

## **LEADERSHIP PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr  
on 17 September 2019 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; 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; M. Inglis, Head of Children’s Health, Care and Justice Services; W. McClean, Head of Community Health and Care Services; P. Bradley – Service Lead – Professional Design Services; M. Houston, Service Lead - Trading Standards and Environmental Health; M. Alexander, Service Lead – Housing Services; J. Rodden, Service Lead – Facilities Management; C. Monaghan, Service Lead – Community Services and Facilities; D. Yuille, Service Lead - Special Property Projects; F. Fulton, Payroll, HR Business and Resourcing; S. McCall, Service Lead - ICT Enterprise Architecture; T. Burns, Service Lead - Asset Management and Community Asset Transfer; G. Cockburn, Acting Service Lead – Procurement; C. McGill, Corporate Finance Team Co-ordinator; S. Baird, Team Leader (Community Asset Transfer); D. Love, Senior Accountant; R. Kingisepp, Capital Planning Co-ordinator; and A. Gibson, Committee Services Officer.

Also

Attending: P. Davey, I. Gall, T. Robinson, S. Ross and E. Terras (for item 5 only).

### **1. Opening Remarks.**

The Panel welcomed Scarlett Ross to her first meeting of this Panel.

### **2. Declarations of Interest.**

Councillor McGinley declared an interest in Item 19 of this minute entitled “Review of Rozelle House” as he was a member of the David Elder Edwards Trust and advised that he would leave the room when this item was being considered.

### **3. Minutes of previous meeting.**

The minutes of 20 August 2019 ([issued](#)) were submitted and approved.

### **4. Decision Log.**

Following questions from a Member of the Panel regarding two entries in the list of overdue actions and having heard the Director – Place update the Panel in this regard and advise that a Briefing Note would be circulated to Members regarding the current position of the entry relating to “Service Review - Fleet Management”, the Panel

**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.****5. Externally Funded Counselling Service in Carrick Academy and Girvan Academy.**

There was submitted a report ([issued](#)) of 10 September 2019 by the Depute Chief Executive and Director – People seeking agreement to establish a counselling service in Carrick Academy and Girvan Academy funded for an initial 3 year period through social bridging finance and thereafter funded by the Council for a 5 year period assuming the service met agreed success criteria.

The Panel

**Decided:**

- (1) to approve the establishment of the counselling service in Carrick Academy and Girvan Academy;
- (2) to delegate authority to the Depute Chief Executive and Director – People to negotiate and agree the success criteria for the project that applied to the external grant funding establishing the service for the initial three year period and the terms relating to the five year period that followed where the Council takes ownership of the project if the success criteria were met; and
- (3) to agree in principle to continuing the service for a further period if agreed success criteria were met and to note that a report would be brought at the end of the three year period recommending the appropriate procurement route for the appointment of a provider for the continuation of that service.

## **Economy and Culture.**

### **6. Inventory and Storage of Council Art and Artefacts.**

There was submitted a report ([issued](#)) of 10 September 2019 by the Depute Chief Executive and Director – People updating the Panel on the inventory and storage of the Council's art and artefacts.

The Panel

#### **Decided:**

- (1) to note the ongoing work in this regard; and
- (2) to agree that appropriate steps were being taken to secure the Council's Art and Artefacts.

### **7. The Development of a Golf Academy.**

There was submitted a report ([issued](#)) of 11 September 2019 by the Depute Chief Executive and Director - People advising of the proposed development of a Golf Academy at Belleisle.

Having welcomed the report, the Panel

#### **Decided:**

- (1) to note that a business plan had been received from the Ayrshire Golf Trust and based on the information it contained, a Golf Academy was deemed to be viable, subject to support from South Ayrshire Council;
- (2) to note that the proposed layout involved the development of two new holes on Common Good land and agreed that officers should now undertake the necessary work to progress a petition to the sheriff following consultation in line with the Community Empowerment (Scotland) Act 2015 and a decision thereafter by the Leadership Panel to refer the matter to the sheriff;
- (3) to agree that the costs outlined in the report should be included in a future budget;
- (4) to agree that the request from the Ayrshire Golf Trust for £200,000 be considered as part of the proposed report allocating the VAT rebate monies to Leadership Panel in October 2019; and
- (5) to agree that the subsequent business plan and a future report be brought that identifies the mechanisms that will be used to enable the Golf Academy to be accessible to people from all social backgrounds.

**Corporate.**

**8. Review and Amendment of the Scheme for Establishment of Community Councils - Update and Progress to Second Stage.**

There was submitted a report ([issued](#)) of 10 September 2019 by the Depute Chief Executive and Director – People providing an update on Stage 1 of the review and amendment of the ‘Scheme for Establishment of Community Councils’ (the ‘Scheme’) and in that connection, to undertake the second stage of the formal consultation process.

