

SOUTH AYRSHIRE COUNCIL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 10th May 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, Brian Connolly, Peter Convery, Chris Cullen, Ian Davis, Julie Dettbarn, Martin Dowey, Ian Fitzsimmons, William Grant, Peter Henderson, Hugh Hunter, Mary Kilpatrick, Lee Lyons, Craig Mackay, Derek McCabe, Brian McGinley, Bob Pollock, Philip Saxton, Arthur Spurling and Margaret Toner.

Attending: E. Howat, Chief Executive; D. Hutchison, Depute Chief Executive and Director – People; T. Balk, Head of Finance and ICT; K. Briggs, Service Lead – Legal and Licensing; C. Neillie, Solicitor, D. Strang, Quality Improvement Manager; and J. McClure, Committee Services Lead Officer.

1. Provost.

The Provost

- (1) welcomed everyone to the meeting;
- (2) intimated that no apologies had been received from Members of the Council; and
- (3) referred to the number of recent sporting successes in South Ayrshire and advised that requests for recognition of these were currently being considered by the Civic Office. She extended her congratulations to all individuals, clubs and organisations who had contributed to these achievements.

2. Sederunt.

The Chief Executive called the Sederunt for the meeting.

3. Procedural Matters.

The Provost advised that, in order to consider items 6, 7 and 9 of this Minute entitled “Appointments to Panel and Representation on Outside Bodies and Working Groups, etc”, “Scheme of Delegation” and “Proposed Increase in Footwear and Clothing Grants”, as this was within six months from the date of the previous decision 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 these matters on the Agenda.

4. Declarations of Interest.

There were no declarations of interest by Members of the Council in terms of Council Standing Order No. 17 and the Councillors’ Code of Conduct.

5. Minutes of previous meetings of Council and Panels.

(1) Minutes of previous meeting of Council.

The Minutes of South Ayrshire Council of [1st March 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) Appeals Panel of [28th September](#) and [3rd October 2017](#) and 27th February 2018.
- (ii) Audit and Governance Panel of [24th January](#) and [21st February 2018](#).
- (iii) Chief Officers Appointments/Appraisal Panel of [21st June](#) and [6th December 2017](#).
- (iv) Leadership Panel of [13th February](#) and [13th March 2018](#).
- (v) Local Review Body of [20th February](#) and [13th March 2018](#).
- (vi) Partnerships Panel of [7th February 2018](#).
- (vii) Regulatory Panel – Licensing of [15th February](#) and [15th March 2018](#).
- (viii) Regulatory Panel – Planning of [26th January](#), [1st February \(Site Visit\)](#), [28th February](#) and [22nd March 2018 \(Site Visit\)](#).
- (ix) Service and Performance Panel of [6th February 2018](#).
- (x) Ayrshire Shared Services of [16th February 2018](#).

6. Appointments to Panels and Representation on Outside Bodies and Working Groups, Etc.

There was submitted a [report](#) (issued) of 1st May 2018 by the Chief Executive

- (1) seeking approval to make alterations to the lists of Panels, Outside Bodies and Working Groups; and
- (2) requesting that Members consider whether to continue membership of the Council on the Board of the Energy Agency.

The Council

Decided:

- (a) to nominate and appoint a Member to replace Councillor Derek McCabe on various Panels/organisations as follows:-
- | | | |
|-------|---|---------------------------------|
| (i) | Service and Performance Panel | Councillor Bob Pollock; |
| (ii) | Appeals Panel | Councillor Margaret Toner; |
| (iii) | Equality and Diversity Forum | Councillor Hugh Hunter; |
| (iv) | Lifelong Learning Partnership | Councillor Lee Lyons; and |
| (v) | South Ayrshire Sports Council Executive | Councillor Mary Kilpatrick; and |
- (b) to continue the membership of the Council on the Board of the Energy Agency, the membership remaining with Councillors Ian Cochrane (Chair), Peter Convery and Phil Saxton (as Directors), as the Council's representatives.

