

SOUTH AYRSHIRE COUNCIL.

Minutes of a remote webcast meeting
on 9 December 2021 at 10.00 a.m.

Present Councillors Helen Moonie (Provost), Laura Brennan-Whitefield, Andy Campbell, Douglas Campbell, Ian Cavana, Alec Clark, Brian Connolly, 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.

Apologies: Councillors Siobhian Brown, Iain Campbell, Ian Cochrane and Peter Convery.

Attending: E. Howat, Chief Executive; D. Hutchison, Depute Chief Executive and Director – People; T. Eltringham, Director of Health and Social Care Partnership; C. Caves, Head of Legal, HR and Regulatory Services; T. Baulk, Head of Finance and ICT; L Reid, Assistant Director – Place; J. Bradley, Assistant Director – People; K. Carr, Assistant Director – Place; K. Anderson, Service Lead – Policy, Performance and Community Planning; T. Leijser, Service Lead – Economy and Regeneration; J. McClure, Committee Services Lead Officer; F. Maher, Temporary Committee Services Officer; C. McCallum, Committee Services Assistant; and E. Moore, Committee Services Assistant.

1. Provost.

The Provost

- (1) welcomed everyone to the meeting;
- (2) intimated that apologies had been received from Councillors Siobhian Brown, Iain Campbell, Ian Cochrane and Peter Convery;
- (3) outlined the procedures for conducting this meeting and advised that part of this meeting would be broadcast live; and
- (4) advised that, with the agreement of the Council, the electronic voting system would be utilised. The Council so concurred.

2. Sederunt and Declarations of Interest.

The Chief Executive called the Sederunt for the meeting and having called the roll, confirmed that 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.

3. Minutes of previous meetings of Council and Panels.**(1) Minutes of previous meeting of Council.**

The Minutes of [South Ayrshire Council of 7 October 2021](#); and [South Ayrshire Council \(Special\) of 15 November 2021](#) (issued) were authorised to be signed as a correct record.

(2) Minutes of previous meetings of Panels.

The Minutes of the undernoted Panels were submitted for information:-

- (i) Audit and Governance Panel of [29 September 2021](#).
- (ii) Chief Officers Appointments/Appraisal Panel of [17 June 2021](#).
- (iii) Leadership Panel of [15 September \(Special\)](#), [21 September](#) and [26 October 2021](#).
- (iv) Local Review Body of [7 September](#) and [28 September 2021](#).
- (v) Partnerships Panel of [15 September 2021](#).
- (vi) Regulatory Panel – Licensing of [23 September](#) and [28 October 2021](#).
- (vii) Regulatory Panel – Planning of [9 September](#) and [6 October 2021](#).
- (viii) Service and Performance Panel of [14 September 2021](#).
- (ix) Ayrshire Shared Services Joint Committee of [3 September 2021](#).

4. Best Value Assurance Report.

There was submitted a [report](#) (issued) of 3 December 2021 by the Chief Executive advising Members of the findings of the Audit Scotland Best Value Assurance Report; and seeking approval of a draft action plan to address the issues identified in the report.

Councillor Henderson, seconded by Councillor McGinley moved the recommendations in the report.

Questions were raised by Members in relation to

- (1) the recommendations on the Action Plan in Appendix 2 to the report and whether all the recommended actions could be met from existing reserves or whether additional funding would be required; and the Chief Executive advised that, as far as possible, all actions would be undertaken within existing resources available within the Council, however, Audit Scotland had requested that capacity within the Council be examined, an action within the Action Plan which she would be undertaking in liaison with Elected Members and thereafter bringing forward proposals for consideration;
- (2) the External Auditor previously being based in the Council Offices to be available to engage with Elected Members and whether this could be addressed and an alternative process put in place; and the Chief Executive advised that Audit Scotland based their staff within Council Offices as part of their audit, that arrangements for external firms to undertake audit work on behalf of the Accounts Commission did not allow the same flexibility and it was not possible for private firms to dedicate as much office based time to the work; and

- (3) whether processes would be put in place to allow the Council to identify and remedy issues which developed during the course of the next five year term of an administration; and the Chief Executive advised that Officers would be monitoring the actions as outlined in the Action Plan and that the External Auditors would be undertaking follow-up work which would be reported to the Audit and Governance Panel; and that any issues not addressed would be picked up by them as part of their wider scope work.

