

SOUTH AYRSHIRE COUNCIL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 4th October 2018 at 10.00 a.m.

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

Apologies: Councillors Brian Connolly and Mary Kilpatrick.

Attending: E. Howat, Chief Executive; D. Hutchison, Depute Chief Executive and Director – People; D. Gillies, Director – Place; T. Eltringham, Director of Health and Social Care; T. Baulk, Head of Finance and ICT; C. Caves, Head of Regulatory Services; M. Baker, Service Lead – Corporate Planning and Improvement; D. McNeil, Treasury Manager; and J. McClure, Committee Services Lead Officer.

1. Provost.

The Provost

- (1) welcomed everyone to the meeting;
- (2) intimated that apologies had been received from Councillors Brian Connolly and Mary Kilpatrick; and
- (3) congratulated everyone involved in the Scottish Airshow last month which had proved to be an outstanding success again this year.

2. Sederunt.

The Chief Executive called the Sederunt for the meeting.

3. Procedural Matter.

The Provost advised that, in order to consider item 6 of this Minute entitled “Appointments to Panel and Representation on Outside Bodies”, and item 7 of this Minute entitled “Review of Portfolios” as this was within six months from the date of the previous decisions on these matters, the Council would, in accordance with Standing Order No. 22.1, require to agree to do so by a two thirds majority of those present and voting.

On a vote being taken by a show of hands and having achieved a two thirds majority, the Council agreed to consider this matter on the Agenda.

The Council so concurred.

4. **Declarations of Interest.**

In terms of Council Standing Order No. 17 and the Councillors' Code of Conduct, Councillors Brown, D. Campbell and Saxton and the Chief Executive declared an interest in item 11 of this Minute entitled "Ayr Renaissance LLP" as they were Members of the 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.

5. **Minutes of previous meetings of Council and Panels.**

(1) **Minutes of previous meeting of Council.**

The Minutes of South Ayrshire Council of [28th June 2018](#) (issued) were submitted and authorised to be signed as a correct record of this meeting.

(2) **Minutes of previous meetings of Panels.**

The Minutes of the undernoted Panels (issued) were submitted for information:-

- (i) Audit and Governance Panel of [30th May](#), [26th June](#) (Special) and [29th August 2018](#).
- (ii) Leadership Panel of [12th June](#) and [21st August 2018](#).
- (iii) Local Review Body of [29th May](#), [13th June](#), [21st August](#) and 11th September 2018.
- (iv) Partnerships Panel of [13th June 2018](#).
- (v) Regulatory Panel – Licensing of [21st June 2018](#).
- (vi) Regulatory Panel – Planning of [7th June 2018](#).
- (vii) Service and Performance Panel of [5th June 2018](#).

6. **Appointments to Panels and Representation on Outside Bodies.**

There was submitted a [report](#) (issued) of 27th September 2018 by the Head of Regulatory Services seeking approval to make alterations to the lists of Panels and Outside Bodies.

The Council

Decided:

- (1) to appoint Councillor Derek McCabe to replace Councillor Martin Dowey as a member of:-
 - (a) the Service and Performance Panel; and
 - (b) the Appeals Panel;

- (2) to appoint Councillor Derek McCabe to replace Councillor Mary Kilpatrick as a member of the South Ayrshire Sports Council Executive; and
- (3) to appoint Councillor Julie Dettbarn on the following, with effect from the meeting of South Ayrshire Council (Special) of 6th November 2018;
 - (a) Leadership Panel;
 - (b) Ayrshire Educational Trust replacing Councillor Ian Cochrane;
 - (c) Community Justice Ayrshire Board replacing Councillor Douglas Campbell;
 - (d) COSLA Health and Social Care Policy Board replacing Councillor Douglas Campbell; and
 - (e) South Ayrshire Integration Joint Board replacing Councillor Douglas Campbell.

7. **Review of Portfolios.**

There was submitted a [report](#) (issued) of 27th September 2018 by the Chief Executive seeking approval of proposed amendments to the responsibility of Portfolio Holders.

The Council, having considered the contents of the report.

