

## **LEADERSHIP PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr  
on 29 October 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; B. McClean, Head of Community Health and Care Services; J. Lyon, Interim Chief Social Work Officer; K. Carr, Executive Manager (Place Directorate); L. Reid, Executive Manager (Place Directorate); P. Bradley – Service Lead – Professional Design Services; T. Burns, Service Lead – Asset Management and Community Asset Transfer; K. Anderson, Service Lead - Corporate and Housing Policy; N. Gemmell, Service Lead – Revenues and Benefits; C. Monaghan, Service Lead – Community Services and Facilities; D. Yuille, Service Lead - Special Property Projects; G. Cockburn, Acting Service Lead - Procurement; 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 17 September 2019 ([issued](#)) were submitted and approved.

### **3. Decision Log.**

Following a question from a Member and having heard the Director – Place intimate the position on an action relating to a report considered at this Panel on 12 March 2019 regarding “Economic Development and Regeneration - Management Arrangements”, 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.**

### **4. Maybole Community Campus.**

There was submitted a report ([issued](#)) of 22 October 2019 by the Director – Place providing an update on the project to develop a new Community Campus in Maybole.

Following discussion regarding a new funding model for this project, the Panel

#### **Decided:**

- (1) to note the update on progress to date;
- (2) to note the offer of 'in principle' funding from the Scottish Government and to approve the additional funding for the project, as detailed in paragraph 6.2 of the report;
- (3) to approve that projects already approved in years 2021/22 and 2022/23 would require to be reprofiled to later years to accommodate the additional funding required as detailed in paragraph 2.1.2 of the report;
- (4) to agree that officers seek to acquire such additional land as was required for the second pitch at the development and bring forward further reports on this to the Leadership Panel as required, including, where agreement cannot be reached with the landowners, details of proposals to progress under compulsory purchase legislation; and
- (5) to request further reports to the Leadership Panel from the Director – Place updating on the financial funding package for the development and land acquisition for final approval in advance of Financial Close for the project.

### **5. Options to Encourage Use of Re-usable Nappies.**

There was submitted a report ([issued](#)) of 22 October 2019 by the Head of Children's Health, Care and Justice Services to appraise the Panel on potential options to increase the use of re-usable nappies and reduce landfill waste through the reduction of use of disposable alternatives.

Following discussion regarding the use of nappy vouchers and the need to reduce landfill, the Panel

#### **Decided:**

- (1) to agree the proposals, as detailed in paragraph 4 of the report, as a mechanism to increase the use of re-usable products as an alternative to the use of disposable nappies;
- (2) to agree that officers explore the option of baby boxes supplied to parents of new borns including a supply of re-usable nappies; and
- (3) to report back on progress to the Leadership Panel, scheduled to take place in January 2020.

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

### **6. Chief Social Work Officer Annual Report 2018-19.**

There was submitted a report ([issued](#)) of 22 October 2019 by the Chief Social Work Officer seeking approval for the Chief Social Work officer's Annual report for the period 1 April 2018 to 31 March 2019.

Following discussion regarding the Child Poverty Action Plan; trends and partnerships; and the positive relationship that had had been fostered with the Care Inspectorate, the Panel

**Decided:** to note and approve the contents of the Chief Social Work Officer's Annual Report Financial Year 2018-19, as detailed in Appendix 1 of the report.

### **7. Restructure of Planning and Performance Function and Finance Functions within the HSCP.**

There was submitted a report ([issued](#)) of 22 October 2019 by the Director of Health and Social Care seeking approval for a restructure within the Planning and Performance Function within the Health and Social Care Partnership which part-funds the creation of a Chief Social Work Officer post and to provide an update on changes in Finance function.

The Panel

**Decided:**

- (1) to approve the deletion of the posts of Co-ordinator Commissioning and Contracting and Co-ordinator Planning and Performance;
- (2) to approve the creation of the post of Co-ordinator Planning and Commissioning at grade 13;
- (3) to approve the permanent structural realignment of administration to the Senior Manager Planning and Performance; and
- (4) to note the Integrated Joint Board (IJB) decision to create a Chief Finance Officer post which would fulfil the role of Section 95 Officer for the IJB.

### **8. Proposed Closure of Kyle Day Centre.**

There was submitted a report ([issued](#)) of 22 October 2019 by the Head of Community Health and Care Services

- (1) advising of the decision taken by the Integration Joint Board (IJB) to close Kyle Day Centre; and
- (2) seeking funding of voluntary severance from the Workforce Development Plan.

Following questions from Members when it was noted that the Council was still working closely with families affected by the proposed closure who were still requiring alternative arrangements; and that the Council would seek disposal of the asset soon after its closure, the Panel

**Decided:**

- (a) to note the decision by the IJB to close Kyle Day Centre; and
- (b) to approve funding of voluntary severance costs from the Workforce Development Fund.

**Economy and Culture.**

**9. Placemaking and the Development of Place Plans.**

There was submitted a joint report ([issued](#)) of 23 October 2019 by the Depute Chief Executive and Director - People and the Director – Place updating on the implementation of South Ayrshire’s approach to placemaking and feedback from the pilots in North Ayr and Girvan.