Following questions from a Member of the Panel and after it being confirmed where there was a decision to remove sub-warding within a Community Council for the purposes of an election that this process could be subsequently reversed, the Panel

**Decided:** to reflect the outcome of the Stage 1 consultation as detailed in Appendix 1 of the report,

- (1) to allow for the ability to remove sub-warding within Community Councils, for the purposes of the election process;
- (2) that the formula for determining Community Council membership be in line with Scottish Government guidance;
- (3) that the following changes be made to Community Council boundaries (as a result of Ward boundary changes) in the amended Scheme, in that:
  - (a) the Belmont and Kincaidston area becomes a separate Community Council; and
  - (b) the remaining St Leonards area joins the Alloway and Doonfoot Community Council; and
- (4) separately, the Coylton area becomes a separate Community Council, allowing Annbank to join with Mossblown and St Quivox Community Council.

**9. Repayment Arrangements for Integration Joint Board Temporary Funding 2018/19.**

There was submitted a report ([issued](#)) of 10 September 2019 by the Chief Executive advising of a further request from the Integration Joint Board (IJB) to amend the repayment arrangements for the IJB temporary funding 2018/19.

Following concerns raised, the Panel

**Decided:**

- (1) to continue consideration of the request to reprofile repayment;
- (2) to request monthly budget monitoring reports;

- (3) to request the Director of Health and Social Care to provide a verbal update on the action being taken to ensure a balanced financial position at the year end;
- (4) to note that officers had been unable to engage in a mediation between this Council and the NHS;
- (5) that, to ensure a uniform approach to the Ayrshire Integration Scheme, discussions take place with the Chief Executives from East Ayrshire and North Ayrshire Councils; and
- (6) that officers ensure the review of the Integrated Services clarifies responsibilities in the event of an overspend.

### **Adults' Health and Social Care.**

#### **10. South Lodge Care Home Care Inspectorate Report.**

There was submitted a report ([issued](#)) of 10 September 2019 by the Head of Community Health and Care Services advising of the results of the Care Inspectorate Follow up Inspection which had taken place on 19 July 2019.

The Panel

**Decided:** to acknowledge the progress made in the most recent inspection and endorse the proposed actions.

### **Housing and Community Wellbeing.**

#### **11. Review of the Trusted Trader Scheme as a Local Assured Business Scheme.**

There was submitted a report ([issued](#)) of 10 September 2019 by the Head of Regulatory Services

- (1) outlining the findings of the Review at 4 years of the Trusted Trader Scheme; and
- (2) seeking agreement on the recommendations identified by this Review.

Following discussion regarding the Quick Quote Scheme and how an increase in membership would be dealt with, the Panel

**Decided:**

- (a) to note the findings of the review of the Trusted Trader Scheme; and
- (b) to agree
  - (i) to continue with the Trusted Trader Scheme as the model for the Assured Business Scheme within South Ayrshire for a further four year period;

- (ii) that the Trusted Trader Scheme was reviewed after a further two years by the Head of Regulatory Services to assess its continued suitability and viability;
- (iii) to widen the remit of the local Trusted Trader Scheme to cover areas of trade other than the home improvement sector;
- (iv) that a procurement process should take place (Quick Quote) to assess and choose the next online feedback website supplier for the scheme;
- (v) that the potential for the Council providing a commercial service to the public and being a member of the Trusted Trader be considered; and
- (vi) with the proposals as outlined in the report.

## **12. Annual Assurance Statement – Housing.**

There was submitted a report ([issued](#)) of 10 September 2019 by the Director - Place providing an update on the new Regulatory Framework for Housing and seeking approval to submit the Annual Assurance Statement to the Scottish Housing Regulator and publish the statement for tenants and other customers.

Following a question relating to the use of Air BnB, the Panel

### **Decided:**

- (1) to note the requirements of the new Regulatory Framework;
- (2) to note the content of the Assurance Action Plan, as outlined in Appendix 1 of the report, outlining the assurances and evidence in relation to the regulatory requirements; and
- (3) to approve the Annual Assurance Statement, as outlined in Appendix 2 of the report, for submission to the Scottish Housing Regulator by 31 October 2019 and approve the statement to be published for tenants and others customers.

## **Resources and Performance.**

### **13. Budget Management Revenue Budgetary Control 2019/20 – Position Statement at 31 July 2019.**

There was submitted a report ([issued](#)) of 10 September 2019 by the Head of Finance and ICT providing a financial overview of the General Services revenue account, Housing Revenue Account and Common Good Accounts for 2019/20 as at 31 July 2019.