Decided:

- (1) that there should be seven Portfolios as follows:-
 - (a) Corporate;
 - (b) Adults and Older People;
 - (c) Children and Young People;
 - (d) Community Wellbeing;
 - (e) Economy and Culture;
 - (f) Environment; and
 - (g) Resources and Performance; and
- (2) to confirm the appointments to the new Portfolios with effect from the meeting of South Ayrshire Council (Special) of 6th November 2018, as follows:-

(a) Corporate	Douglas Campbell
(b) Adults and Older People	Julie Dettbarn
(c) Children and Young People	William Grant
(d) Community Wellbeing	Philip Saxton
(e) Economy and Culture	Brian McGinley
(f) Environment	Ian Cochrane
(g) Resources and Performance	Peter Henderson; and
- (3) to request the Chief Executive to revise the Scheme of Delegation accordingly incorporating the amendments and submit this to the Special meeting of South Ayrshire Council scheduled to be held on 6th November 2018 for consideration.

8. Treasury Management Annual Report 2017/18.

There was submitted a [report](#) (issued) of 27th September 2018 by the Head of Finance and ICT presenting, in line with the requirements of the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management, the annual report of treasury management activities for 2017/18; and seeking approval of the contents of the report.

The Council, having thanked the Head of Finance and ICT and his staff for their hard work and diligence,

Decided: to approve the Annual Treasury Management Report 2017/18, attached as Appendix 1 to the report.

9. 2017/18 Performance Against the Former Council Plan.

There was submitted a [report](#) (issued) of 27th September 2018 by the Depute Chief Executive and Director – People requesting Members to review performance over the course of 2017/18 towards achieving the strategic objectives and outcomes, as contained within the 2017/18 Council Plan.

Comments were made by Members in relation to pupils from deprived areas gaining five or more awards at level six, the commitment to building new affordable homes; the employment rate; the impact of the Council Tax surcharge; the need to ensure that carers were aware of the services and benefits available to them; and the Council's commitment to ensure that no child's life should be marred by poverty.

Following questions, the Council noted

- (1) that the post-school positive destination figures were positive and continued to improve;
- (2) that it would take a significant amount of time to see an improvement in the Pupil Equity Fund, however, this matter was being addressed with vigour;
- (3) that issues regarding the new Carers' Strategy were being considered by the Integration Joint Board; that this was a significant role for the Health and Social Care Partnership in liaison with the Carers' Centre; that additional resources had been made available by the Scottish Government for this issue; and further updates would be provided by the Director of Health and Social Care as the strategy progressed; and
- (4) that, as the sample sizes of the measures were very small, it was difficult to provide totally accurate figures;

The Council, having thanked the Lead Officer - Corporate Planning and Improvement for his work on this matter and for providing this information in an easy to comprehend manner,

Decided: having reviewed the progress made against the Council's strategic objectives as set out within Appendix 1 of the report, to note the contents of the report.

10. Ayr Town Centre.

There was submitted a [report](#) (issued) of 27th September 2018 by the Director – Place advising of progress made in relation to regeneration works within Ayr Town Centre.

Following a question regarding support for business owners who wished to remain trading in Ayr but would require to relocate, the Director – Place advised that discussions were currently taking place with the business community and the Council would work with them to reach an agreement.

A full discussion took place on the regeneration works carried out within Ayr Town Centre; proposals for future improvement works; the future of the Citadel; proposals for bringing visitors to the town; Place Plans being put out to consultation for all towns and villages in South Ayrshire; and the need to bring vibrancy back to Ayr and the Council

Decided: having noted the projects and initiatives as outlined in paragraph 4.1 of the report, to request that officers prepare a public consultation on the proposals and form a sounding board.

11. Ayr Renaissance LLP.

There was submitted a [report](#) (issued) of 27th September 2018 by the Chief Executive advising of changes required to the current LLP Agreement.

Various Members paid tribute to the past and present Members of the Ayr Renaissance Board and thanked them for all their hard work which had resulted in many achievements within Ayr Town Centre.

Following a question on the tax implications of winding up the Ayr Renaissance LLP, the Chief Executive advised that advice would be taken from experts on this matter.

The Council, having noted the requirement to amend the LLP Agreement to reflect the resignation of the non-Council members and re-constitute the Board of the LLP

Decided:

- (1) that, provided officers established that there was no detriment to the current or previous members of Ayr Renaissance Board or the Council by the winding up of the LLP, that the LLP would be wound up; and
- (2) requested officers to provide a report detailing the appropriate process and any costs associated with doing so, to a future meeting of the Leadership Panel.

