

LEADERSHIP PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr
on 11 June 2019 at 10.00 a.m.

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

Apology: Councillor Ian Cochrane.

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; C. Caves, Head of Regulatory Services; T. Baulk, Head of Finance and ICT; K. O’Hagan, Head of Employee and Customer Services; J. Lyon, Chief Social Work Officer; K. Carr, Executive Manager, Place Directorate; M. Newall, Executive Manager, Place Directorate; P. Bradley, Service Lead – Professional Design Services, M. Baker, Service Lead – Corporate Planning and Improvement; D. Yuille, Service Lead – Special Property Projects; T. Burns, Service Lead – Asset Management and Community Asset Transfer; C. Boyd – Service Lead - Risk and Safety; F. Fulton, Service Lead – Payroll, HR and Business Resourcing; F. Mullen, Service Lead - Planning and Building Standards; R. Kingisepp, Capital Planning Co-ordinator; S. Baird. Team Leader (Community Asset Transfer); L. Jarvie, Sustainable Development Policy Officer; S. Turner and K. Braidwood, Ayrshire Roads Alliance; and A. Gibson, Committee Services Officer.

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 14 May 2019 ([issued](#)) were submitted and approved.

3. Variation in Order of Business

In terms of Council Standing Order No.13.2, the Panel agreed to vary the order of business as hereinafter minuted.

Economy and Culture.

4. Prestwick Business Improvement District.

There was submitted a report ([issued](#)) of 3 June 2019 by the Director – Place providing an update on the activity undertaken to develop the Prestwick Business Improvement District (BID) and to confirm the respective responsibilities of the Council and the BID Steering Group.

Following questions from Members and having noted that costs would be met from BID itself, the Panel

Decided:

- (1) to note the current position of the Prestwick BID;
- (2) to request the Chief Executive to hold the ballot (under Section 7 of the Regulations) and act as the Returning Officer; and
- (3) to agree that Prestwick BID would be responsible for meeting the costs of managing the levy collection process.

Resources and Performance**5. Community Asset Transfer Request for the Purchase of Muirhead Activity Centre and Car Park, Troon.**

There was submitted a report ([issued](#)) of 4 June 2019 by the Director – Place in respect of a Community Asset Transfer of the ownership of the property known as Muirhead Activity Centre and car park, Central Avenue, Troon.

The Head of Regulatory Services advised of the contents of the Community Empowerment (Scotland) Act relating to community asset transfers and the Panel heard a number of questions relating to the request.

The time being 10.55 a.m. the Panel adjourned to consider the request further.

Having reconvened at 11.15 a.m., the Panel

Decided: to refuse the asset transfer of Muirhead Activity Centre and car park under Part 5 of the Community Empowerment (Scotland) Act 2015 to Dundonald Gymnastics Club on the grounds that the benefits of the existing use outweighs the value of the alternative proposals made by Dundonald Gymnastic Club and the specific factors which were relied upon are stated below:-

- (1) the feasibility and cost of relocation of the services elsewhere and the lack of a guarantee from officers that existing users could be accommodated in this facility or any local facility;
- (2) the proposal failed to demonstrate sufficiently that there would be enhanced local services or that the local community would be served or accommodated by the proposals for other uses in the application;
- (3) the lack of evidence to show that the benefits for the other parts of the community excluding the gymnastic community would be delivered and in the time periods set down in the application;
- (4) more weighting and more detailed consideration should have been applied to the local community objections, the number, type and specific issues raised by the significant objectors in the local community than Dundonald Gymnastic Club who represent a community of interest as a sporting club; and

- (5) there was a lack of consideration of whether the Muirhead Activity Centre, as the second most used community facility, was the most appropriate Council facility and a failure to explore with the Applicant alternative Council venues that might offer a better alternative for the club.

It was further agreed that officers enter into discussions with the applicant to explore alternative Council premises that might serve the applicant's needs with a view to reaching an agreement to make those premises available to the applicant on conditions agreeable to both parties.