Comments were made by Members in relation to:

- (a) there being issues within the audit process that required to be addressed in relation to “culture” as the Accounts Commission should ensure that staff undertaking the audit were appropriately qualified in terms of sociology and anthropology and not to solely focus on the financial element of the audit; and that should they prioritise work with communities, the staff should have a background in community development which would enable them to find solutions to issues identified; and
- (b) being pleased that steps had already been taken to address issued raised.

The Council

Decided:

- (i) to note the contents of the Audit Scotland Best Value Assurance Report published on 27 October 2021 ([Appendix 1](#));
- (ii) to accept the recommendations of Audit Scotland and the findings of the Accounts Commission;
- (iii) to approve the draft action plan attached as [Appendix 2](#);
- (iv) to request that quarterly updates on progress against the action plan be presented to the Audit and Governance Panel; and
- (v) to request that a summary of the Council’s decisions in respect of the Best Value Assurance Report be sent to the Accounts Commission for approval and subsequent publication.

5. Appointments to Panel and Representation on Outside Bodies.

There was submitted a [report](#) (issued) of 2 December 2021 by the Head of Legal, HR and Regulatory Services seeking approval to make alterations to the lists of Panels and Outside Bodies.

Councillor Henderson, seconded by Councillor McGinley moved the recommendations within the report with the addition of a further recommendation, namely “to note the resignation of Councillor Hugh Hunter as a member of the Conservative Group; and that the Conservative Group would advise on the representation on the Panels and Working Groups”.

Comments were made by Members in relation to Councillor Hugh Hunter:- commending his work with the Council; outlining that his knowledge and experience on Panels would be missed; commenting that he was a diligent member of the Council who carried out his work in a professional manner; commending his excellent contribution on the Integration Joint Board; praising his work with young carers; and wishing him well for the future.

Councillor Hunter advised that he would continue as an independent Councillor, thanked all Members for their kind words, outlined that him resigning from the Conservative Group cast no aspersions on the members of this Group; and that he looked forward to serving the Council and the people of Prestwick for the rest of his term.

The Council, having thanked Councillor Hunter for his long and distinguished service,

Decided:

- (1) to note the resignation of Councillor Hugh Hunter as a member of the Conservative Group; and that the Conservative Group would advise on the representation on the Panels and Working Groups (subsequently advised and outlined at (4) to (9) below);
- (2) to appoint Councillor Arthur Spurling to replace Councillor Hugh Hunter as Chair of the Partnerships Panel;
- (3) to appoint Councillor Ian Davis to replace Councillor Arthur Spurling as Vice-Chair of the Partnerships Panel;
- (4) to appoint Councillor Martin Dowey to replace Councillor Hugh Hunter on the Partnerships Panel;
- (5) to appoint Councillor Derek McCabe to replace Councillor Hugh Hunter on the Audit and Governance Panel;
- (6) to appoint Councillor Martin Dowey to replace Councillor Hugh Hunter on the Service and Performance Panel;
- (7) to appoint Councillor Ian Davis to replace Councillor Hugh Hunter on the South Ayrshire Integration Joint Board; and subsequently Councillor Lee Lyons be appointed as proxy on this Board;
- (8) to appoint Councillor Derek McCabe to replace Councillor Hugh Hunter on the External Risk Member/Officer Working Group;
- (9) to appoint Councillor Iain Campbell to replace Councillor Hugh Hunter on the Equality and Diversity Forum;
- (10) to remove the Hub South West Scotland Limited from the list of Outside Bodies;
- (11) to approve the appointment of Jane Bradley, Assistant Director – People, as officer representative on the David Elder Edward's Trust;
- (12) to request officers to make appropriate changes to Elected Member remuneration; and
- (13) to consider any other amendments which might be required to membership of Panels and representation on Outside Bodies.

6. **Scheme of Delegation.**

There was submitted a [report](#) (issued) of 3 December 2021 by the Head of Legal, HR and Regulatory Services seeking approval to amend the Scheme of Delegation following review.

Councillor Henderson, seconded by Councillor McGinley moved the recommendations within the report.

The Council,

Decided: to approve the revised Scheme of Delegation (attached as [Appendix 1](#)) with effect from 17 January 2022.

