

SOUTH AYRSHIRE COUNCIL.

Minutes of a hybrid webcast meeting
on 29 June 2023 at 10.00 a.m.

Present in County Buildings: Councillors Iain Campbell (Provost), Laura Brennan-Whitefield, Ian Cavana, Alec Clark, Brian Connolly, Ian Davis, Julie Dettbarn, Martin Dowey, Stephen Ferry, William Grant, Peter Henderson, Hugh Hunter, Martin Kilbride, Mary Kilpatrick, Craig Mackay, Brian McGinley, Bob Pollock, Cameron Ramsay, Philip Saxton, Gavin Scott, Bob Shields, Duncan Townson and George Weir.

Present Remotely: Councillors Kenneth Bell, Ian Cochrane, Chris Cullen, Mark Dixon and Lee Lyons.

Attending in County Buildings: E. Howat, Chief Executive; M. Newall, Depute Chief Executive and Director of Housing, Operations and Development; L. McRoberts, Director of Education; J. Bradley, Director of Strategic Change and Communities; C. Caves, Head of Legal and Regulatory Services; T. Baulk, Head of Finance, ICT and Procurement; W. Wesson, Chief HR Adviser; K. Anderson, Service Lead – Policy, Performance and Community Planning; D. Alexander, Service Lead – Procurement; T. Burns – Service Lead – Asset Management and Community Asset Transfer; G. Farrell, Service Lead – Organisational Development and Customer Services; P. Bradley, Service Lead- Professional Design Services; C. Neillie, Solicitor; M. Piper, Customer Services Officer; J. McClure, Committee Services Lead Officer; A. Gibson, Committee Services Officer; C. Griffiths, Committee Services Assistant; and C. McCallum, Committee Services Assistant.

Attending Remotely: T. Eltringham, Director of Health and Social Care.

1. Provost.

The Provost

- (1) welcomed everyone to the meeting;
- (2) intimated that no apologies had been received;
- (3) outlined the procedures for conducting this meeting and advised that this meeting would be broadcast live; and
- (4) advised that he had written, on the Council's behalf, to express the Council's warmest congratulations to Dr Hazel McFarlane from Troon who had been the recipient of an MBE in the King's Birthday Honours List, for her charitable services to people with sight loss

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

(1) Minutes of 1 Previous Meetings of the Council.

- (a) Provost Campbell, seconded by Councillor Kilpatrick, moved the [Minutes](#) of South Ayrshire Council of 1 March 2023 as a correct record.

The Council

Decided: to approve the Minutes of 1 March 2023 and authorise these minutes to be signed as a correct record.

- (b) Provost Campbell, seconded by Councillor Kilpatrick, moved the [Minutes](#) of South Ayrshire Council (Special) of 14 June 2023 as a correct record.

The Council

Decided: to approve the Minutes of 14 June 2023 (Special) and authorise these minutes 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) Appeals Panel of [9 December 2022](#) and [23 February 2023](#).
- (ii) Audit and Governance Panel of [22 February](#) and [22 March 2023](#).
- (iii) Cabinet of [15 February](#), [14 March](#), [29 March \(Special\)](#), [25 April](#) and [23 May 2023](#).

In accordance with the Scheme of Delegation and Standing Orders for Meetings, Councillor Dowey, seconded by Councillor Lyons, moved the recommendations as contained in the 'C' paragraph of the Cabinet minutes of 25 April 2023 entitled "Code of Conduct for Employees - Conflict of Interest Policy" (copy of [minute excerpt](#) herewith).

The Council

Decided: to approve the recommendations as contained in the 'C' paragraph.

- (iv) Chief Officers' Appointments/Appraisal Panel of [22 November](#), [5 December](#), [6 December](#) and [8 December 2022](#) and [26 May 2023](#).
- (v) Local Review Body of [31 January](#), [14 March 2023](#) and [18 April 2023](#).
- (vi) Partnerships Panel of [8 February 2023](#).
- (vii) Regulatory Panel – Licensing of [16 February](#), [16 March](#) and [27 April 2023](#).
- (viii) Regulatory Panel – Planning of [2 February](#) and [30 March 2023](#).
- (ix) Service and Partnerships Performance Panel – [18 April](#) and [16 May 2023](#)
- (x) Service and Performance Panel of [10 January](#) and [7 February 2023](#).
- (xi) Ayrshire Shared Services Joint Committee of [10 March 2023](#).

4. **Employer Supported Policing Initiative – Police Scotland**

There was submitted a [report](#) (issued) of 16 June 2023 by the Chief Executive advising of the Employer Supported Policing (ESP) programme which would allow the Council to formally support employees to become voluntary Special Constables across all Ayrshire Local Authorities.

Councillor Ian Davis, seconded by Councillor Martin Dowey, moved the recommendations as outlined in the report.

Comments were made by Members that:-

- (1) this was an excellent opportunity for Council employees to have the best available training with voluntary service being a great step forward; and that this would also assist Police Scotland in relieving pressure by having more Special Constables on the streets; and
- (2) that this programme would be of benefit to both Police Scotland and the Council employees who would gain valuable experience and contribute to the community.

Following a question on whether there was also a voluntary programme for retained Firefighters, the Chief HR Adviser advised that the Council's Special Leave Policy provided for retained Firefighters, however, she had recently been contacted by Scottish Fire and Rescue Service who had requested a further meeting on this matter.

The Council

Decided:

- (a) to commit to becoming an Employer Supported Policing Partner;
- (b) to approve the provision of paid special leave of up to 5 days (pro-rata) to use towards training; and
- (c) to request officers to update the Special Leave Policy.

5. **Appointments to Panel**

There was submitted a [report](#) (issued) of 16 June 2023 by the Head of Legal and Regulatory Services seeking approval to make alterations to the membership of Panels.

Councillor Martin Dowey, seconded by Councillor William Grant, moved the recommendations as outlined in the report.

A question was raised by a Member in relation to whether training would be provided for the proposed new Members of the Panels; and the Head of Legal and Regulatory Services advised that training would be provide for those Members listed; that training for the Licensing Board was mandatory and Councillor Lyons would require to undertake and pass this training course prior to sitting on the Board; and that should any Member have a requirement for additional training on any matter, they should contact her and this would be provided.

