

**SOUTH AYRSHIRE COUNCIL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 27 June 2019 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; 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; W. Carlaw, Service Lead – Democratic Governance; W. Andrew, Service Lead – Property Maintenance; M. Alexander, Service Lead – Housing Services; M. Baker, Service Lead – Corporate Planning and Improvement; F. Mullen, Service Lead – Planning and Building Standards; K. Dalrymple, Service Lead – Neighbourhood Services; K. Briggs, Service Lead – Legal and Licensing; G. Coyle, Policy and Planning Officer, H&SCP; 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;
- (3) congratulated the following recipients of an award in the Queen's Birthday Honours List:-
  - former MP Brian Donohoe who received a Knighthood for parliamentary and political service;
  - Iona McDonald, Senior Sheriff who received an OBE for services to Law and Order;
  - Maureen Bell, formerly Nurse Consultant for Vulnerable Children (NHS Ayrshire & Arran) who received an OBE for services to child protection; and
  - John Mark Gibson, Founding Trustee, Dumfries House and Founder of Scottish Dark Sky Observatory who received an OBE for services to heritage.
  - Sara Kim Donald who received an OBE for public and political services;
  - Suzanne Fernando who received an MBE for services to cervical cancer, autism and military veterans in Ayrshire; and
  - James McCrorie Gourlay, Valspar Football Club who received a BEM for services to youth and professional football; and

- (4) outlined that an additional report had been received entitled “Repayment Arrangements for Integration Joint Board Temporary Funding 2018/19” which, with the agreement of the Council would be considered prior to the Notice of Motion.

In order to consider this matter, as the previous decision had been within the past six months, the Council would, in accordance with Standing Order No. 22.1, require to do so by a two thirds majority.

On a vote being taken by a show of hands, a two thirds majority was not achieved and the Council agreed not to consider this item.

**2. Procedural Matters.**

The Provost advised that, in order to consider items 7 and 8 of this Minute entitled “Scheme of Delegation” and “Appointments to Panels”, 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 these matters on the Agenda.

**3. Sederunt.**

The Chief Executive called the Sederunt for the meeting.

**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.**

(a) Minutes of previous meetings.

The Minutes of South Ayrshire Council of [9 May 2019](#) (issued) were submitted and authorised to be signed as a correct record of these meetings.

(b) Minutes of Panels.

The minutes (copies previously issued) of the undernoted meetings were submitted for information:-

(i) Audit and Governance Panel of [20 March 2019](#).

(ii) Chief Officers Appointments/Appraisal Panel of [15 March 2019](#).

- (iii) Leadership Panel of [23 April](#) and [14 May 2019](#).

In relation to the recommendations as contained in the amended [“C” paragraph](#) of the Leadership Panel minutes of 11 June 2019 entitled ‘Sustainable Development and Climate Change Strategy’ and in accordance with the Scheme of Delegation and Standing Orders for Meetings, Councillor Douglas Campbell, seconded by Councillor Brian McGinley, moved these recommendations and proposed that six Members sit on the Sustainable Development and Climate Change Member/Officer Working Group and the Council

**Decided:**

- (A) to approve the strategy, as detailed in Appendix 1 of the report;
- (B) to support the launch and communication of the strategy;
- (C) to approve the creation of a Sustainable Development and Climate Change Member/Officer Working Group with responsibility for delivering the strategy; and
- (D) 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).

In accordance with the Scheme of Delegation and Standing Orders for Meetings, Councillor Douglas Campbell, seconded by Councillor Brian McGinley, moved the recommendations as contained in the amended [“C” paragraph](#) of the Leadership Panel minutes of 11 June 2019 entitled ‘Creation of Stand-Alone Chief Social Work Officer Post’.

**Decided:**

- (A) to approve the creation of 1FTE post of Chief Social Work Officer, graded Level 17;
  - (B) 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
  - (C) 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.
- (iv) Local Review Body of [16 April](#) and [30 April 2019](#).
- (v) Partnerships Panel of [17 April 2019](#).
- (vi) Regulatory Panel – Licensing of [25 April 2019](#).
- (vii) Regulatory Panel – Planning of [26 February](#), [6 March \(Special\)](#) and [7 May 2019](#).

(viii) Service and Performance Panel of [16 April 2019](#).

