

LEADERSHIP PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr
on 19th September 2017 at 10.00 a.m.

Present: Councillors Douglas Campbell (Chair), Ian Cochrane, Julie Dettbarn, William Grant, Peter Henderson, Brian McGinley and Philip Saxton.

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; T. Baulk, Head of Finance and ICT; D. Gillies, Head of Property and Risk; R. Riddiough, Head of Legal and Democratic Services; C. Monaghan, Head of Communities; D. Burns, Head of Housing and Facilities; K. Dalrymple, Manager (Neighbourhood Services); T. Burns, Asset Manager; D. McNeill, Treasury Manager; K. Mullen, ICT Operations Manager; A. Valentini, Quality Improvement Manager, Early Years; K. Braidwood, Ayrshire Roads Alliance; and A. Gibson, Committee Services Officer.

Also

Attending: O. Campbell, D. Gemmell, T. Robinson and E. Terras (for items 5 and 6 only).

Apology: P. Davey and I. Gall.

1. Declaration of Interest.

In terms of Council Standing Order No. 17 and the Councillors' Code of Conduct,

- (1) Councillor Saxton declared an interest in Item 11 of this Minute entitled 'Taxi and Private Hire Standards' as he was the owner of a private hire vehicle and advised he would not take part in this item of business; and
- (2) Councillors Campbell and Saxton declared an interest in Item 19 of this Minute entitled 'New Riverside Offices – Site Acquisition' as they were members of the Ayr Renaissance LLP Board, however they advised that, as they perceived there was no conflict of interest, they would not leave the room when this item was being considered and would take part in discussions on this matter.

2. Minutes of previous meeting.

The minutes of 22nd August 2017(issued) were submitted and approved.

3. Decision Log.

Decided:

- (1) to approve the contents of the Decision Log (issued) including completion dates proposed to be changed following consultation with relevant Portfolio holders; and
- (2) to note that the Decision Log was being developed to take on board previous comments made by Members.

4. **Chair's Remarks.**

The Chair welcomed Olivia Campbell (Pupil Council representative) and Euan Terras (Parent Council representative) to their first meeting of this Panel.

Lifelong Learning.

5. **Early Learning and Childcare Expansion Plan.**

There was submitted a report ([issued](#)) of August 2017 by the Director of Educational Services seeking approval for the South Ayrshire Early Learning and Childcare Expansion Plan, 2017-2020.

Having noted that, at this time, it was unclear what the financial settlement from the Scottish Government would be and that adjustments to the draft plans would be necessary to reflect final funding availability, and that any adjustments would be undertaken in consultation with the Leader and portfolio holder, and that plans for alterations to premises would include consideration of using schools as community hubs, the Panel

Decided:

- (1) to approve the South Ayrshire Early Learning and Childcare Expansion Plan, 2017-2020, as detailed in Appendix 1 of the report, for submission to Scottish Government on 29th September 2017;
- (2) to agree to delegate authority to the Chief Executive to implement the plan, including creating any posts required for the expansion of early learning and childcare provision within existing early years budgets and additional resources allocated from Scottish Government;
- (3) to agree to delegate authority to the Chief Executive, following consultation with the Leader of the Council and the relevant Portfolio Holder, to modify the plan based on the outcome of the financial settlement from Scottish Government; and
- (4) to request the Director of Educational Services to provide an annual progress report on the plan to the Leadership Panel.

6. **Educational Services Plan – Closing the Attainment Gap and Achieving Potential in South Ayrshire.**

There was submitted a report ([issued](#)) of 30th August 2017 by the Director of Educational Services requesting this Panel to homologate the Educational Services Plan – “Closing the attainment gap and achieving potential in South Ayrshire 2017-2018” which was submitted to Scottish Ministers on 1st September 2017.

Having noted that this Plan was an excellent way forward in closing the attainment gap; that Social Work services and Corporate Parenting Champion Boards would be an integral part in delivering improvements; that the Integrated Children's Service Planning Group would produce an annual performance report, formulated with contributions from all the partners involved, which would be reported to both the Service and Performance Panel and the Integration Joint Board Performance and Audit Committee; and with officers acknowledging that planning in this area required improvement, as highlighted in the Inspection Report, the Panel

Decided:

- (1) to homologate the Plan, as submitted to Scottish Ministers on 1st September 2017;
- (2) to request the Director of Educational Services to provide an evaluative report on progress for September 2018;
- (3) to agree the publication of the Plan on the Council's website; and
- (4) to agree that, in line with the requirements of the Standards in Scotland's Schools (etc) Act 2000 as amended, planning for Educational Services would run from September to August each year rather than following the corporate service improvement planning timescales which ran from April to March.