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Council moved to a vote for or against the Motion.

A Member requested a Roll Call Vote, however Provost advised that a Roll Call Vote required to be requested prior to the vote commencing.

The Council, having considered any other amendments which might be required to membership of Panels,

Decided: by a majority,

- (1) to note the changes in the representatives nominated by the Conservative Group, Independent Members and the SNP Group identified in Appendix 1 to the report;
- (2) to approve the appointment of Cllr Julie Dettbarn as the Chair of the Audit and Governance Panel; and
- (3) to request that officers make the required amendments to the list of Panels to reflect these changes.

6. **Representation on and Remits of Working Groups**

There was submitted a joint [report](#) (issued) of 21 June 2023 by the Head of Legal and Regulatory Services seeking approval to make alterations to the list of Working Groups.

Councillor Martin Dowey, seconded by Councillor William Grant, moved the recommendations as outlined in the report.

Having heard a Member advise that the Active Travel Forum was not on the list of Working Groups, the Chief Executive advised that the creation of an Active Travel Member/Officer Working Group had been approved at Cabinet of 20 June 2023.

A Member advised that it would be helpful to have an explanation as to why officers were changing on some of the Groups; and the Head of Legal and Regulatory Services advised that she would take this comment on board when preparing future reports on Working Groups and she would circulate a note to Members following the meeting on the change of officers within this report.

A Member requested a roll-call vote.

The Head of Legal and Regulatory Services then took the vote by calling the roll as follows:-

Iain Campbell	Motion
Mary Kilpatrick	Motion
Kenneth Bell	Motion
Laura Brennan-Whitefield	Motion
Ian Cavana	Motion
Alec Clark	Motion
Ian Cochrane	Motion
Brian Connolly	Motion
Chris Cullen	Motion

Ian Davis	Motion
Julie Dettbarn	Motion
Mark Dixon	Motion
Martin Dowey	Motion
Stephen Ferry	Motion
William Grant	Motion
Peter Henderson	Motion
Hugh Hunter	Motion
Martin Kilbride	Motion
Lee Lyons	Motion
Craig Mackay	Motion
Brian McGinley	Motion
Bob Pollock	Motion
Cameron Ramsay	Motion
Philip Saxton	Motion
Gavin Scott	Motion
Bob Shields	Motion
Duncan Townson	Motion
George Weir	Motion

The Council

Decided:

- (1) to review the list of Working Groups and approve the proposed changes to representation (as outlined in Appendix 1 to the report); and
- (2) to approve the amended remits and titles where appropriate.

7. Representation on Outside Bodies

There was submitted a [report](#) (issued) of 19 June 2023 by the Head of Legal and Regulatory Services seeking approval to make alterations to the lists of Outside Bodies.

Councillor Martin Dowey, seconded by Councillor William Grant, moved the recommendations as outlined in the report.

Having heard a Member advise that KIMO International was not on the list of Outside Bodies, the Head of Legal and Regulatory Services advised that any organisations not listed would be submitted to Council in October 2023 for approval.

A Member advised that it would be helpful to have an explanation as to why officers were replacing Councillors on some Outside Bodies; and the Head of Legal and Regulatory Services advised that she would take this comment on board when preparing future reports on Outside Bodies and she would circulate a note to Members following the meeting on the reasons for Officers replacing Councillors on these Bodies within this report.

The Council, having considered any other amendments which might be required to representation on Outside Bodies,

Decided:

- (1) to remove Skypath Aerospace Training Community Interest Company (CIC) from the list of Outside Bodies;
- (2) to approve an amendment to the officer representative on the Glasgow Prestwick International Airport Consultative Committee; and
- (3) to note the changes in the representatives nominated by the SNP Group identified in 4.3 of the report.

8. Appointments to Convention of Scottish Local Authorities

There was submitted a [report](#) (issued) of 16 June 2023 by the Head of Legal and Regulatory Services seeking the Council's approval to make alterations to the list of representatives on the Convention of Scottish Local Authorities.

Councillor Martin Dowey, seconded by Councillor William Grant, moved the recommendations as outlined in the report.

The Council, having considered any other amendments which might be required to COSLA representation,

Decided: to note the change in the representative nominated by the SNP Group, namely that Councillor William Grant replace Councillor Peter Henderson.

9. Schedule of Meetings

There was submitted a [report](#) (issued) of 16 June 2023 seeking approval of a proposed timetable of meetings from August 2024 to June 2025 and to amend the frequency of meetings of the Local Review Body.

The Head of Legal and Regulatory Services advised that an amendment to the timetable had been circulated to Members changing Cabinet from Wednesday 30 April 2025 to Tuesday 29 April 2025.

Councillor Martin Dowey, seconded by Councillor Lee Lyons, moved the recommendations as outlined in the report.

Following a question from a Member on why the frequency of the Local Review Body was changing; the Head of Legal and Regulatory Services advised that the Members of the Body had requested this change for greater efficiency of the process as there were now fewer cases to be considered and meetings were often being called for one case or had required to be cancelled due to lack of business, therefore, fewer meetings of the Local Review Body were required.

The Council

Decided:

- (1) to approve the timetable of Council, Cabinet and Panel meetings from August 2024 to June 2025 as detailed in Appendix 1 of the report;
- (2) to approve the proposed changes to meetings of the Local Review Body as outlined in Appendix 2 of the report (marked in bold text); and
- (3) to request the Head of Legal and Regulatory Services to submit a timetable of meetings from August 2025 onwards to a future meeting of the Council.

10. South Ayrshire Charitable Trust

There was submitted a [report](#) (issued) of 16 June 2023 by the Head of Legal and Regulatory Services providing an annual update on the South Ayrshire Charitable Trust and amend the Trust Business Plan for 2023/24 financial year

Councillor Martin Dowey, seconded by Councillor Davis, moved the recommendations as outlined in the report.

Questions were raised by Members in relation to:-

- (1) the remaining Girvan funds; and the Service Lead – Legal and Licensing advised that the Service Lead – Corporate Accounting outlined that there had been challenges in resolving this issue, however, this matter would be treated as a priority; and
- (2) the difference between a grant and a donation; and the Solicitor advised that a grant was provided when an application was made for specific funds and that donations had been given during Covid to certain bodies nominated by Councillors.