(ix) Ayrshire Shared Services of [7 December 2018](#) and [25 April 2019](#).

## 6. **Review of Polling Arrangements.**

There was submitted a [report](#) (issued) of 19 June 2019 by the Chief Executive seeking approval of the scheme of polling arrangements for parliamentary and local elections following the comprehensive review.

The Council

### **Decided:**

- (1) to approve the scheme of polling arrangements for parliamentary and local elections, as detailed in Appendix 1 to the report;
- (2) to agree to the publication of the polling arrangements and the responses to the consultation; and
- (3) to grant delegated authority to the Chief Executive, in her role as Returning Officer, to amend the scheme of polling arrangements for parliamentary elections in the event of unforeseen circumstances, where such amendments, if not made, would impede the process of voting for electors.

## 7. **Scheme of Delegation.**

There was submitted a [report](#) (issued) of 19 June 2019 by the Head of Regulatory Services seeking approval to amend the Scheme of Delegation following review.

The Council

**Decided:** to approve the revised Scheme of Delegation with effect from 28 June 2019 (extract contained in Appendix 1 to the report).

## 8. **Appointments to Panels.**

There was submitted a [report](#) (issued) of 19 June 2019 by the Head of Regulatory Services seeking approval to make alterations to the lists of Panels.

The Council

### **Decided:**

- (1) to appoint Councillor Lee Lyons to replace Councillor Peter Convery as a member of the Audit and Governance Panel;
- (2) to appoint Councillor Martin Dowey to replace Councillor Peter Convery as Chair of the Audit and Governance Panel;
- (3) to appoint Councillor Lee Lyons as Vice-Chair of the Audit and Governance Panel; and
- (4) to request officers to make appropriate changes to Elected Member remuneration.

**9. Budget 2020/21 Update.**

There was submitted a [report](#) (issued) of 19 June 2019 by the Head of Finance and ICT advising of the issues to be considered in setting the General Services Revenue Budget for 2020/21; and seeking approval for various proposed actions to assist in bridging the estimated budget gap.

A question was raised by a Member regarding the Leadership Panel's recent decision to refuse a community asset transfer application and the Portfolio Holder for Resources and Performance outlined the reasons for this decision and advised that the refusal was for the benefit of the wider local community.

A further question was raised by a Member regarding the budget gap of the Integration Joint Board (IJB) and Councillor McGinley, the Chair of the IJB advised that these were difficult financial times for the Council and the IJB, however, the IJB would optimise all opportunities offered; and the Head of Finance and ICT clarified the position with regards to the funding provided to the IJB.

Following a question on the establishment of the Commercialisation Delivery Group, the Head of Finance and ICT advised that this Group had commenced work and a report would be provided to the Budget Working Group on its findings.

The Council, having thanked the Head of Finance and ICT and his Officers for their excellent work on the Budget,

**Decided:**

- (1) to note the current projected budget gap of £17.001m for 2020/21 and to further note the significant uncertainty surrounding this estimated gap;
- (2) to note the uncommitted accumulated General Services reserves of £5.608m as at 31 March 2019 which was subject to audit; and
- (3) to agree the proposed actions identified in 4.5 of the report.

**10. South Ayrshire Performs – 'Our People, Our Place Council Plan 2018-22' – 2018/19 Performance Report (Strategic Priorities 1-3).**

There was submitted a [report](#) (issued) of 19 June 2019 by the Depute Chief Executive and Director – People allowing the Council to review performance over the course of 2018/19 towards achieving the strategic objectives and outcomes contained within the Council Plan 2018-22.

Comments were made by Members on welcoming the closing of the attainment gap and the supporting of vulnerable children and the Council

**Decided:** to approve the Council Plan performance, as detailed by the high level measures and narrative set out within Appendix 1 to the report.

## 11. Multi-Storey Flats – Riverside Place, Ayr.

There was submitted a [joint report](#) (issued) of 19 June 2019 by the Depute Chief Executive and Director – People and the Director – Place providing Council with the results of the consultation exercise undertaken with tenants at Riverside Place, Ayr; and providing further details on the options, outlined in Appendix 1 to the report, to allow Members to decide on the long-term future of the three multi-storey blocks.

The Director – Place outlined the background to this report and the Service Lead – Housing Services provided the results of the consultation and engagement with the residents of the flats and advised of the options open to the Council.

