mourning was to be observed.

The Panel

**Decided:** to approve the Public Mourning Procedure as set out at Appendix 1 of the report.

**20. 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 paragraphs 6, 8 and 9 of Part 1 of Schedule 7A of the Act.

**21. Social Care and Delegated Authority Contracts.**

There was submitted a report (issued to members only) of 12th August 2013 by the Executive Director – Care, Learning and Wellbeing and Executive Director – Economy, Neighbourhood and Environment advising of the social care contracts that had been agreed with providers, in accordance with Clause C of Annex 2 of Standing Orders Relating to Contracts and detailing the outcome of tenders which had been awarded during recess under delegated authority.

The Panel

**Decided:**

- (1) to note current contracts with independent sector providers that fell under the terms of Clause C of Annex 2 of Standing Orders Relating to Contracts as detailed in Appendix 1 of the report; and
- (2) to note the outcome of tenders that had been awarded under delegated authority;
- (3) to agree that the hire of Refuse Collection Vehicles be declared exempt from Standing Orders and to continue with Noblet Municipal pending completion of a Scotland Excel Framework as outlined in section 4.1 of the report; and
- (4) to request that Officers ensure that the relevant Portfolio-Holder be consulted about any tenders awarded under paragraph G21 of the Scheme of Delegation during a period of recess.

**22. Support for Employment, Prestwick Airport.**

There was submitted a joint report (issued) of 22nd August 2013 by the Executive Director – Economy, Neighbourhood and Environment and the Acting Executive Director – Resources, Governance and Organisation seeking approval to progress discussions, in particular the potential for financial support with relevant parties relating to the future of Prestwick Airport.

The Panel

**Decided:**

- (1) to authorise the Executive Director – Economy, Neighbourhood and Environment, in consultation with the Acting Executive Director – Resources, Governance and Organisation, to progress discussions with relevant parties including East Ayrshire and North Ayrshire Councils as detailed in the report;
- (2) to contribute up to £40,000, to be funded from a draw on contingency to obtain expert advice required to inform decision making relating to support from the three Councils to secure the future of Prestwick Airport, and noting that East Ayrshire Council and North Ayrshire Council would contribute equally to such expenses;
- (3) to note discussions on potential support as detailed in the report;
- (4) to note that the three Ayrshire Councils would continue discussions with the Scottish Government and its agencies regarding public sector support to achieve a sustainable future for the Airport; and
- (5) to note that firm proposals for support would be brought back to Leadership Panel for approval.

**Development and Environment - Economic Development, Tourism and Leisure.**

**23. Application for Loan Funding from the West of Scotland Loan Fund Ltd.**

There was submitted a report (issued to members only) of 15th August 2013 by the Executive Director – Economy, Neighbourhood and Environment seeking approval to award a loan from this Council's funds held in the West of Scotland Loan Fund.

The Panel

**Decided:** to approve the award of a loan from West of Scotland Loan Fund to the applicant company on the terms and conditions as set out at paragraph 4.1 of the report.

**24. Consideration of Disclosure of the above Confidential Reports.**

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

**Decided:** not to authorise the disclosure of the whole or part of any documents of the following reports falling under Standing Order 31.2:-

- Social Care and Delegated Authority Contracts; and
- Support for Employment, Prestwick Airport; and
- Application for Loan Funding from the West of Scotland Loan Fund Ltd.

The meeting ended at 11.15 a.m.