Comments were made by Members in relation to:-

- (a) the need for more grant funding to be provided in next year's budget and for locality planning to be considered as a means to allocate the monies;
- (b) commending officers for their work on this issue as it was gratifying to see the results of the grant funding;
- (c) this being an excellent initiative which carried out what it was intended for and was a good means of continuing to provide support for local communities, however, the funds would require to be replenished; and
- (d) there being people still requiring financial assistance and, as this initiative was a good way of providing this, therefore officers were requested to consider whether there was a need for support in the areas covered by the trust to be bought forward as a request for additional funds to be injected into the trust as part of the budget setting process.

The Council, as Trustees of South Ayrshire Charitable Trust,

Decided:

- (i) to note the summary of grant funding made by the trust during 2022/23, detailed in Appendix 1 of the report;
- (ii) to approve the business plan for the running of the trust for the year 2023/24, detailed in Appendix 2 of the report; and
- (iii) to agree that the funding for South Ayrshire Charitable Trust be re-examined during the budget setting process o take account of the targeted result It had achieved ..

11. Standing Orders Relating to Meetings

There was submitted a [report](#) (issued) of 19 June 2023 by the Head of Legal and Regulatory Services seeking approval to amend the Standing Orders Relating to Meetings following review.

The Head of Legal and Regulatory Services outlined that there was a further amendment to the Standing Orders, namely that Standing Order 19.2 should now read:-

“19.2 The Provost may require that any motion or amendment shall be reduced to writing and the time taken to do so shall be such period as is required to be determined at the discretion of Provost. A copy shall be passed to the Clerk who shall circulate it to each Councillor. The Provost may require any motion or amendment to be read out prior to it being put to the meeting. Wherever possible, Members should make all efforts to discuss motions and amendments with the Monitoring Officer in advance of the meeting and submit them in writing to the Clerk rather than tabling these on the day of the meeting.”

Councillor Martin Dowey, seconded by Councillor Lee Lyons, moved the recommendations as outlined in the report, with the addition of the amendment to Standing Order 19.2.

Questions were raised by Members in relation to:-

- (1) the amendment to Standing Order 19.2 and whether, following an adjournment, the meeting would reconvene without further delay after the time given by the Provost; and the Head of Legal and Regulatory Services advised that the Standing Orders currently outlined that the Provost had powers to reconvene the meeting following the time provided by him for the adjournment and that, provided the meeting was quorate, the meeting would recommence at that time;
- (2) the amendment to Standing Order 4.4 which stated that a Member must advise the Chief Executive in advance of the meeting of their intention to join the meeting remotely and the consequences of not doing so; and the Head of Legal and Regulatory Services advised that there was no timescale for doing this, it could be on the morning of the meeting and was merely to assist officers with knowing the number of Members joining remotely and attending in the Hall and to provide assistance to any member attempting to join remotely if it was known they were doing so and had not joined the meeting; and
- (3) Standing Order 4.4 regarding attendance by remote means requiring to be advised to the Chief Executive in advance of the meeting and to be from a fixed private location and whether this must always be the same location; and the Chief Executive advised that the location must be private and the Member must remain within the location during the meeting.

Comments were made by Members in relation to:-

- (a) the amendment to Standing Order 19.2 and that the purpose of having an adjournment was to allow the Member making the amendment adequate time to compose the amendment and that, if the time was not sufficient, this process acted against good governance and democracy; and the Head of Legal and Regulatory Services advised that, when Provost gave a time period for the adjournment, should the Member making the adjournment feel this time was not sufficient, they would have the opportunity at that time to request a longer adjournment;
- (b) wherever possible Members moving an Amendment would speak to the Monitoring Officer in advance prior to the meeting, however, a Member may find themselves in a situation during the meeting where they required to move an Amendment to demonstrate their views, therefore it was not always possible to discuss an Amendment with the Monitoring Officer in advance of the meeting;
- (c) the need to work in a reasonable way to ensure that Members were enabled to do their job to the best of their ability, therefore they should be given the time sought by them for an adjournment to compile their Amendment;
- (d) Standing Order 35.4(2) regarding the call-in process, that those Members calling-in a decision of Cabinet should have an alternative recommendation should they not agree with the Cabinet decision as adequate time was provided to allow Members to liaise with the appropriate officers to provide an alternative recommendation;
- (e) Standing Order 35.4(2) regarding the call-in process, when a further Member advised that he did not agree with the proposed amendments as they were overly restrictive and, if a Member of the Panel felt a decision of the Cabinet was not correct, however, they did not necessarily have an alternative recommendation, they should still have the right to call-in this matter for further discussion; and the Head of Legal and Regulatory Services advised that an alternative recommendation would allow the Panel to consider this as an option, however, this did not restrict Members from calling-in a matter as they could outline that they were seeking further information; and that the addition of the "outcomes" section also allowed officers to be prepared to respond at the Panel. The Member then responded that, in that case, the wording should be amended to say "the outcomes section **may** be completed with sufficient details as to allow the Audit and Governance Panel and officers to appreciate the alternative recommendation(s) that is (are) sought"; and the Head of Legal and Regulatory Services advised that if an alternative recommendation was sought, this section should be completed;
- (f) Standing Order 35.4(7) which outlined that no member of the Audit and Governance Panel who had signed a call-in request may take part in the consideration of the call-in request, that this denied Members the opportunity to exchange views and this recommendation was not appropriate; and the Head of Legal and Regulatory Services advised that it would be a conflict of interest by the Member who had called the matter in if they then took part in the decision making as they could be seen as acting in a way that was not fair and impartial.. The Member responded that this would only be the case where a further recommendation had been made and, if the call-in was to request further information, the Member should be entitled to take part in the consideration of this matter; and the Chief Executive advised that the Member could participate in the discussion of the matter called-in, however, should leave the meeting when the vote was taking place, which the Member accepted;
- (g) Standing Order 35.4(6) which outlined that the relevant Portfolio Holder may also attend or be requested to attend Audit and Governance Panel to answer questions on matters called-in, that this should be worded "that the relevant Portfolio Holder will be requested to attend";