Having heard Members' concerns regarding the safety and needs of the residents and the inconvenience of residents during rehousing; and the requirement to support residents to integrate into their new communities, the Service Lead – Housing Services advised that officers would assist residents during any moves or decants.

Questions were raised and responded to by the Service Lead – Housing Services in relation to whether there would be sufficient ground floor properties; whether those residents who required re-housed would be given priority on the housing list; and the implementation plan on the Council's decision.

The Council, having thanked the Service Lead – Housing Services and his team for their work on this matter and having requested an Elected Members' briefing on this matter prior to a report being submitted to Leadership Panel in November 2019,

**Decided:** having considered the options,

- (1) that, following consultation with tenants and having considered the information contained in the report, to demolish the three multi-storey blocks at Riverside Place, Ayr and build a new development of 90 units, providing a mixture of 1 and 2 bedroom amenity properties;
- (2) to permanently rehouse tenants in existing or new build Council or Registered Social Landlords (RSL) stock on alternative sites;
- (3) to offer existing tenants who had been displaced and had expressed a desire to return to Riverside Place site, the opportunity to do so, acknowledging however that there would be a reduced number of units on the site and this might not be an option for all households;
- (4) to ensure that no household was financially disadvantaged during the time it took officers to develop a proposed implementation plan, the statutory Home Loss Payment and reasonable expenses should be paid to any household who was made an offer from their existing housing application and had accepted that offer of alternative housing,
- (5) to agree to extend the contracts of the two Level 7 temporary Housing Officers for a further period of six months, funded from the HRA uncommitted surplus;
- (6) to request that officers issue a letter to all households at Riverside Place, Ayr confirming the Council's decision;
- (7) to agree to continue to suspend the allocation of vacant properties at Riverside Place; and
- (8) to request officers to submit a further report to the Leadership Panel in November 2019 outlining an implementation plan on the Council's decision.

## 12. **Proposed Replacement South Ayrshire Local Development Plan (PLDP2).**

There was submitted a [report](#) (issued) of 19 June 2019 by the Director – Place seeking approval for the next steps in preparing the replacement South Ayrshire Proposed Local Development Plan (PLDP2); and associated Supplementary Guidance (SG)

A full discussion took place in relation to Prestwick Airport; the potential Spaceport; the need to increase the population; the need to increase sites that developers wished to build on; and the securing of Ayrshire Growth Deal funding.

Following a question on housing demands, the Service Lead – Planning and Building Standards confirmed that she was satisfied that housing demands could be met within the terms of the LDP2.

The Council, having welcomed that the Plan could be amended following the further consultation process,

### **Decided:**

- (1) to approve for publication and public consultation (1) the Proposed Replacement South Ayrshire Local Development Plan (**Appendix 2**) and the Environmental Report of the associated Strategic Environmental Assessment (SEA)(Appendix 5); and (2) the draft Supplementary Guidance Housing Sites Design Briefs and Maintaining an Effective Housing Land Supply (Appendices **3** and **4** respectively);
- (2) to grant delegated powers to the Director - Place to make any non-substantive changes to the PLDP2, Environmental Report of the associated SEA and SG; and
- (3) to agree that, on publication, the provisions of the PLDP2 would become a material consideration in determining planning applications, with the weight accorded to the PLDP2 increasing as it progressed through the statutory process.

## 13. **Authorisation Cards for Young Carers.**

There was submitted a [report](#) (issued) of 19 June 2019 by the Director of Health and Social Care providing an update on the proposals to introduce Authorisation Cards and access to leisure for young carers.

Following a question on identifying young carers who were not registered with a carers centre, the Policy and Planning Officer advised that further work was being undertaken on developing a Young Carers Strategy and this issue was being addressed in the Strategy document.

The Council, having thanked the officers concerned for progressing this matter,

### **Decided:**

- (1) to consider the young carers package of non-cash benefits launched nationally by Young Scot on 12 June 2019 and the Young Carer Grant being launched by the Scottish Government in Autumn 2019;
- (2) to note progress to date on local access to leisure for young carers; and
- (3) to request that a final report on this matter be submitted to the next Council meeting on 3 October 2019 for approval.