6. **Decision Log.**

Decided:

- (1) to approve
- (a) the list of [overdue actions](#); and
 - (b) the actions listed with [revised due dates](#); and
- (2) to note the [recently completed actions](#).

Children and Young People.

7. **Children's Services Plan Annual Report 2018/19.**

There was submitted a report ([issued](#)) of 31 May 2019 by the Depute Chief Executive and Director - People seeking approval of the draft Children's Services Plan Annual report 2018/19.

The Panel

Decided: to approve the draft Children's Services Plan Annual Report 2018/19, as detailed in Appendix 1 of the report.

Corporate.

8. **Strategic Risk Management.**

There was submitted a report ([issued](#)) of 3 June 2019 by the Head of Regulatory Services updating the Panel on the reviewed Strategic Risk Register – May 2019 in line with the agreed reporting framework.

Following a question from a Member and having heard the Chief Social Work Officer provide an update on investment in prevention and early intervention, the Panel

Decided: to agree the ten key risks and endorse the work currently being undertaken or proposed by risk owners to mitigate these risks.

9. Moving Towards Mainstreaming Participatory Budgeting.

There was submitted a report ([issued](#)) of 5 June 2019 by the Depute Chief Executive and Director – People seeking consideration of options for participatory processes to influence a minimum of 1% of Council budget allocation.

Following questions from Members regarding this process, the Panel

Decided:

- (1) to approve the initial approach recommended by officers, as outlined in paragraph 4.7 of the report;
- (2) to recognise the elements of the Council budget which were subject to participatory processes, as outlined in Appendix 1 of the report;
- (3) to agree that officers should explore the option of using the Consul online tool to support this process; and
- (4) to agree that an Elected Members' Seminar be undertaken in September/October 2019.

Economy and Culture.

10. Business Loans Scotland and West of Scotland Loan Fund.

There was submitted a report ([issued](#)) of 3 June 2019 by the Director – Place seeking approval

- (1) for a change to the Articles of Association off Business Loans Scotland (BLS) of which this Council was a member; and
- (2) to withdraw surplus funds from the West of Scotland Loan Fund (WSLF) and note the intention of the Board of the West of Scotland Loan Fund to wind up the company

The Panel

Decided:

- (a) to agree to the proposed wording of the Special Resolution to change the Articles of Association of BLS, as outlined in paragraph 4.2 of the report;
- (b) to delegate authority to the Director - Place to ensure that the Special Resolution was signed and returned in accordance with the requirements of BLS;
- (c) to note the intention of the Board of the West of Scotland Loan Fund to wind up the company;
- (d) to approve the transfer of the Council's loan portfolio held within the West of Scotland Loan Fund to Business Loans Scotland;

- (e) to approve the withdrawal of £500,000 of surplus funds for the sole purpose of place based economic development activity; and
- (f) to request that proposals to use surplus funds be presented to the Leadership Panel in September 2019.

Environment.

11. Household Recycling Charter – Strategic Operating Model.

There was submitted a report ([issued](#)) of 3 June 2019 by the Director – Place seeking approval for staffing changes in light of the previously approved change to the Council's Waste Management collection services and frequencies.

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Following discussion regarding the funding of the posts, the Panel

Decided: to approve the creation of an additional 7 FTE to be funded from a reduction in third party payments.

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12. Sustainable Development and Climate Change Strategy.

There was submitted a report ([issued](#)) of 4 June 2019 by the Director – Place seeking approval for a Sustainable Development and Climate Change Strategy for this Council.

Following questions from Members and having noted the adaptability of the Strategy and the need for the Council's Capital Programme to reflect a modernisation agenda, the Panel

Decided:

- (1) to approve the strategy, as detailed in Appendix 1 of the report;
- (2) to support the launch and communication of the strategy; and
- * (3) to agree that a Member from the Conservative Group be appointed to the Sustainable Development and Climate Change Member/Officer Working Group.