7. Scheme of Delegation.

There was submitted a [report](#) (issued) of 1st May 2018 by the Chief Executive seeking approval to amend the Scheme of Delegation following review.

The Council

Decided: to approve the revised Scheme of Delegation, (extracts contained in [Appendix 1](#) and [Appendix 2](#)) with effect from 11th May 2018.

8. South Ayrshire Charitable Trust.

There was submitted a [report](#) (issued) of 1st May 2018 by the Chief Executive providing an annual update on the South Ayrshire Charitable Trust and seeking approval to amend the Trust Business Plan for the next financial year.

Questions were raised by Members and responded to by the Solicitor in relation to the Council's procedures for ensuring that all monies granted were being utilised for the intended purpose and the reporting mechanism for this to Council; and whether those organisations who did not submit their evaluation form and were precluded from applying the following year, were prohibited from applying for all grant funding or just from this Trust.

Having thanked the Officers for the work undertaken on this, the Council, as Trustees of South Ayrshire Charitable Trust,

Decided:

- (1) to note the summary of grant funding made by the Trust during 2017/18 as detailed in [Appendix 1](#);
- (2) to approve the Business Plan for the running of the Trust for the year 2018/19, as detailed in [Appendix 2](#); and
- (3) to agree to accept funds transferred from the Janet M. Stirling Trust (SC014439), should the transfer be approved by the Office of the Scottish Charity Regulator for the benefit of the residents of Troon.

9. Proposed Increase in Footwear and Clothing Grants.

There was submitted a [report](#) (issued) of 2nd May 2018 by the Depute Chief Executive and Director – People seeking approval to delegate authority to the Depute Chief Executive and Director – People to increase the grant to £125 for session 2018/19 when confirmation of additional funding from the Scottish Government had been received.

Questions were raised by Members and responded to by the Depute Chief Executive and Director – People and the Quality Improvement Manager in relation to the publicising of this to ensure that those entitled to the grant applied; the process for applying for the grant and whether assistance would be provided to applicants on completing their application; the estimated number of pupils who received this grant and whether this number was expected to rise with the increase of the grant to £125; and the method of payment.

The Council

Decided: to grant delegated authority to the Depute Chief Executive and Director – People to increase the grant to £125 for session 2018/19 when confirmation of additional funding from the Scottish Government had been received.

10. Notice of Motions.

- (a) A Notice of Motion having been submitted in accordance with Council Standing Order No. 18, Councillor Laura Brennan-Whitefield, seconded by Councillor Brian Connolly, moved:-

“South Ayrshire Council welcomes that the Scottish Government has committed to providing access to free sanitary products to students in schools to support equality, dignity and rights for those who menstruate and to ensure that lack of access to products does not impact on an individual’s ability to fully participate in education at all levels from August this year.

In addition to this, South Ayrshire Council will commission a report to look at what extra provision could be provided for vulnerable women across South Ayrshire facilities, as well as working with partners to ensure that we, as a Council, are addressing the issue of access to sanitary products.”

A full debate then took place regarding the terms of the Motion and the Council

Decided: unanimously, to agree the terms of the Motion as set out above.

- (b) A Notice of Motion having been submitted in accordance with Council Standing Order No. 18, Councillor Julie Dettbarn, seconded by Councillor Philip Saxton, moved:-

“These are Our Bairns....Growing Up

As Corporate Parents we have a duty of care to ensure that each and every one of our Looked After Young People and Care Leavers has the best possible start in their adult lives. A decent place to live, access to employment, training or further education and whatever support each individual requires to ease them into successful, independent adult life is the key to that.

We must fully recognise that most young people are simply not ready to be fully independent by the age of 18. ScotGov legislation states clearly that Looked After Young People have a right to be accommodated up to the age of 21 and to have access to support services until the age of 25.

ScotGov guidelines also state that young people should have a right to return to care if they are struggling and that hostels for the homeless are emphatically not suitable accommodation for Care Leavers.