Corporate, Strategic and Community Planning.

7. Evaluation of Holiday Lunches Pilot Programme.

There was submitted a report ([issued](#)) of September 2017 by the Head of Communities detailing an evaluation of the pilot work undertaken in two locations during summer 2017 to provide lunches as part of summer activity programmes delivered by the Council and partners.

The Panel, having conveyed their thanks to all those involved in this successful pilot programme; recognised the need to consider other geographical areas for similar programmes in future years; and having noted that the community planning partners and potential sponsors had been contacted with regard to making a contribution

Decided: to agree that the pilot be continued into the October week at both locations, funded from within the Communities service resource.

8. Local Fire and Rescue Service Plan for South Ayrshire.

There was submitted a report ([issued](#)) of September 2017 by the Head of Communities inviting the agreement of Leadership Panel to the Local Fire and Rescue Service Plan for South Ayrshire.

The Panel noted that the draft Plan had already been scrutinised both by this Panel and the Partnerships Panel, and

Decided: to agree the Local Fire and Rescue Service Plan for South Ayrshire.

Sustainability and the Environment.

9. A70 Ayr Town Centre to Holmston Roundabout – Progress report on Alternative Routes for Cyclepath.

There was submitted a report ([issued](#)) of 11th August 2017 by the Executive Director – Economy, Neighbourhood and Environment

- (1) detailing progress with developing alternative routes for a cyclepath near Holmston Road in Ayr; and
- (2) seeking approval to progress further feasibility and design work.

The Panel, having noted the extensive consultation that had been undertaken, and sought and received clarification regarding appropriate line markings to assist cyclists and pedestrians using the path; and having stressed the need for the South Ayrshire Cycling Forum and Ayr Renaissance LLP Board to be involved in developing the proposals

Decided:

- (a) to request that the Head of Roads - Ayrshire Roads Alliance undertake further feasibility and design work on the preferred options, E and F, as detailed in the report;
- (b) to request that a further report be submitted to a meeting of the Leadership Panel in Spring 2018 seeking approval for the preferred route prior to seeking external funding; and
- (c) to agree that the South Ayrshire Cycling Forum and Ayr Renaissance LLP Board be advised of the proposals.

10. Prestwick Amenity Beach Cleaning.

There was submitted a report ([issued](#)) of 6th September 2017 by the Head of Neighbourhood Services seeking approval to utilise funding from within the directorate budget of Economy Neighbourhood and Environment (ENE) to undertake the removal of bricks and rubble from Prestwick amenity beach.

The Panel, having noted the work involved by community activists on this matter

Decided:

- (1) to approve an initial clean of Prestwick amenity beach of bricks and rubble to take place in September/October 2017 and thereafter, annually, prior to the start of the bathing season; and
- (2) to note the potential impacts of this, as outlined in the report.

Having previously declared an interest in the following item, Councillor Saxton left the meeting during consideration thereof.

11. Taxi and Private Hire Standards.

There was submitted a joint report ([issued](#)) of 12th September 2017 by the Head of Legal and Democratic Services and Head of Neighbourhood Services intimating the position in relation to licensing of certain taxi and private hire vehicles.

The Panel, having noted that a further report on the implications of the Fleet Management Policy, Guidelines and Code of Conduct Applicable to the Licensing, Operation and Testing of Taxis and Private Hire Cars (the 'Guidelines') would be presented to a future meeting of this Panel

Decided: to agree to amend the existing standards for taxi and private hire vehicles under the Fleet Management Policy, Guidelines and Code of Conduct Applicable to the Licensing, Operation and Testing of Taxis and Private Hire Cars (the 'Guidelines') to reflect vehicles currently available as follows: conditions 6.23 and 7.15 of the Guidelines should be deleted and replaced with 'All the passenger seats in the vehicle must have easy access without obstruction. The width of each single seat must measure a minimum of 41cm, double seat a minimum of 79cm and triple seats a minimum of 120 cm measuring along the middle of the seat base cushion'.