Subsequently, at the meeting of South Ayrshire Council on 27 June 2019, it was agreed that the decision at (3) above be revised and the following decisions approved:-

- (3) to approve the creation of a Sustainable Development and Climate Change Member/Officer Working Group with responsibility for delivering the strategy; and

- (4) to agree that Councillor Douglas Campbell, as Leader of the Council, Councillor Ian Cochrane as Portfolio Holder for Environment and Councillors Alec Clark, Peter Convery, Chris Cullen and Helen Moonie be appointed to the Member/Officer Working Group, together with the Chief Executive, an Executive Manager for the Place Directorate, the Service Lead - Neighbourhood Services and the Service Lead - Asset Management and Community Asset Transfer (with the Co-ordinator for Sustainability and Fleet in a support capacity).

13. Development of an Active Travel Strategy.

There was submitted a report ([issued](#)) of 31 May 2019 by the Director – Place seeking approval to develop an Active Travel Strategy document for the Council, which would provide a strategic overview for the future implementation of walking and cycling infrastructure within South Ayrshire.

The Panel

Decided:

- (1) to approve the development of an Active Travel Strategy document for the Council;
- (2) to request officers to seek external grant funding from the Sustrans – Places for Everyone fund to develop an Active Travel Strategy;
- (3) to request the use of the local delivery budget if the Sustrans bid was unsuccessful;
- (4) to approve the proposed engagement arrangements for development of the Active Travel Strategy document, as detailed in the report;
- (5) to agree that ARA undertake no further work on a possible River Ayr Walk connection running adjacent to Holmston Road until an Active Travel Strategy was completed;
- (6) to request officers to submit the Active Travel Strategy to Leadership Panel in February 2020 for approval; and
- (7) to agree that details of the bids made to Sustrans be sent to Elected Members.

14. Provision of Parking Permits for Temporary Holiday Accommodation, Hotels and Bed and Breakfast Establishments.

There was submitted a report ([issued](#)) of 3 June 2019 by the Director – Place seeking approval to introduce temporary parking permits for holiday accommodation, hotels and bed and breakfast (B&B) establishments.

The Panel

Decided: to agree that this report be continued to a meeting of this Panel in September 2019.

Resources and Performance.

15. Budget Management – Revenue Budgetary Control 2018/19 – Outturn Statement at 31 March 2019.

There was submitted a report ([issued](#)) of 4 June 2019 by the Head of Finance and ICT providing a financial overview of the General Services Revenue Account and Common Good Accounts for 2018/19 as at 31 March 2019.

Following discussion and having noted there was ongoing dialogue with the Scottish Government regarding the overspend of Health and Social Care with a decision due imminently, the Panel

Decided:

- (1) to note the out-turn position for each Directorate/ service for 2018/19. as detailed in Appendix 1 of the report;
- (2) to approve the new earmarking of funds of £1.321m. across all Directorates/services to be carried forward for utilisation in 2018/19, as outlined in Appendix 2 of the report;
- (3) to approve the contribution of £0.350m. to provisions to meet the ongoing costs associated with current and potential insurance and other claims against the Council;
- (4) to approve the earmarking of funds of £0.500m. as a contribution to provide additional funding to support workforce change; and
- (5) to request that the Head of Finance and ICT undertake a review of the 2018/19 underspends contained in the service out-turn reports and reports back to the Leadership Panel in August 2019.

16. General Services Capital Programme 2018/19 – Monitoring Report as at 31 March 2019.

There was submitted a report ([issued](#)) of 31 May 2019 by the Director - Place advising on the actual capital expenditure and income, together with progress made on the General Services Capital Programme projects as at 31 March 2019 (Period 12) and to agree the changes to budgets in 2019/20 and future years.

Following a question relating to a specific project in the Programme and having heard officers in response, the Panel

Decided:

- (1) to note the progress made on the delivery of the General Services Capital Programme to 31 March 2019, resulting in spend of £31,766,151 or 96.04%, as detailed in Appendix 1 of the report;
- (2) to approve the adjustments contained in Appendix 2 of the report; and
- (3) to approve the revised budget for 2019/20 at £73,063,925 and 2020/21 at £55,127,125, as highlighted in Appendix 2 of the report.