The Panel

**Decided:**

- (1) to note the revised Directorate budgets following the budget movements, as outlined in the report;
- (2) to approve the contribution of £0.671m to the Workforce Change Fund, as outlined in the report;
- (3) to approve the budget transfers, as outlined in the report;
- (4) to approve the requested earmarking of resources to be carried forward to 2020/21, as summarised in the report; and
- (5) to otherwise note the projected in year underspend of £1.999m. after earmarking.

## C

**14. Treasury Management Annual Report 2018/19.**

There was submitted a report ([issued](#)) of 10 September 2019 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 2018/19.

The Panel

**Decided:** to approve the Annual Treasury Management Report 2018/19, as detailed in Appendix 1 of the report.

**15. General Services Capital Programme 2019/20: Monitoring Report as at 31 July 2019.**

There was submitted a report ([issued](#)) of 10 September 2019 by the Director – Place

- (1) advising on the actual capital expenditure and income, together with progress made on the General Services capital programme projects as at 31 July 2019 (Period 4); and
- (2) requesting that the changes to budgets in 2019/20 and future years be approved.

The Panel

**Decided:**

- (1) to note the progress made on the delivery of the General Services Capital Programme to 31 July 2019, resulting in spend of £9,556,057 or 13.08%, as detailed in Appendix 1 of the report;
- (2) to approve the adjustments, as detailed in Appendix 2 of the report; and
- (3) to approve the revised budget for 2020/21 at £70,381,307 and 2021/22 at £60,680,500 as detailed in Appendix 2 of the report.

**16. Housing Capital Programme 2019/20: Monitoring Report as at 31 July 2019.**

There was submitted a report ([issued](#)) of 10 September 2019 by the Director –Place

- (1) advising on the actual capital expenditure and income, together with progress made on the Housing capital programme projects as at 31 July 2019 (Period 4); and
- (2) requesting that the changes to budgets in 2019/20 and future years be approved.

The Panel

**Decided:**

- (a) to note the progress made on the delivery of the Housing Capital Programme to 31 July 2019, resulting in spend of £7,097,610 or 23.66%, as detailed in Appendix 1 of the report;
- (b) to approve the adjustments, as contained in Appendix 2 of the report; and
- (c) to approve the revised budget for 2019/20 at £30,078,341, 2020/21 at £26,675,854 and 2021/22 at £12,526,890, as detailed in Appendix 2 of the report.

**17. Salary Sacrifice Shared Cost Additional Voluntary Contribution Scheme.**

There was submitted a report ([issued](#)) of 10 September 2019 by the Head of Employee and Customer Services seeking approval to introduce a Salary Sacrifice Shared Cost Additional Voluntary Contribution (SS SC AVC) scheme.

The Panel

**Decided:**

- (1) to approve the introduction of a Salary Sacrifice Shared Cost Additional Voluntary Contribution (SC SS AVC) scheme for members of the Local Government Pension Scheme (LGPS);
- (2) to approve an amendment to the Council's Employee Retirement Framework to apply the available discretion to introduce a SC SS AVC scheme; and
- (3) to authorise the Head of Employee and Customer Services to procure the services of an advisory and promotional partner organisation.

**18. 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 1 and 9 of Part 1 of Schedule 7A of the Act.

**Having previously declared an interest, Councillor McGinley left the meeting at this point.**

**19. Review of Rozelle House.**

There was submitted a report (Members only) of 12 September 2019 by the Depute Chief Executive and Director – People

- (1) updating the Panel on the condition of Rozelle House in Ayr; and
- (2) seeking agreement to fund essential external fabric repairs from Ayr Common Good.

Following questions arising from the report, the Panel

**Decided:**

- (a) to note the requirement to carry out essential external fabric repairs to Rozelle House at a cost of £391,000;
- (b) to request the Director – Place to approach the David Elder Edward Trust (DEET) detailing the proposed works and seek confirmation that the previously agreed grant donation of £175,000 would be available;
- (c) to approve that the balance of the cost be met from Ayr Common Good Capital Fund;
- (d) to agree that a report be presented to this Panel, in due course, detailing the leasing arrangements; and
- (e) to note that a report relating to a strategy for tourism and events would be presented to this Panel within the next nine months.

**Councillor McGinley re-joined the meeting at this point.**

**20. Authority to Accept Tenders.**

There was submitted a report (Members only) of 10 September 2019 by the Director – Place advising seeking approval to accept a Tender that was not the lowest priced Tender.

The Panel

**Decided:** to grant authority to the Head of Finance and ICT, in terms of Standing Order 18.2.3 of the Council’s Standing Orders Relating to Contracts, to accept the Most Economically Advantageous Tender submitted for the provision of Microsoft 365 – Implementation Support Services.

**21. Town Centre Development.**

There was submitted a report (Members only) of 12 September 2019 by the Director - Pace seeking agreement to the proposed purchase of a vacant building in Ayr High Street to facilitate the development of a new leisure centre.