- (h) Standing Order 19.2 and that the need for open discussion was essential for good governance and that scrutiny was integral; and in relation to Standing Order 4.4 regarding attendance at meetings, that remote and in-person attendance should be treated with parity; and the Head of Legal and Regulatory Services advised that it was essential that flexibility was retained for Members to join remotely or in person and that there was no timescale around Members advising of their intention to join remotely, however, it was important to have prior notice to allow officers to make the required arrangements to allow Members to join remotely and vote;
- (i) Standing Order 4.4 regarding attending the meeting from a fixed private location, that often the closest wi-fi could be a coffee shop and that the Member could wear a headset to join the meeting; and the Head of Legal and Regulatory Services advised that this was not appropriate as the Member would require to contribute to the meeting, move Motions, etc and that a member of the public could interrupt the Member and this would affect the conduct of the meeting;
- (j) Standing Order 35.4(2) regarding the call-in process, that this was about having additional scrutiny of a report and did not always require an alternative recommendation; that being a Member of the Audit and Governance Panel should not preclude a Member from signing a call-in form; and that the call-in system was a good way for all Members to have the opportunity to scrutinise all reports;
- (k) Standing Order 4.4, Members should be entitled to advise of their intention to join a meeting remotely through their Personal Assistant; with regard to Standing Order 19.2, should the time provided by Provost not be sufficient, this Standing Order should be re-examined; regarding Standing Order 35.4(2), the wording should be changed to "the outcomes section **may** be completed..." ; in relation to Standing Order 35.4(6), the relevant Portfolio Holder should be in attendance at the meeting unless there was a good reason for them not to attend; and in relation to Standing Order 35.4(7), this required to be re-examined;
- (l) Standing Order 35.4 regarding the call-in process, that further details and further discussion were often required and that this Standing Order should not be amended to limit this and by accepting these amendments it would hinder good governance; and that by accepting these amendments Members of the Audit and Governance Panel would be discriminated against as they could not take part in consideration of the call-in request if they had signed the call-in form; and
- (m) Standing Order 4.4, this was seeking to introduce a means of preventing Members participating in the meetings; that it would be advantageous for ICT to recommend an alternative secure way to access the Council's internet rather than Members joining meetings via a public network; and the meetings were designed for remote attendance and resources were in place for this, therefore, the amendment to Standing Order 4.4 should be removed; and the Head of Legal and Regulatory Services advised that it was important to know in advance whether a Member was joining a meeting remotely in case they had issues joining and to ensure the quorum would be met throughout the meeting; and that Members should join meetings in a private area to ensure they could participate without interruption and without background noise.

Following the comments made by Members, the Head of Legal and Regulatory Services advised

- (i) that, in terms of Standing Order 35.4(2), should the Council so wish, the wording could be amended to read “the outcomes section **may** be completed with sufficient details as to allow the Audit and Governance Panel and officers to appreciate the alternative recommendation(s) that is (are) sought”; and
- (ii) that, in terms of Standing Order 35.4(7), this was not to restrict discussion but was to deal with the voting element which could be seen by members of the public as being pre-emptive, however, this could be removed meantime, re-examined and submitted to a future meeting of South Ayrshire Council for consideration.

A Member then advised that presently there was no requirement in the call-in form for a Member to make a recommendation, that this requirement was being included, therefore, clarity was required on this matter as Members must feel able to raise their concerns and for the Audit and Governance Panel to then reconsider the matter.

The Chief Executive advised that an adjournment could take place to allow an Amendment to be considered or for Councillor Dowey to consider whether he was content to include the Amendment within the terms of his Motion.

Point of Order

Councillor Martin Dowey raised a Point of Order that he would like the views of Audit Scotland with regards to a Member signing a call-in form and whether they should be entitled to take part in the discussions and/or voting. A Member advised that he had spoken to Audit Scotland on this matter and they did not make a ruling on this.

Point of Order

Councillor William Grant then raised a Point of Order that further discussions should continue prior to an adjournment taking place; and Provost advised that an adjournment would not take place until all Members who wished to speak had spoken.

Councillor Dowey then advised that all Members should have the opportunity to join meetings remotely if they wished; that he was happy with the current call-in process; and that he was agreeable to Standing Order 35.4(7) being re-examined and considered at the meeting of South Ayrshire Council scheduled to be held in October 2023.

A Member then called for an adjournment and Provost called a fifteen minute adjournment

Adjournment

The time being 11.35 a.m., the Council adjourned for fifteen minutes.

Resumption of Meeting

The time being 11.50 a.m. the Council reconvened.

Following discussions during the adjournment, the Head of Legal and Regulatory Services outlined that the following amendments had been agreed by Councillor Brian McGinley:

- (A) Standing Order 4.4 should be amended to read “An ordinary meeting may be held on a wholly remote basis by electronic means or in circumstances whereby some Councillors attend in person and others take part via remote means. Attendance by remote means requires to be advised to the Chief Executive **or by another Councillor** in advance of the meeting and requires to be from a fixed private location”;
- (B) the amendment to Standing Order 19.2 remain as the proposal tabled at this meeting;
- (C) the additional sentence in Standing Order 35.4(2) be amended to read “The ‘outcomes’ section **may** be completed with sufficient detail as to allow the Audit and Governance Panel and officers to appreciate the alternative recommendation(s) that is (are) sought”;
- (D) Standing Order 35.4(6) be amended to read “The relevant Portfolio Holder will be requested to attend Audit and Governance Panel and will attend (unless there are reasonable reasons as to why they are unable to do so) to answer questions on matters called-in”; and
- (E) Standing Order 35.4(7) be removed from the Standing Orders meantime and be submitted to the meeting of South Ayrshire Council of 12 October 2023 to allow discussions to take place with Group Leaders and the Independent Members.

Following a question from a Member on the current position with regards to Standing Order 35.4(7) and whether a Member of the Audit and Governance Panel could still sign a call-in as this Standing Order was being removed meantime; the Head of Legal and Regulatory Services advised that this Standing Order was around the appropriateness of a Member taking part in the vote if they had signed a call-in form; and that she would direct Members to the Code of Conduct for clarity.

Having heard Councillors Martin Dowey and William Grant advise that they were happy to include the above amendments within their Motion, the Council

Decided: to approve the revised Standing Orders Relating to Meetings (attached as [Appendix 1](#) to the report) subject to the amendments at (A) to (E) above with effect from 30 June 2023.