12. Notice of Motions.

A Notice of Motion having been submitted in accordance with Council Standing Order No. 18, Councillor Hugh Hunter, seconded by Councillor Martin Dowey, moved:-

‘Council agrees to provide the Ayrshire Roads Alliance with a budget of £50,000 to assist towns and villages outside of Ayr to erect and remove Christmas lighting. It is intended that this budget will also allow road closures and diversions, for Christmas lighting switch-on events. It may also allow for the replacement of some of the poorer quality Council owned Christmas lighting in these communities. A maximum of £5,000 per town and £2,000 per village.

This decision to be funded in 2018/19, by drawing on the Council's balance of uncommitted reserves partly arising from the £10.9m underspend in the financial year 2017/18. Future funding of these initiatives to be considered as part of the budget setting process for 2019/20.'

A full debate then took place regarding the terms of the Motion.

Point of Order

A Member of the Council enquired if the Motion was competent as, following a question, the Mover of the Motion had outlined that the figures referred to in the Motion were estimated and the Head of Regulatory Services advised that the Motion had been checked and was found to be competent.

By way of an Amendment, Councillor Clark, seconded by Councillor McGinley, moved:-

"In line with new Council Plan, we move that South Ayrshire Council continues to develop support mechanisms to enhance our working relationships with, and commitments to, local communities.

The Council has previously made a commitment to develop place plans to ensure that local Council investments, going forward in all the main towns and villages, are based on robust evidence of need and community aspirations.

We recognise that this will take time to formalise and it is anticipated the process will commence from January 2019. However, given that the festive season is a few months away, we identify that there is an opportunity to bring forward financial support for Christmas lights, where required.

With this fund, it is important that the funding does not supplant or compete with the work that has been taking place over a number of years. The fund will also seek to build on works undertaken by local communities to take forward their identified local priorities.

To assist this proactive development, a budget of up to £60,000 is proposed, to be made available from the uncommitted reserves, for the Council to decorate local towns and villages during the winter months."

A full debate then took place regarding the terms of the Amendment.

Point of Order

A Member of the Council enquired if the Amendment was competent as it did not detail how the monies would be spent and the Head of Regulatory Services referred to Standing Order No. 19.5 and advised that, as required by the Standing Order, the Amendment specified a figure and identified where the monies were to be allocated from, therefore, the Amendment was competent.

On a vote being taken by a show of hands, sixteen Members voted for the Amendment and ten for the Motion and the Council

Decided: to agree the terms of the Amendment as set out above.

13. Formal Questions.

The Council noted that no formal questions had been submitted.

14. Exclusion of press and public.

The Council 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 item of business on the grounds that it involved the likely disclosure of exempt information in terms of paragraph 9 of Part 1 of Schedule 7A of the Act.

15. Proposed Purchase of the Belleisle Hotel and South Lodge House, Ayr.

There was submitted a report (members only) of 27th September 2018 by the Director – Place seeking approval to purchase the former Belleisle Hotel, its associated grounds and South Lodge House, Ayr.

A discussion took place in relation to proposals for the future use of the Hotel and the Council

Decided:

- (1) to agree to the purchase of Belleisle Hotel at the value specified by the independent valuer;
- (2) to reallocate capital expenditure from the later years of the 2018/19 to 2025/26 capital programme to meet the cost;
- (3) to delegate authority to the Director – Place to request Legal Services to conclude this transaction on such other terms and conditions as may be required; and
- (4) to agree to Council officers reviewing future use options for the Belleisle Hotel and report back to the Leadership Panel on these options once the purchase has been concluded.

16. Consideration of Disclosure of the above Confidential Report.

Having heard the Head of Regulatory Services, the Council

Decided: not to authorise the disclosure under Standing Order 32.4 of the whole or part of the following report:-

- Proposed Purchase of the Belleisle Hotel and South Lodge House, Ayr.

17. Confidential Reports.

Following a comment from a Member on the procedures for dealing with confidential reports, the Leader advised that he would liaise with the Chief Executive regarding alternative procedures.

The meeting ended at 12.05 p.m.