Work is already underway to identify a range of options for supported accommodation, recognising that one size does not fit all. This is very complex piece of work and will require the goodwill and commitment of all of us to see it to successful completion.

This commitment has already been made to the Champions Board but today I am bringing this motion to County Hall to ensure this commitment is formalised and prioritised.

I recognise that we can't achieve all of this overnight but to today we commit to this work; that by the end of the Council term, at the very latest, we should have in place a range of options which properly meet the needs of the Young Adults in our care and that no Care Leaver or Looked After Young Person in South Ayrshire will be treated as homeless.

I therefore propose that South Ayrshire Council requests officers to develop proposals to ensure that Looked After Young People and Care Leavers no longer have to resort to going through the homeless system to gain accommodation when they reach their 18th year. I would request that this report is brought back to Leadership Panel in August.”

A full debate then took place regarding the terms of the Motion and the Council

Decided: unanimously, to agree the terms of the Motion as set out above.

- (c) A Notice of Motion having been submitted in accordance with Council Standing Order No. 18, Councillor Julie Dettbarn, seconded by Councillor Brian McGinley, moved:-

“Motion for Vote of Thanks

As we emerge out of a particularly challenging period of winter weather; it's right and proper that we take the time to thank our outstanding emergency services – Police Scotland, Scottish Ambulance Service, Scottish Fire & Rescue and particularly poignant for our fishing communities at this time, HM Coastguard for everything they do come rain, hail or shine to protect the safety of all our people. And to recognise the very difficult job they are tasked with when, in spite of all their efforts, there is no good outcome and they have to pick up the pieces of our tragedies. This winter, as always, they have all done a first-class job to protect our communities, as I am certain we can all agree.

But today, I also wish to draw attention to some of our hidden heroes who have worked their socks off on our behalf this winter.

The Ayrshire Roads Alliance workers who have worked round the clock to ensure our roads were cleared, salted and gritted to keep the wheels of industry turning, ensuring vital supplies and deliveries reached their destination and that most of us could safely get to work. But much more importantly, that the Police and Fire Services, could get to where they were needed and that Ambulances could safely transport people to hospital. None of this would have been possible without their hard work.

I also wish to place on record my thanks to all our homecare workers, who even in the worst of the winter weather, got themselves to work and managed the nerve wracking job of getting around untreated side roads and rural areas to ensure our vital care services were delivered to many of our most vulnerable citizens.

I move to place on record on behalf of SAC our sincere thanks for their dedicated service to our communities and would ask the Chief Executive to pass on our thanks to Police Scotland, Scottish Ambulance Service, Scottish Fire & Rescue, HM Coastguard, Ayrshire Roads Alliance and Homecare workers.”

A full debate then took place regarding the terms of the Motion and following a request from a Member that “the RNLI and all other first responders, including employees of this Council”, be added to the list of recipients to receive thanks, the Mover, in agreement with the seconder, agreed to this addition, and the Council

Decided: unanimously, to agree the terms of the Motion as set out above, including the additional recipients.

- (d) A Notice of Motion having been submitted in accordance with Council Standing Order No. 18, Councillor Siobhian Brown, seconded by Councillor Brian McGinley, moved:-

“This Council condemns the recent remarks by the UK Government Minister Esther McVey stating that Rape victims should regard their claim for a third child allowance, to be viewed as potentially double support. The Rape clause in the benefits legislation is an affront to a modern society, to then attempt to display this as additional counselling for victims is abhorrent.

This Council condemns the UK Government “Third Child” Policy and seek that it is repealed.

Council requests the Chief Executive to write to the Prime Minister, Theresa May, to note South Ayrshire Council’s condemnation of the UK Government “Third Child” Policy and Minister McVey’s inappropriate and insensitive remarks in relation to the policy in a recent select committee hearing at the Scottish Parliament.”

A full debate then took place regarding the terms of the Motion and the Council

Decided: unanimously, to agree the terms of the Motion as set out above.

11. **Formal Questions.**

The Council noted that no formal questions had been submitted.

The meeting ended at 11.05 a.m.