Following discussion regarding the importance for meaningful engagement, the Panel

**Decided:**

- (1) to note the progress to date in relation to the development of placemaking and the pilots in North Ayr and Girvan; and
- (2) to approve the proposals as detailed in Section 4 of the report.

**10. The Development of an All-Weather Pitch in Girvan.**

There was submitted a joint report ([issued](#)) of 23 October 2019 by the Depute Chief Executive and Director - People and the Director – Place

- (1) providing the results of the consultation undertaken in relation to the use of Common Good land at Victory Park in Girvan for the development of an all-weather pitch; and
- (2) seeking an agreement on whether a petition should now be presented to the sheriff in relation to this development.

The Panel heard and noted the response from the community in relation to both the initial consultation for the requirement of an all-weather pitch and the second common good consultation for the use of the land at Victory Park for this pitch as set out in the report. The Head of Regulatory Services confirmed that the Council must, when considering whether to present a petition for the use of the Common Good Land for the all-weather pitch, balance the arguments in the common good consultation documentation which are not in support of the proposal against the evidence that exists demonstrating the essential need and demand for the type of sporting facility put forward in this proposal for the Girvan community and provide the considered reasons where the Panel decision is in favour of proceeding with a petition.

The Panel considered that the need and demand for the pitch had been established on the basis of the following:-

(a) Purpose and state of the existing common good land

- its purpose was leisure usage;
- the existing surface is poorly drained and is unplayable for part of the year – the new surface would remedy this;
- the charge for access will assist maintenance;
- fencing is required to secure the site and make it operational; and
- investment is badly needed in the existing facility to allow it to be used to its full potential;

(b) Previous Consultation

- previous consultation identified no other suitable location in Girvan;
- overwhelming support was noted for the requirement;
- 249 responses, 209 for, 39 against; and
- in that consultation 114 identified Victory Park as the preferred location;

(c) Council and Community Policy

- the Council policy promotes health and wellbeing and there is a recognised need for an additional sporting facility of this type that is available elsewhere in Ayrshire towns but not in Girvan;
- ready access is need to modern all-weather facilities for school children in the Girvan locality; and
- full support has been given from all community councils;

(d) Overall Community Benefit

- it enhances current sporting facilities which are less than similar towns;
- the site is easily accessed for both school and those with additional support needs;
- the changes will bolster and sustain the longevity of the common good land;
- there is an opportunity for the income generation to support wider community use of the facility and particularly for those in social need;
- the use will roll out with existing leisure card facilities and discounts;
- the sports clubs who will use it are fully supportive;
- the flooding issues at the site will be tackled allowing year round use; and
- it allows a wider use of the area by a greater number of the local population.

The Panel did consider there were shortcomings in the method used in the second consultation in reaching all sectors of the community and advised that other groups unaware of the consultation had now contacted the Council and confirmed their support for the proposal.

Taking all of these factors into account the Panel

**Decided:**

- (i) to note the responses in respect of both consultations and the issues raised within them; and
- (ii) to agree that a petition for the use of Common Good land at Victory Park for an all-weather pitch should now be presented to the sheriff on the basis that on balance a need and demand for the pitch in the local community on the common good has been demonstrated that outweighs the objections to this use set out in these consultation responses.

**Corporate.**

**11. Approvals under Delegated Authority during Period of Recess.**

There was submitted a report ([issued](#)) of 22 October 2019 by the Head of Regulatory Services advising of matters determined under delegated authority during recess.

The Panel

**Decided:** to acknowledge the matters determined under delegated authority during recess.

**Resources and Performance.**

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**12. Council Tax Long Term Empty Property – Discretion from Levy.**

There was submitted a report ([issued](#)) of 14 October 2019 by the Head of Finance and ICT seeking approval to introduce discretionary powers to exempt customers who meet specific criteria from the increased Council Tax charges (levy) for Long Term Empty (LTE) properties.

The Panel

**Decided:** to agree new discretionary criteria not to apply the increased Council tax charges where:-

- (1) a property was actively undergoing repairs/renovations to make it habitable, including where planning applications had been lodged, for a maximum period of up to 24 months;

- (2) customers were actively engaging with the Council's Empty Homes Officer to bring the property back into use for a maximum period of up to 24 months; and
- (3) exceptional circumstances existed that were out with the control of the customer and which prevented the property from being occupied or sold (subject to annual review).

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### 13. **Discretionary Housing Payments – Policy Update.**

There was submitted a report ([issued](#)) of 21 October 2019 by the Head of Finance and ICT providing an update in relation to the Discretionary Housing Payments (DHP) Policy.

The Panel

**Decided:**

- (1) to note the implementation of an online application form, and
- (2) to agree that the current DHP policy should be revised to allow automatic renewal for 'under occupancy' claims which were fully funded by the Scottish Government.

### 14. **Financial Strategy 2020 to 2030 (10 year).**

There was submitted a report ([issued](#)) of 21 October 2019 by the Head of Finance and ICT seeking approval of the Council's 10 year Financial Strategy covering the period 2020 to 2030.