Councillor Saxton re-joined the meeting at this point.

Housing and Customer Services.

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12. Housing Renewal Area Policy.

There was submitted a report ([issued](#)) of 1st September 2017 by the Head of Housing and Facilities seeking approval to introduce a Housing Renewal Area Policy to respond to issues of potential concentrated poor quality private housing in South Ayrshire.

The Panel, having sought to clarify the responsibilities of private owners and means of enforcement,

Decided: to agree the draft Housing Renewal Area Policy as detailed in Appendix 1 of the report, as established and required by the Housing (Scotland) Act 2006.

Resources and Performance.

13. Common Good/Trusts – Investment Option.

There was submitted a report ([issued](#)) of 8th September 2017 by the Head of Finance and ICT seeking approval for consideration of external investment of Common Good and Trust Fund balances with the aim of enhancing return.

The Panel, having noted that there were a number of considerations when making investment decisions, including ethical considerations; that the high demands on Common Goods Funds would need to be monitored; and that further consideration could be given to how the funds contributed to the local community,

Decided: to agree

- (1) that the investments should be placed within the same credit worthiness policy structure as used by the Council in order to ensure security of capital; and
- (2) to utilise Agency Treasury Services, for the investment of Common Good funds and the fifty-five Trust fund balances where the Council had sole control.

14. ICT Security Health Check – May 2017.

There was submitted a report ([issued](#)) of 12th September 2017 by the Executive Director – Resources, Governance and Organisation

- (1) summarising the findings and recommendations of an independent ICT health check performed in May 2017;
- (2) detailing an action plan to remediate the issues identified; and
- (3) seeking approval of the necessary funding to undertake the required remediation.

The Panel, having noted the legacy ICT issues requiring to be addressed, expressed the need for this report to be considered at the Council's Budget Working Group, and

Decided:

- (a) to endorse the remediation plan and actions undertaken as an appropriate response to the risks identified in the independent ICT health report;
- (b) to approve bringing forward to 2017/18 of £540,000 from future years identified capital budgets to undertake the essential infrastructure and application remediation work, with future years' requirements being progressed through the capital programme budget setting process;

- (c) to agree the requirement for £175,000 additional 2017/18 ICT revenue costs to support 3 ICT posts (£75,000) and essential ICT asset management and network security work (£100,000), to be funded initially from existing resources of vacancy management and capital projects;
- (d) to agree that for 2018/19 and beyond the additional revenue and capital requirements would require to be addressed and incorporated within the capital and revenue budget setting process;
- (e) to agree that an ICT Asset Replacement component be considered through the Council's annual capital budget cycle, based on a forward looking technology replacement lifecycle of 5 to 7 years; and
- (f) to agree that the report be referred to the Council's Budget Working Group for detailed examination of future budget implications.

15. 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 8 and 9 of Part 1 of Schedule 7A of the Act.

16. Authority to Accept Tenders.

There was submitted a report (issued to members only) of 8th September 2017 by the Head of Legal and Democratic Services seeking approval to accept Tenders that were not the lowest priced.

The Panel

Decided: to grant authority to the Executive Director – Resources, Governance and Organisation, in terms of Standing Order 18.2.3 of the Council's Standing Orders Relating to Contracts, to accept the Tenders submitted by:-

- (1) South Ayrshire Escape from Homelessness (SeaScape) for the Homelessness and Tenancy Support Service;
- (2) Richardson and Starling (Northern) Limited for the Measured Term Contract for Remedial Works to Damp Houses; and
- (3) HBE Risk Management for the Measured Term Contract for Legionella and Water Monitoring Services;

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17. Schools for the Future: Queen Margaret Academy.

There was submitted a report (issued to members only) of 8th September 2017 by the Head of Property and Risk

- (1) updating on progress of the Queen Margaret Academy project;
- (2) seeking authority to execute financial close;
- (3) seeking authority for the Council to take up a 10% equity stake in the DBFM Holdco set up for the project;
- (4) seeking approval of the appointment of the Head of Property and Risk as a Director of DBFM Holdco and DBFM Co.; and
- (5) seeking authority to invest in the subordinate debt for the project and the appointment of appropriate temporary staff to oversee the project.