17. Housing Capital Programme 2018/19 – Monitoring Report as at 31 March 2019.

There was submitted a report ([issued](#)) of 31 May 2019 by the Director – Place providing an update on the actual capital expenditure and income, together with progress made on the Housing capital programme projects as at 31 March 2019 (Period 12) and to agree the changes in 2019/20 and future years.

The Panel

Decided:

- (1) to note the progress made on the delivery of the Housing Capital Programme to 31 March 2019, resulting in spend of £21,505,535 or 112.58%, as detailed in Appendix 1 of the report;
- (2) to approve the adjustments as contained in Appendix 2 of the report; and
- (3) to approve the revised budget for 2019/20 at £30,003,184 and 2020/21 at £18,326,310 as highlighted in Appendix 2 of the report.

18. Capital Project Procurement Utilising SWHub.

There was submitted a report ([issued](#)) of 3 June 2019 seeking approval to submit new Project Requests (NPR's) to South-West Hub (SWHub) to assist in the procurement and delivery of three capital projects for the Council.

Following a question from a Member and having noted the timescales for the new affordable housing development at 12-14 Main Street, Prestwick, the Panel

Decided:

- (1) to approve the proposal to submit a New Project Request to SWHub for the procurement and delivery of the demolition contract for Burns House;
- (2) to approve the proposal to submit a New Project Request to SWHub for the procurement and delivery of the new affordable housing development at 12–14 Main Street Prestwick;

- (3) to approve the proposal to submit a New Project Request to SWHub for the procurement and delivery of the new Sacred Heart Primary School Project; and
- (4) to agree to delegate authority to the Director – Place to award contracts to the preferred bidders so long as they were within the approved allocated budget for each project as noted in the report.

19. The Local Government Pensions Scheme (Scotland) Regulations 2018.

There was submitted a report ([issued](#)) of 3 June 2019 by the Head of Employee and Customer Services

- (1) advising on developments in relation to the Local Government Pensions Scheme (LGPS); and
- (2) seeking approval for the proposed application of discretionary provisions in respect of the Rule of 85 plus the consequential change to the Council's Employee Retirement Framework.

The Panel

Decided:

- (a) to note LGPS developments;
- (b) to approve the application of discretionary provisions; and
- (c) to approve the consequential revision to the Employee Retirement Framework.

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 following items of business on the grounds that they involved the likely disclosure of exempt information in terms of paragraphs 1, 9 and 12 of Part 1 of Schedule 7A of the Act.

21. Ayr Esplanade Review.

There was submitted a report (Members only) of 5 June 2019 by the Director – Place seeking agreement to amend the Policy for the use of the Low Green to allow individual applications for the area to be used and to develop plans for the future use of Ayr Esplanade and the Low Green to enable a sustainable approach, to maximise revenue for the Ayr Common Good account and make the esplanade a more attractive destination for residents and visitors all year round.

Following questions arising from the report, the Panel

Decided:

- (1) to amend the Policy for the Use of the Low Green to allow individual applications for the area to be used;
- (2) to amend the Policy to delegate authority to the Director – Place, administered by the Service Lead – Asset Management and Community Asset Transfer, to grant permission for the use of the Low Green after consultation with the Head of Regulatory Services and issue the documentation granting the permission to occupy the site;
- (3) to develop plans for alternative facilities on the Low Green and provide an overview on land and property assets held in other common good accounts and report back to Leadership Panel on 26 November 2019;
- (4) to notify tenants of the termination of the lease agreements in accordance with requirements of the report; and
- (5) to request the Head of Regulatory Services to undertake the necessary legal work in accordance with the requirements of the report.

22. Asset Management and Community Asset Transfer – Proposed Staffing Structure Changes.

There was submitted a report (Members only) of 5 June 2019 by the Director - Place seeking approval to amend the current Asset Management and Community Asset Transfer staffing structure.