12. Standing Orders Relating to Contracts

There was submitted a [report](#) (issued) of 16 June 2023 by the Head of Finance, ICT and Procurement seeking approval to amend the Council’s Standing Orders Relating to Contracts following their most recent review.

Councillor Martin Dowey, seconded by Councillor Ian Davis, moved the recommendations as outlined in the report.

Comments were made by Members in relation to:

- (1) the Procurement Team working well which had been recognised when they had recently won the Contract and Supplier Management Award at the National Government Opportunity awards;

- (2) how valuable the Procurement Team was and referring to the successful open day which had taken place for small and medium enterprises to ascertain how the processes worked to allow them to tender for Council work; and the Service Lead – Procurement advised that eighty representatives from local businesses had attended the open day in the County Hall and that further open/meet the buyer days would be arranged for local suppliers to attend to explain the procurement process to them; and that the number of local businesses tendering had increased since the open days had taken place; and
- (3) the good work which had been undertaken in encouraging local businesses to tender for Council work.

Questions were raised by Members in relation to

- (a) Standing Order 22.3 and whether this applied to contracts which were eligible for negotiation or had been negotiated; and the Service Lead - Procurement advised that the contracts within the report had passed their three or four year initial term and were for the renewal of support and maintenance and that any new or replacement system put in place would be subject to the normal procurement process; and
- (b) Standing Order 4.4 and the exemptions within this; and the Service Lead – Procurement advised that previously demolition was considered an exemption in the Standing Orders, however, this had now been amended and various frameworks and contractors could aid demolition projects, therefore, by adding this to the Standing Orders it was not exempt and should follow all current procurement processes.

The Council, having considered the revisions proposed to the Standing Orders Relating to Contracts (summary of proposals contained in Appendix 1 to the report),

Decided: to approve the revised Standing Orders Relating to Contracts (Appendix 2 to the report) and the list of delegations (Appendix 3 to the report) with effect from 1 July 2023.

13. Future Operating Proposals – Customer Services

There was submitted a [report](#) (issued) of 9 June 2023 by the Director of Strategic Change and Communities providing options and recommendations for the future operation of Customer Services.

Councillor Martin Kilbride , seconded by Councillor Martin Dowey, moved approval of option 3 within the report – Provision of Customer Services by phone, online and face-to-face by appointment.

Comments were made by Members in relation to:-

- (1) not all members of the public having access to the internet, therefore would require a face-to-face meeting and should have the ability to speak to an officer without an appointment; and the Service Lead – Organisational Development and Customer Services advised that presently members of the public could see an officer at a range of locations on particular days but an online referral form was being introduced to enable customers to go to any frontline Council building and request a referral to Customer Services which would then be forwarded to an officer in Customer Services who would deal with the enquiry in the most appropriate way; and
- (2) welcoming this proposed approach as it was reflective of the modern way of delivering services.

Questions were raised by Members in relation to:-

- (a) whether there was flexibility to review the locations for Customer Services officers meeting with members of the public; and the Service Lead – Organisational Development and Customer Services advised that officers could work from any building if it was appropriately set up for customer interactions;
- (b) concerns at staff turnover being so high and what steps were being taken to maintain trained staff; and the Service Lead – Organisational Development and Customer Services advised that staff turnover had been an issue in the last twelve months and work had been undertaken with the team to establish why this was, with uncertainty regarding the future working arrangements being a significant reason, however, should the report be agreed, this would significantly reduce staff turnover; that it took some time to train staff so any turnover of staff had a detrimental impact on the delivery of the service; and that the Customer Services Team were very supportive of the recommendations within the report;
- (c) whether all offices used for appointments were suitable for elderly people and those with disabilities; and the Service Lead – Organisational Development and Customer Services advised that all frontline Council buildings have been assessed for accessibility for those with disabilities by relevant officers;
- (d) whether the staff turnover was due to staff leaving for jobs within the Council or outwith; and the Service Lead – Organisational Development and Customer Services advised that the majority of staff were leaving for other jobs within the Council but mostly of the same grade, due to the reasons stated at (b) above; and
- (e) whether a more joined-up approach may be advantageous with the Council working with Police Scotland, Health and Social Care Partnership, etc for anyone in crisis; and the Service Lead – Organisational Development advised that very few crisis cases were dealt with by Customer Services, however, any customer requiring to see someone immediately could go to any Council building and officers would assist them or there was a direct telephone line to a Customer Services Supervisor.

The Council, having considered the options appraisal carried out for this report, as outlined in Appendix 1 to the report,

Decided: to approve option 3 – Provision of Customer Services by phone, online and face-to-face by appointment

14. **Service Plans 2023-24**

There was submitted a [report](#) (issued) of 19 June 2023 by the Director of Strategic Change and Communities seeking approval of the proposed annual Service Plans for each service area following consideration by the Service and Partnerships Performance Panel.

The Service Lead – Policy, Performance and Community Planning introduced the report and advised that Audit Scotland had recently reported positively on the new performance reporting regime which was an important step forward in the Council's Best Value journey.

Councillor Martin Dowey, seconded by Councillor Lee Lyons, moved the recommendations as outlined in the report.

Comments were made by Members in relation to:

- (1) welcoming the report and the attached action plan as it gave a clear indication of the way forward and provided a good template for the Service and Partnerships Performance Panel to scrutinise;
- (2) Parent Councils should be consulted on the Local Outcome Improvement Plan (LOIP) and Councillors asked which groups in each ward should also be consulted;
- (3) commending the work undertaken to date which was a good way forward, however, outlining that more work was required, for example, Performance Indicators (PIs), clear timescales relating to the PIs and benchmarking with other Councils and each Service Lead required to outline how their contribution assisted the strategic priorities; and the Service Lead – Policy, Performance and Community Planning advised that Place and Wellbeing was a theme throughout every strategic Council document at the moment which was very positive; that, with the Community Planning partnership, there was an agreed strategic direction and collaboration was key to this; and that reports submitted to Members for scrutiny would also show the wider impact and the cumulative impact; and
- (4) outlining that as this was a good news story of the achievements of the Council, this should be publicised