The Panel,

Decided:

- (a) to note the progress on the Queen Margaret Academy project;
- (b) to approve the outcome of the SW Hub Stage 2 detailed design phase for the project, including the most up to date scheme, costs and programme and agree to bring forward £456,297 from future years' capital for the project;
- (c) to grant authority to the Executive Director - Resources, Governance and Organisation to progress, negotiate and thereafter conclude final negotiations to finalise the commercial and cost inputs necessary for financial close;
- (d) to grant authority to the Executive Director - Resources, Governance and Organisation to execute and deliver the necessary documents on behalf of the Council at Financial Close, as noted in Appendix 1 of the report;
- (e) to note that the project agreement and the funders direct agreement were certified contracts within the meaning of section 2 of the Local Government (Contracts) Act 1997 and shall meet the certification requirements within section 3 of the Local Government (Contracts) Scotland Act 1997;
- (f) to agree that the Council take up a 10% equity stake (valuing 10 pence) in the DBFM Holdco set up for the Queen Margaret Academy Project;
- * (g) to agree the appointment of the Head of Property and Risk as a director of DBFM Holdco and of DBFM Co on behalf of the Council;

- (h) to grant authority to invest in the subordinate debt for the Queen Margaret Academy project to a maximum value of £250,000;
- (i) to approve the appointment of a temporary Clerk Of Works for the construction phase of the project; and
- (j) to approve the funding of the project manager for the project for two years to oversee the project.

18. Surplus Land and Buildings Assets.

There was submitted a report (issued to members only) of 8th September 2017 by the Head of Property and Risk requesting that the land and buildings assets, as listed in Appendix 1 of the report, were declared surplus to the Council requirements in order to facilitate disposal.

The Panel, having discussed the appropriate extent of delegated powers to be granted to officers, and having noted that existing tenants would be asked first to express any interest in purchasing,

Decided:

- (1) to agree that the land and buildings assets, as listed in Appendix 1 of the report, were surplus to the Council's requirements;
- (2) to grant authority to the Executive Director – Resources, Governance and Organisation to dispose of the listed assets, including the land and buildings held in the Housing Revenue Account, subject to the appropriate statutory consents, including any disposal(s) for a price above £100,000; and
- (3) to request that Members be kept updated on the progress of the disposals by way of the Members' Bulletin.

19. New Riverside Offices – Site Acquisition.

There was submitted a report (issued to members only) of 8th September 2017 by the Head of Property and Risk seeking authority to acquire the land for the new Riverside Offices on the terms as detailed in the report.

The Panel

Decided: to authorise the Executive Director - Resources, Governance and Organisation to complete the acquisition of the land required for the new Riverside Offices at High Street, Ayr from Ayr Renaissance LLP by end of February 2018 at a net price of £0.150m.

20. Acquisition of 4 Properties for Use by the Housing Revenue Account.

There was submitted a joint report (issued to members only) of 28th August 2017 by the Head of Housing and Facilities and Head of Property and Risk seeking agreement for the acquisition of 4 properties at 71 - 73 Main Street, Ayr for use as Council housing.

The Panel

Decided:

- (1) to agree to the acquisition of four properties at 71 - 73 Main Street, Ayr from the Richmond Fellowship Scotland for use as Council housing; and
- (2) to delegate authority to the Executive Director – Resources, Governance and Organisation to conclude the legal transaction on the terms set out in this report and such other reasonable terms and conditions as appropriate.

21. Consideration of Disclosure of the above Confidential Reports.

Decided:

- (1) to authorise the disclosure under Standing Order 32.4 of the following report:-
 - Surplus Land and Buildings Assets;
- (2) to authorise the disclosure under Standing Order 32.4 of the following reports on completion of the acquisition:-
 - New Riverside Offices – Site Acquisition; and
 - Acquisition of 4 Properties for Use by the Housing Revenue Account; and
- (3) not to authorise the disclosure under Standing Order 32.4 of the whole or part of the following reports:-
 - Authority to Accept Tenders; and
 - Schools for the Future: Queen Margaret Academy.

The meeting ended at 11.35 a.m.