Following discussion on the proposals, the Panel

**Decided:**

- (1) to agree to delegate authority to the Director – Place to conclude the transaction to enter into a back-to-back agreement with the developer at Arran Mall to purchase a vacant building to facilitate the development of a new leisure centre at the Arran Mall;
- (2) to note that the Council would seek to agree a separate legal agreement with the developer to provide a protective contractual mechanism to purchase the adjacent land at Arran Mall from the developer; and
- (3) to agree to the use of the funding from the Town Centre Regeneration Group as recommended in the report and that further proposals be presented to this Panel in respect of the balance of this fund.

**22. Proposed Lease of McCosh Hall, Patna Road, Kirkmichael.**

There was submitted a report (Members only) of 13 September 2019 by the Director - Place seeking approval to enter into a twenty-four month year lease to Kirkmichael Village Renaissance (KVR) for the McCosh Hall in Kirkmichael excluding the area which was currently occupied by the local bowling club.

The Panel

**Decided:**

- (1) to grant authority to the Director – Place to agree a new lease in favour of Kirkmichael Village Renaissance for the McCosh Hall in Patna Road, Kirkmichael for a term of twenty-four months; and
- (2) to request the Head of Regulatory Services to conclude the transaction on the basis of full repairing and insuring lease terms.

**23. Proposed Lease of Former Mossblown Library, Annbank Road, Mossblown.**

There was submitted a report (Members only) of 12 September 2019 by the Director - Place seeking approval to enter into a twenty-four month lease to Dunaskin Doon Band for the former Mossblown Library building in Mossblown to enable the organisation to build up its capacity to acquire the building by means of a Community Asset Transfer (CAT) either through a long term lease or disposal.

The Panel

**Decided:**

- (1) to grant authority to the Director – Place to agree a twenty-four month lease in favour of Dunaskin Doon Band for the former Mossblown Library building in Mossblown; and
- (2) to request the Head of Regulatory Services to conclude the transaction on the basis of full repairing and insuring lease terms.

**24. Surplus Land and Building Assets.**

There was submitted a report (Members only) of 12 September 2019 by the Director – Place seeking approval to declare the buildings listed in the report surplus to the Council's requirements to enable them to either be sold on the open market, transferred to a third party or, where appropriate, demolished.

Following discussion, the Panel

**Decided:**

- (1) to agree that, after deletion of two sites, the land and buildings, listed in Appendix 1 of the report and identified in the associated plans attached in Appendix 2, were surplus to the Council's requirements;
- (2) to agree that the site appearing on the 5th line of the table in Appendix 1 be offered in the first instance as four separate parcels of land for purchase by the neighbouring properties opposite to them in exchange for a payment of a nominal price of £1.00 together with the meeting of the professional fees and costs of transfer; and
- (3) to agree that the land and buildings identified as surplus could either be sold on the open market, transferred to a third party or, where appropriate, demolished.

**25. Facilities Management Cleaning Service - Proposed Staffing Changes.**

There was submitted a report (Members only) of 12 September 2019 by the Director – Place seeking approval to amend the current Facilities Management Cleaning Service staffing structure.

The Panel

**Decided:** to approve the revised staffing arrangements, as outlined in the report.

**Children and Young People.**

**26. Termination of Target Leisure and Establishment of a Permanent Post for Corporate Parenting Officer.**

There was submitted a report (Members only) of 10 September 2019 by the Head of Children’s Health, Care and Justice Services seeking approval to repurpose budget from the Target Leisure provision and establish a permanent post for the Corporate Parenting Officer to support care experienced children and young people.

The Panel

**Decided:** to approve the establishment of a permanent post for the Corporate Parenting Officer through redirecting budget from Target Leisure.

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

**Decided:**

- (1) not to authorise the disclosure under Standing Order 32.4 of the whole or part of the following reports:-
  - Review of Rozelle House; and
  - Town Centre Development;
- (2) to authorise the disclosure under Standing Order 32.4 of the following reports:-
  - Termination of Target Leisure and Establishment of a Permanent Post for Corporate Parenting Officer; and
  - Facilities Management Cleaning Service – Proposed Staffing Changes;
- (3) to authorise the disclosure of part of the undernoted reports falling under Standing Order 32.4 and that this 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:-
  - Authority to Accept Tenders; and
  - Surplus Land and Building Assets; and

- (4) to authorise the disclosure under Standing Order 32.4 of the following reports after conclusion of the lease:-
- Proposed Lease of McCosh Hall, Patna Road, Kirkmichael; and
  - Proposed Lease of Former Mossblown Library, Annbank Road, Mossblown.

The meeting ended at 1.10 p.m.