Questions were raised by Members in relation to;

- (a) the (LOIP) and the development process for this going forward and how engagement with the individual communities would be carried out and fed back to them; and the Service Lead – Policy, Performance- and Community Planning advised that the LOIP had been approved in 2017, therefore, required to be refreshed and during the review of Community Planning, it had been realised that there were too many outcomes to realistically manage, therefore each of the strategic delivery partnerships had agreed to take forward a priority, consult with the community on this and feed back and there would then be a refreshed LOIP by March 2024;
- (b) following previous criticism from Audit Scotland, whether the officer was confident that the outcomes could be reported in an accurate and meaningful manner; and the Service Lead – Policy, Performance and Community Planning advised that he was confident as, when the initial report had been received from Audit Scotland in 2021, they had suggested that targets be added to the actions but, as this was for the previous Council Plan which was coming to an end, there was no value in adding targets at that time, however this provided a good base to develop the new Performance Management Framework which can measure progress against the Council Plan and was a step forward;
- (c) the steps being taken to minimise disruption in Ayr High Street when the proposed works for the demolition of the Station Hotel and the works at the old Hourstons building were taking place in 2024; and future plans for Kyle Ward as presently there were none within the Council Plan; and the Service Lead – Professional Design Services advised that proposals for the demolition works in Ayr High Street were currently being developed and these comments regarding co-ordinating the works would be taken on board; and that she was happy to bring forward proposals for the Kyle Ward; and

- (d) whether the comparisons across service areas of different Councils on the COSLA website were examined to share good practice or to understand if lessons could be learned; and the Service Lead – Policy, Performance and Community Planning advised that sharing best practice was very important in local government and he did this through the local government benchmarking framework, however, although this aided discussions in performance, this data was not definitive as authorities reported their data in various ways.

The Council, having thanked the Service Lead – Policy, Performance and Community Planning and his Team for their work on this matter,

Decided:

- (i) to approve the contents of the Service Plans 2023/24;
- (ii) to note the actions that would be reported to the Service and Partnerships Performance Panel over 2023/24 as part of the Council Plan 2023-28 Performance Management Framework; and
- (iii) to note that performance against the Council Plan would also be the subject of an annual report to Council.

Time of Meeting

The time being 12.40 p.m., Provost, seconded by Councillor Dowey moved that Council agree to continue the meeting beyond 2.00 p.m. as the business of the meeting was not likely to be completed by 2.00 p.m., in accordance with Standing Order No. 6.2.

The Council

Decided: to continue the meeting beyond 2.00 p.m. in accordance with Standing Order No. 6.2.

15. Proposed Ward Capital Projects 2023 to 2027

There was submitted a [report](#) (issued) of 22 June 2023 by the Depute Chief Executive and Director of Housing, Operations and Development seeking approval to proceed on a range of capital projects brought forward through Place Plans developed by local communities and by Ward Elected Members, and recommending capital projects for initiation and implementation during financial year 2023/24. The report also updated on arrangements for considering potential capital investment projects in the period to 2027.

The Depute Chief Executive and Director of Housing, Operations and Development introduced the report and thanked all Members for their advice and support in the development of the programme of projects.

Councillor Martin Dowey, seconded by Councillor Ian Davis, moved the recommendations as outlined in the report.

Comments were made by Members in relation to:-

- (1) commending the Depute Chief Executive and Director of Housing, Operations and Development and his team for their work on this project, setting up the process, carrying out consultations, etc in tight timescales; that the consultation with Members was to be welcomed as this had led to constructive discussions and the delivery of many projects of varying sizes; and that this was a good news story for all wards within South Ayrshire;
- (2) the significant amount of work that had gone into this project which would benefit all communities in South Ayrshire; that this was the first time a significant amount of investment had gone into the fabric of each town; and that this was the first tranche and there would be further consultation regarding the second stage;
- (3) thanking the Depute Chief Executive and Director of Housing, Operations and Development for the way in which Members were consulted, with all options carefully laid out and all projects relevant to the communities;
- (4) thanking colleagues within their wards as Members had worked together to achieve the best projects for their wards;
- (5) following initial concerns, this project had proven to be constructive, positive and well thought out and would be of massive benefit to the communities of South Ayrshire;
- (6) wishing this project every success going forward;
- (7) this being the start of a journey with significant monies remaining for projects; and that the projects would be subject to ongoing evaluation;
- (8) referring to the good start made on these projects; that interested parties would require to be liaised with regarding their priorities; and that some areas may require more monies than others;
- (9) the worthwhile discussions which had taken place with Ward Members and the positive effects of these discussions;
- (10) that in relation to requests for Girvan and South Carrick, the request for the New Merchant Navy and Seafarers' Memorial at Girvan Harbour had been requested by Girvan Town Team and Girvan Community Council and not by Go Girvan as stated;
- (11) not believing this work could be achieved within the timescales, however, thanks to the great work of various officers this work had been carried out and had brought communities together on how the monies should be spent; and looking forward to seeing the plans for Ayr East; and
- (12) this project highlighting that all Members could work together on Ward matters for the good of the communities of South Ayrshire.