7. **Financial Regulations Review.**

There was submitted a [report](#) (issued) of 2 December 2021 by the Head of Finance and ICT seeking endorsement of the current Financial Regulations following review.

Councillor Henderson, seconded by Councillor McGinley moved the recommendations within the report.

The Council, having thanked the Head of Finance and ICT for his diligent work in reviewing these Financial Regulations,

Decided: to endorse the [Financial Regulations](#).

Point of Order.

Councillor Saxton raised a Point of Order to ascertain that all Members had sight of the following report on Golf Strategy 2022-32 as he had viewed this paper as a Member of the Golf Strategy Member/Officer Working Group, however, he had been unable to open this report within the papers for this meeting; and the Head of Legal, HR and Regulatory Services confirmed that this report had been issued to all Members by the normal means within the appropriate timescale.

Provost then reminded all Members that, when raising a Point of Order, they should refer to the appropriate Standing Order number to which it related.

8. **Golf Strategy 2022-32.**

There was submitted a [report](#) (issued) of 3 December 2021 by the Assistant Director – People seeking approval to progress with the detailed Golf Strategy and future operating model for golf.

Councillor Cullen, seconded by Councillor Saxton moved the recommendations within the report.

A question was raised by a Member in relation to whether the plan for two 9-hole loops at Girvan Golf Course was to replace the 18 hole course and seeking assurances that all works carried out would be in consultation with Members; and the Assistant Director – People advised that the opportunities identified in the report were areas to explore, that there was no intention to reduce the 18 hole course to a 9 hole course only; and that all works would be done in consultation with Ward Members.

Comments were made by Members in relation to:-

- (1) the excellent work by the Members of the Member/Officer Working Group in a short period of time; the significant financial commitment being made by this Council to support golf at a time of high demand for funding and limited budgets; the Council making this commitment being over and above its ordinary commitment to golf to expand it, make it sustainable and to continue golf in a way that was inclusive and gave a quality experience to golfers; and that the Council would ensure each golf course reflected the needs of the community;
- (2) the staff working conditions being a priority which it was pleasing to note would be upgraded;
- (3) it being pleasing to note the return of footgolf to Dalmling golf course;
- (4) it being pleasing to note the investment in courses which would be of major economic benefit to towns and their tourism;
- (5) golf in South Ayrshire being at a crossroads with the Council requiring to invest in its courses to ensure the condition and quality of these courses did not deteriorate;
- (6) that the Council should view golf courses as a financial investment as these courses could contribute to the income of South Ayrshire by bringing in tourists; and that this Authority managed eight golf courses which were open to the public, often playing at discounted prices, which also encouraged children to play golf;
- (7) that the investment in flooding works would enhance courses, increase the number of players and in turn increase revenue for the Council; that investment could lead to an increase in fees and season tickets for golfers; that it was cost effective to invest in containers for machinery at golf courses; and that investment in staff facilities was a priority; and
- (8) that the promotion of golf would increase tourism, promote health and wellbeing and would put South Ayrshire back on the map as an excellent centre for golf.

The Council, having thanked the Assistant Director – People, her staff and the Members of the Member/Officer Working Group, for the work undertaken in relation to this issue,

Decided:

- (a) to approve the Strategy which was developed by the Golf Member/ Officer Working Group ([Annex 1](#));
- (b) to agree that officers would report back in one year on the first year's implementation;
- (c) to note that a health and safety report in relation to the staff welfare facilities and machinery storage had been produced with a significant number of recommendations;
- (d) to note the significant damage which occurred to the machinery storage situated at Lochgreen Golf Course;
- (e) to approve an initial allocation of £0.500m from uncommitted reserves to address initial priority and health and safety issues; and
- (f) to approve further funding of £0.500m from the existing capital programme, sourced from any capital programmes which might not go ahead or were delayed, and that further consideration would be given through the capital programme as part of the budget setting process for 2022-2023 to meet any additional costs.

9. South Ayrshire Council's Annual Performance Report 2020/21.

There was submitted a [report](#) (issued) of 2 December 2021 by the Assistant Director – People providing Members with 'South Ayrshire Council's - Annual Performance Report 2020/21'.

Councillor Henderson, seconded by Councillor McGinley moved the recommendations within the report.