Having considered the 10 year Financial strategy for 2020 to 2030 in light of the level of uncertainty around the extent of grant reductions, the Panel

**Decided:** to approve the Council's 10 year Financial Strategy for 2020 to 2030, as detailed in Appendix 1 of the report.

### 15. **Future Use of St Ninian's Primary School Site.**

There was submitted a report ([issued](#)) of 22 October 2019 by the Director – Place providing an update on an options study for the future use of the St Ninian's School site once the school was decanted to the new Prestwick Educational Campus.

Having considered the output from the options study, the Panel

**Decided:**

- (1) to approve the recommendation for officers to add the St Ninian's School site to the Strategic Housing Investment Plan (SHIP); and
- (2) to request officers to bring forward plans at a later date for affordable housing.

**16. Annual Procurement Report 2019.**

There was submitted a report ([issued](#)) of 22 October 2019 by the Director – Place seeking approval for the publication of the Council's Annual Procurement Report 2019 which detailed the Council's procurement activity between 1 April 2018 and 31 March 2019.

The Panel

**Decided:**

- (1) to approve the Annual Procurement Report 2019 as detailed in Appendix 1 of the report; and
- (2) to request that officers forward this report to the Scottish Government before it was published on the Council's website.

**17. Integration of Health and Social Care Partnership Contracts and Commissioning Posts into South Ayrshire Council Procurement.**

There was submitted a report ([issued](#)) of 22 October 2019 by the Director – Place reporting on the findings of a Joint Review Group set up to consider the internal transfer of posts currently within the Health and Social Care Partnership (HSCP) Contracts and Commissioning team into the Council's Procurement Service.

The Panel

**Decided:**

- (1) to note the Joint Review Exercise report, attached as Appendix 1 of the report and the recommendation contained therein;
- (2) to approve the internal Council transfer of 1FTE Contracts and Commissioning Officer post from the HSCP Contracts and Commissioning Team to the Council's Procurement Service to administer a bespoke Contract and Supplier Management Process for the Social Care Contracts;
- (3) to approve the reduction by £14,684 in 2019-20 and £58,736 in a full year, in the funds provided by the Council to the Integrated Budget being the cost that represented the transfer of the post; and
- (4) to request the Director of Health and Social Care and the Director – Place to submit a further update on the outcomes reached from the review exercise to both the Integration Joint Board (IJB) and to the Leadership Panel following a three month review period.

**18. Updated Policy for the Acquisition and Disposal of Land and Buildings.**

**Decided:** to agree to continue consideration of this item to a future meeting of this Panel to allow current ongoing discussions to take place, which may impact on this Policy.

**19. 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 paragraph 9 of Part 1 of Schedule 7A of the Act.

**20. New Lease for Craigie Caravan Park, Ayr.**

There was submitted a report (Members only) of 24 October 2019 by the Director – Place seeking approval to enter into a new 25 year ground lease to the Caravan Club Ltd for Craigie Caravan Park, Ayr, subject to the terms and conditions as detailed in the report.

The Panel

**Decided:**

- (1) to grant authority to the Director – Place to enter into a new 25 year ground lease to the lessee identified in paragraph 4.1 of the report for the area identified in Appendix 1 of the report;
- (2) to amend the terms and conditions listed in Appendix 2 of the report by adding a break clause after five years for the lease in favour of the Council and an obligation on the lessee for maintenance of the road forming part of the ground lease; and
- (3) to request the Head of Regulatory Services to conclude this transaction.

**Housing and Community Wellbeing.**

**21. Purchase of Land for Affordable Housing.**

There was submitted a report (Members only) of 24 October 2019 by the Depute Chief Executive and Director – People seeking approval to purchase, if necessary, an area of land previously reserved for the provision of affordable housing by virtue of a Section 75 agreement.

The Panel

**Decided:**

- (1) to note that the Developer and RSL identified in paragraph 3.5 of the report were in discussions to conclude an agreement for the development of affordable housing on the area of land relating to the planning application identified in the report;
- (2) to agree, where the Developer failed to conclude this agreement by mid-November, to the issue of a formal notification to the Developer of the Council's intention to secure the transfer of the land identified in the Section 75 Agreement as the 'Developers Affordable Subjects' ('DAS') for the purpose of developing affordable housing;
- (3) to delegate authority to the Head of Regulatory Services to take such steps as were necessary to ensure the transfer of the DAS in the first instance to the RSL and failing which for the Council to hold the land for the delivery of affordable housing on such reasonable terms and conditions as she considered appropriate; and
- (4) to agree that Members be kept aware of any future developments by way of a Briefing Note.

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

**Decided:**

- (1) to authorise the disclosure under Standing Order 32.4 of the following report after conclusion of the lease:-
  - New Lease for Craigie Caravan Park, Ayr; and
- (2) to authorise the disclosure under Standing Order 32.4 of the following report after the contract (where/if it was necessary for the Council to enter) to purchase the land had been concluded with the Developer:-
  - Purchase of Land for Affordable Housing.

The meeting ended at 12.05 p.m.