Questions were raised by Members in relation to:-

- (a) seeking assurances that Ayr East Ward would not be placed in a detrimental position as the projects for this ward were not yet finalised and concerns that these projects had been based on Place Plans which had not yet been published; and the Depute Chief Executive and Director of Housing, Operations and Development advised that colleagues in Thriving Communities would be starting the process soon on the plans for Ayr East; that the Place Plans were well developed and, although not published until today, he was very confident that what was being proposed was what the communities were seeking; and that this was a priority for the Council and those projects approved for delivery would be delivered within the timescales set out in the report;
- (b) given that the Place Plans commenced with public consultations in the last week, how would the process now go forward in developing the Place Plans; and the Director of Strategic Change and Communities advised that Place Plans had taken various degrees of time to conduct with communities as some communities had established community groups but it became more complex when an area did not have established groups or representatives for the area, therefore, several consultations required to take place; that Ward Members and schools were also consulted along with any individual looking to become more involved with the development of Place Plans in their area; and that, once initial consultation had been concluded, she would go back to the area outlining the results to ensure that this is what was intended by the consultees; and it was intended to commence as quickly as possible to develop projects for the Ayr East Ward to include within the proposals;
- (c) whether the Place Plans would be an ongoing process with no closure; and the Director of Strategic Change and Communities advised that it was an ongoing process, with the means of contributing to the consultation also being placed on the Council website, however there would be a closing date; that Place Plans required to be progressive and fluid; and that some of the consultation took place prior to the Covid-19 outbreak and some after, therefore responses were very different depending on the circumstances;
- (d) the plan for ongoing maintenance of the projects which would require upkeep; and the Depute Chief Executive and Director of Housing, Operations and Development advised that the expectation was that there would be no revenue costs associated with the chosen projects;
- (e) whether the Place Planning Section was now fully staffed; and the Director of Strategic Change and Communities advised that the post referred to had not yet been filled, however, this was part of the ongoing service review of Economy and Regeneration and the work of other officers within the section had been prioritised to ensure that Place Plans progressed; and
- (f) asking the Leader that, as additional monies had been provided for Ayr Town Centre and Girvan, would monies be allocated next year or 2025 for the regeneration of other towns; and Councillor Dowey advised that all towns required additional monies, however, projects for other towns within South Ayrshire would be examined.

The Council

Decided:

- (i) to agree the capital investment projects identified in Appendix 1 for initiation and implementation during financial year 2023/24;
- (ii) to agree that a report would be brought back to Cabinet on 26 September 2023 identifying a comprehensive programme of further capital investment projects for implementation between 2024 and 2027;
- (iii) to agree that potential capital investment projects that met with wider strategic initiatives or had potential for other grant financial contribution be given priority in work review and consideration by the Capital Asset Management Group;
- (iv) to agree that the programme identified in 2.1.2 could be supplemented by a rolling programme of further capital investment projects identified through further community consultation undertaken during 2023/24 and which would be recommended to future Council meetings; and
- (v) to note that Place Plans developed to date would be published on the Council's website.

16. Transfer of the Former St Ninians School Site from the General Fund to the Housing Revenue Account

There was submitted a [report](#) (issued) of 21 June 2023 by the Depute Chief Executive and Director of Housing, Operations and Development seeking approval to transfer the site encompassing the former St Ninians Primary School in Adamton Road, Prestwick from the General Fund to the Housing Revenue Account (HRA) at nil value provided that the Housing Revenue Account (HRA) met the abnormal costs of £791,331 ahead of a proposed development of Council housing, the extent of the site as outlined in Appendix 1 to the report.

Adjournment

The time being 1.10 p.m., the Council agreed to adjourn for twenty minutes to allow discussions around an Amendment to the recommendations in the report.

Resumption of Meeting

The time being 1.30 p.m., the meeting recommenced.

Councillor Martin Kilbride, seconded by Councillor Hugh Hunter, moved the recommendations as outlined in the report with an additional recommendation, namely "to agree that officers seek to expedite the demolition".

A Member referred to the value of the land and the value of the abnormal costs and the HRA requiring to meet the abnormal costs and whether in future, when land was moved from the General Services Account to the Housing Revenue Account, this should be taken account of and whether this had been considered by the officer or the Portfolio Holder in this case; and the Service Lead – Asset Management and Community Asset Transfer advised that the report followed the Council's Acquisition and Disposal Policy.

A comment was made by a Member that, in relation to Standing Order 19.2 which had been discussed at Item 11 of this Minute, the adjournment to consider the Amendment to the recommendation in this report had taken twenty minutes to compile an eight word Amendment; and Provost advised that, as stated when he called the adjournment, this was combined with a comfort break.

The Council

Decided:

- (1) to note that the consultation carried out by the Council on 5 October 2022 and 7 February 2023 with the tenants and the public was in favour of the proposed transfer of the site from the General Fund to the HRA;
- (2) to grant authority to transfer the site of the former St Ninians Primary School from the General Fund to the HRA at nil value ahead of the proposed residential development provided that the Council's HRA met the abnormal costs of £791,331; and
- (3) to agree that officers seek to expedite the demolition.

17. Review of South Ayrshire Integration Scheme

There was submitted a [report](#) (issued) of 20 June 2023 by the Director of Health and Social Care advising the Council 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 Integration Scheme.

Councillor Lee Lyons, seconded by Councillor Ian Davis, moved the recommendations as outlined in the report.

A question was raised by a Member in relation to the list of prescribed consultees which did not include locality planning partnerships and whether they would be consulted as part of the process; and the Director of Health and Social Care advised that, should it be decided to widen the list of consultees to obtain a broader representation and views, this could be done and could include locality planning groups; and that all suggestions on who to consult would be taken on board.

Comments were made by Members commending the report, particularly table 1 which provided detailed timelines allowing this Council to work in line with East Ayrshire Council, North Ayrshire Council and Ayrshire and Arran Health Board.

The Council, having considered the requirement for the Integration Scheme to be reviewed,

Decided:

- (1) to note that the review required to be undertaken jointly by the parties to the Integration Scheme, namely South Ayrshire Council and NHS Ayrshire and Arran;
- (2) to agree that officers proceed with arrangements for the review and joint consultation as described in paragraphs 4.2 and 4.3 of the report;
- (3) to note that further reports would be provided to Council as the review progressed; and
- (4) to otherwise note the contents of this report.

18. Notices of Motion

Five Notices of Motion having been submitted in accordance with Council Standing Order No. 18, by Councillor Bob Pollock, seconded by Councillor Martin Kilbride; by Councillor Peter Henderson, seconded by Councillor Hugh Hunter; by Councillor Alec Clark, seconded by Councillor Peter Henderson; by Councillor Julie Dettbarn, seconded by Councillor Hugh Hunter; and by Councillor Craig Mackay, seconded by Councillor William Grant.

Having heard Councillor Martin Kilbride advise that Councillor Laura Brennan-Whitefield would now Second this Motion instead of him,

- (1) Councillor Bob Pollock, seconded by Councillor Laura Brennan-Whitefield, moved:-

“Council acknowledges the detrimental effect disposable vapes have on the environment and their increasing use particularly by young people and the consequent concern that this is encouraging an increasing nicotine dependence in this group as well as the potential negative health impacts for young people using these products.