The Panel

Decided: to approve the revised staffing and structural arrangements as outlined in the report.

23. Implementation of Budget Savings – Public Affairs.

There was submitted a report (Members only) of 31 May 2019 by the Depute Chief Executive and Director – People in respect of savings agreed as part of the 2019/20 budget setting process and seeking approval of the proposed changes to staffing arrangements within Public Affairs.

The Panel

Decided:

- (1) to approve the proposed changes to structural staffing arrangements within Public Affairs; and
- (2) to approve the transfer of the Public Affairs service to Employee and Customer Services.

Children and Young People.

24. Amendment to Health and Social Care Management Structure.

There was submitted a report (Members only) of 31 May 2019 by the Head of Children's Health, Care and Justice Services seeking approval for future changes to the Health and Social Care Partnership (HSCP) management structure to reflect evolving service requirements and demands and to provide a stronger managerial and leadership structure in Children's Health, Care and Justice Services

The Panel

Decided: to approve the proposed changes to management arrangements within Children's Health, Care and Justice Services, as outlined in the report.

Adults' Health and Social Care.

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25. Creation of Stand-Alone Chief Social Work Officer Post.

There was submitted a report (Members only) of 7 June 2019 by the Director of Health and Social Care seeking approval to create a new stand-alone Chief Social Work Officer (CSWO) post and to confirm the interim arrangements for discharge of the function of the pending appointment.

The Panel

Decided:

- (1) to approve the creation of 1FTE post of Chief Social Work Officer, graded Level 17;
- * (2) to agree that, once recruitment to the new post was complete, the Council's Scheme of Delegation be amended to the effect that 'the statutory appointment of the Council's Chief Social Work Officer was undertaken by the Chief Social Work Officer'; and
- (3) to agree to extend the temporary contract for the current Interim Head of Children's Health, Care and Criminal Justice Services until 30 November 2019 in the role of Chief Social Work Officer.

Subsequently, at the meeting of South Ayrshire Council on 27 June 2019, it was agreed that the decision at (2) above be revised as follows:-

- “(2) to agree that the Council's Scheme of Delegation be amended to the effect that 'the statutory appointment of the Council's Chief Social Work Officer be undertaken by the Chief Social Work Officer'; and”

Environment.**26. Planning Application – Brewlands Road, Symington**

There was submitted a joint report (Members only) of 6 June 2019 by the Director – Place and Head of Regulatory Services providing an update on the current position regarding the successful planning appeal in relation to the site at Brewlands Road, Symington and the Council's options to challenge this.

The Panel

Decided: to continue consideration of this item to the next meeting of South Ayrshire Council, scheduled to take place on 27 June 2019.

Corporate.**27. Office Rationalisation.**

There was submitted a report (Members only) of 5 June 2019 by the Director – Place advising of works to be undertaken and seeking approval to implement a second phase of works to further rationalise the Council's office accommodation

The Panel

Decided:

- (1) to note progress made to date to decant Burns House by December 2019;
- (2) to approve the progression of a number of workstreams to facilitate the clearance of the John Pollock Centre by October 2020; and
- (3) to approve the submission of a New Project Request to SWHub to deliver the next phase of the works.

28. Consideration of Disclosure of the above Confidential Reports.**Decided:**

- (1) to authorise the disclosure under Standing Order 32.4 of the following reports:-
 - Asset Management and Community Asset Transfer – Proposed Staffing Structure Changes;
 - Amendment to Health and Social Care Management Structure; and
 - Creation of Stand-Alone Chief Social Work Officer Post

- (2) to authorise the disclosure of part of the undernoted report falling under Standing Order 32.4 and that report be redacted following consultation with the Head of Regulatory Services and relevant officers and following expiry of the period for call-in or following conclusion of the call-in process, as applicable:-
- Implementation of Budget Savings – Public Affairs; and
- (3) not to authorise the disclosure under Standing Order 32.4 of the whole or part of the following report:-
- Ayr Esplanade Review; and
 - Office Rationalisation.

The meeting ended at 1.05 p.m.