Questions were raised by Members in relation to:

- (1) 20% of children living in relative poverty and 19% of children living in absolute poverty in South Ayrshire and whether this was benchmarked with other authorities; and the Depute Chief Executive and Director – People advised that the principal driver of child poverty was welfare policy which was determined and outwith the Council's control; that the Audit Scotland report had highlighted the fact that child poverty was increasing across Scotland, however, this was increasing at a slower rate in South Ayrshire, therefore, the steps being taken to mitigate the effects of child poverty in this authority had been successful; and that this Council was doing everything possible to address the effects of deprivation and that this was one of the Council's six strategic priorities;
- (2) the Council's responsibility to ensure that young people were not disadvantaged due to poverty; and the Depute Chief Executive and Director – People advised that the pupil equity fund in schools was used very flexibly to mitigate the effects of deprivation but the principal driver of poverty was outwith the control of the Council;
- (3) what the Economic Development Team were doing to combat child poverty; and the Head of Legal, HR and Regulatory Services advised that a response would be provided to Members in writing on this matter;
- (4) whether the Thriving Communities Team were working with the various groups to alleviate child poverty; and the Depute Chief Executive and Director - People advised that the Thriving Communities Team, which included employability and skills, were working alongside Community Learning and Development and various other groups; and
- (5) how the Council was performing in relation to child poverty in comparison to the start of this administration in 2017; and the Depute Chief Executive and Director – People advised that he would obtain these figures and issue them to Members.

Comments were made by Members in relation to:-

- (a) offering congratulations to:- Property Maintenance for recently winning the "Best Performer – Building Maintenance" award at the APSE awards; Ayr Grammar Primary School for winning a commendation at the Scottish Design Awards in the Education Building or Project Category; and VASA for winning the Investors in Volunteers Award;
- (b) the report reflecting the performance of the Council in meeting its plan;
- (c) the report outlining the services provided by Council staff who should be commended on the excellent work carried out; and that, in national benchmarking, this Council was one of the highest for customer satisfaction of residents;

- (d) the accolades the Council had achieved in recent years due to the efforts of staff and managers; the commitment of staff during the pandemic at a very difficult time being appreciated; and commending officers for helping to facilitate the transformation while meeting the demands of local communities;
- (e) the poverty related attainment gap and the fact that austerity had hit those people with the least earnings, the most and it was particularly affecting young people, however, there were some matters the Council had no control over and it was important that this was recognised and that the Council continued to fight against austerity; and
- (f) the effects of the increase in fuel prices, reduction in Universal Credit, Brexit and shortages of supplies which were all outwith the Council's control, however, the Council would attempt to mitigate against any further deprivation.

The Council, having considered this report and having thanked all officers concerned for their excellent work on the report,

Decided: to approve the content of the 'Annual Performance Report 2020/21, attached as [Appendix 1](#).

10. Formal Question.

The Council noted that no formal questions had been submitted.

11. 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 from the remaining item of business on the agenda, on the grounds that it involved the likely disclosure of exempt information in terms of paragraph 9 of Part 1 of Schedule 7A of the Act.

12. Inclusive Economic Growth and Investment Opportunity – Update.

There was submitted a report (issued – members only) of 3 December 2021 by the Director – Place providing an update to Members on the inclusive economic growth and investment opportunity; and seeking additional funding to continue development of the project.

Councillor Cullen, seconded by Councillor McGinley moved the recommendations within the report.

Questions were raised and responded to by the Service Lead – Economy and Regeneration.

The Council, having thanked the Service Lead – Economy and Regeneration for his excellent work in tight timescales,

Decided:

- (1) to note the positive progress in securing Prestwick as the investment location for the establishment of Company A;
- (2) to approve the additional funding as detailed in the confidential Addendum to this report to continue to progress the four work packages; and
- (3) to note that further reports would be presented to Members as the work packages progressed.

13. Consideration of Disclosure of the above Confidential Report.

The Council,

Decided: not to authorise the disclosure under Standing Order 32.4 of the following report:-

- Inclusive Economic Growth and Investment Opportunity – Update

14. Closing Remarks.

The Provost thanked all in attendance for their contribution and wished everyone a Happy Christmas.

The meeting ended at 12.25 p.m.