#### 14. **Review of South Ayrshire Integration Scheme.**

There was submitted a [report](#) (issued) of 19 June 2019 by the Director of Health and Social Care advising of the requirement placed on the Parties to the South Ayrshire Integration Scheme by Section 44 of the Public Bodies (Joint Working) (Scotland) Act 2014, to carry out a review of the Scheme within the relevant period, i.e. 1 April 2020.

Discussion took place regarding whether Social Work Services for Children and Young People and Justice Social Work Services should or should not be delegated to the IJB and the Council

#### **Decided:**

- (1) to consider the requirement for the Integration Scheme to be reviewed by the due date of 1 April 2020;
- (2) to request that officers consider and evidence, as part of the review exercise, whether Social Work Services for Children and Young People and Justice Social Work Services should no longer be delegated to the IJB as part of the Integration Scheme; and
- (3) to approve the arrangements for the review exercise as set out in Section 4 of this report, including the nomination of two Elected Members \*\* to serve on the Project Board.

\*\* subsequently agreed as Councillors Julie Dettbarn and Brian McGinley.

#### 15. **Notice of Motion.**

A Notice of Motion having been submitted in accordance with Council Standing Order No. 18, Councillor Craig Mackay, seconded by Councillor Brian Connolly, moved:-

“Council notes the huge amount of landfill waste resulting from the use of disposable nappies; that aside from the cost to the Council of disposal (including Landfill Tax), the environmental impact of these single-use products is unsustainable.

Council also recognises that the cost of disposable nappies is a significant burden for many parents.

In seeking to address these points, Council acknowledges that modern re-usable nappies provide a convenient and environmentally favourable alternative to disposables and that, despite the initial outlay, over their lifetime re-usable nappies can realise significant cost savings to parents.

Council agrees to consider how best to encourage use of re-usable nappies; and tasks officers to look at options and bring a further report back to the Leadership Panel, including:

- Working with the NHS to raise awareness of alternatives to disposable nappies;
- Supporting “nappy bank” and affordable nappy laundry services; and
- Investigating ways to help offset the initial outlay in purchasing re-usable nappies.”



Following a comment from a Member, the Mover of the Motion, with the agreement of the seconder, agreed to include the addition of a further option for officers to investigate, namely:-

- Examine the provision of reusable adult incontinence 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, including the additional bullet point.

## 16. **Formal Questions.**

In terms of Council Standing Order No. 26(2), there were submitted (tabled) Formal Questions from Councillors Douglas Campbell, Lee Lyons and Ian Davis, details of which, together with the Answers, are outlined below:-

### **Question from Councillor Douglas Campbell**

When the Provost declares under Section 19.9 of the Standing Orders that there is an unopposed motion and there is no dissent are all Councillors deemed to have supported the motion?

### **Response**

Yes.

### **Question from Councillor Lee Lyons**

Can the Council confirm that they will be pursuing the purchase of Belleisle Hotel?

### **Response**

Yes, in line with the previous Council decision.

### **Question from Councillor Ian Davis**

During 2018-19, the household waste collection system was revised to include two additional recycling bins and the introduction of a new collection schedule.

This revised system also introduced the practice of attaching red tags onto recycling bins containing the wrong waste material and leaving these bins unemptied.

Residents, after removing the offending waste material, then have to make arrangements with the Waste Management service to get their bins emptied on another date.

Anecdotally, the red tags are not a rare occurrence as many residents within the Ayr North ward and across the rest of South Ayrshire receive them.

Given concerns raised by local residents, please provide the number of bins that have been red tagged, across South Ayrshire, and the number of work hours taken to re-visit and empty these bins?

If the actual figures are not available then please provide estimates.

**Response**

1,357 bins reported by the householder as being tagged/ contaminated.

An additional 6-7 hours per week are spent dealing with these bins.

All returns to service are dealt with within existing resources.

Councillor Davis raised a supplementary question to which the Service Lead – Neighbourhood Services responded accordingly.

**17. 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 12 of Part 1 of Schedule 7A of the Act.

**18 Planning Application – Brewlands Road, Symington.**

There was submitted a joint report (issued to members only) of 21 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 Council, having considered the legal advice contained within the report,

**Decided:** to continue consideration of this matter to an appropriate meeting of Leadership Panel or South Ayrshire Council.

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

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:-

- Planning Application – Brewlands Road, Symington.

The meeting ended at 12.40 p.m.