Council asks the Chief Executive to write a letter following Council to the Scottish and UK Governments requesting that single use vapes are banned and to report back any response she receives to members.”

A full debate took place regarding the terms of the Motion and the Council

Decided: unanimously to agree the terms of the Motion.

Following discussions of this Motion, the Head of Legal and Regulatory Services advised that she would issue a briefing note to Members on the work of Trading Standards in relation to the monitoring and control of disposable vapes.

- (2) Councillor Peter Henderson, seconded by Councillor Hugh Hunter, moved an Amendment to their original Motion as follows:-

“The Council Chief Executive is asked to write to Baroness Virginia McVea, Chief Executive Officer of the Maritime and Coastguard Agency, UK Department of Transport, requesting that she send a representative to brief local Councillors and the local community on the impact of the proposed closure of Ballantrae Coast Guard Station and Portpatrick Coast Guard Station in South West Scotland.

The Coast Guard Station in Ballantrae covers the Area from Girvan to Stranraer and is equipped with Rescue equipment and full time trained and Auxiliary staff, they have a vehicle and equipment to rescue anyone in difficulty on the coast and also assist the RNLI in rescue operations. It is understood that it is proposed to remove the vehicle and equipment and trained personnel from this station.”

A full debate took place regarding the terms of the Motion and the Council

Decided: unanimously to agree the terms of the Motion.

- (3) Councillor Alec Clark, seconded by Councillor Peter Henderson, moved:-

“Given the proposed closure of The Bank of Scotland in Girvan , the Chief Executive Mrs Eileen Howat is requested to write to The Head of the Lloyds Banking Group to express the disappointment of South Ayrshire Council at the loss of physical branch banking services to not only the residents of Girvan and South Carrick but also to other towns within South Ayrshire which will lead to the nearest Bank Branch to remain open being in the County Town of Ayr. The Bank of Scotland in Girvan provides essential face to face services for a generation of people who are not online, for those of the most vulnerable in our society such as residents of North Park Court who have learning difficulties, for those in our outlying rural villages who will now have to travel up to thirty three miles for full physical banking Services. It is also a major blow for retail footfall and Town Centre Regeneration. The possibility of a shared banking Hub in no way compensates for a full face to face service which dedicated staff have provided over the years some of whom now face a very uncertain future. This is of course a sign of the times which has affected many towns all over the UK. However no cognizance is or has been taken of the decimating effect this policy of closing branches has on our high streets and the fact it has a detrimental and socially isolating effect on many within the local communities. The closing of the branch is not in line with the promises made by marketing strap lines used by the Bank of Scotland such as “The Bank that cares about Communities” and Is “By Your Side”. I would ask for your support on this issue.”

A full debate took place regarding the terms of the Motion and the Council

Decided: unanimously to agree the terms of the Motion.

- (4) Councillor Julie Dettbarn, seconded by Councillor Hugh Hunter, moved:-

“South Ayrshire Council is fully committed to achieving the best possible outcomes for each and every one of our Children & Young People. We have a special responsibility for those who require direct support from us, including Care Experienced Young People and Young Carers. Council recognises that the Scottish Government’s enhanced bursary for Care Experienced Young People enables many young people to continue their education into college or university and achieve the best possible start to their adult lives. Council recognises that Young Carers often experience difficulties accessing further education as their caring responsibilities may significantly impact on their ability to access student employment to support their studies. Council requests the Chief Executive to write to the First Minister to ask the Scottish Government to consider extending the enhanced bursary to Young Carers to ensure they benefit from equal access to further education and are recognised for, and not disadvantaged by, their significant contribution in providing care and support to their loved ones.”

A full debate took place regarding the terms of the Motion and the Council

Decided: unanimously to agree the terms of the Motion.

- (5) Councillor Craig Mackay, seconded by Councillor William Grant, moved:-

“Council notes the clear benefits to health and social interaction from having accessible and well-equipped outdoor play areas. While acknowledging that significant improvements have been made across South Ayrshire in recent years, many small play areas within residential areas remain in need of upgrading, or additional equipment installed to enable use by less able-bodied children.

As a Scottish Government priority funding is being made available to councils, but with an expectation this will be supplemented from other sources. Council recognises that small pockets of funding, when they from time to time become available from underspends, developer contributions and other sources, can quickly make a big difference to a play area. However no transparent process is in place to identify which community play areas should be prioritised within each ward.

Council notes that it is a requirement of the new Local Development Plan Regulations that a Play Sufficiency Assessment is completed which reviews play areas based on the condition and range of equipment available, RPII inspection reports, SIMD data and includes consideration of the priorities identified through community consultation processes, and that officers shall present a report to Council on 12 October 2023 identifying the funding and staffing required and the associated timelines to complete this work .Officers are requested to produce as part of this exercise an ongoing priority list of "shovel-ready" improvements that could be implemented in each ward as and when funding becomes available.

Council further requests that officers consider as part of this exercise and the preparation of the Supplementary Guidance for Developer Contributions how to maximise developer contributions where on site provision for outdoor play is unable to be included within a site and include their proposals in a future report to Cabinet."

A full debate took place regarding the terms of the Motion and the Council

Decided: unanimously to agree the terms of the Motion.

Following discussions of this Motion, the Head of Legal and Regulatory Services advised that she would contact the relevant Officer to circulate a briefing note to Members on the maintenance of play parks.

19. **Formal Questions.**

In terms of Council Standing Order No. 26.2, there were submitted [Formal Questions](#) from Councillors Pollock, McGinley, Saxton and Mackay, along with responses which were made available to all Members.

Point of Order

Councillor Henderson raised a Point of Order that Councillor Pollock had asked questions which could have been easily answered by contacting the appropriate officer; and that questions should not be raised regarding articles in the Ayrshire Post. Provost responded that in terms of Standing Order 26, there were no restrictions on what questions could be asked.

Councillor Hunter then requested that Councillor Henderson retract a remark he made regarding the Ayrshire Post as this was an unfounded comment, however Councillor Henderson refused to withdraw his comment.

The Head of Legal and Regulatory Services advised that a report would be submitted to the Council meeting of 12 October 2023 on Standing Orders Relating to Meetings and that all Members had the opportunity to submit comments to her on proposed changes to the Standing Orders in respect of formal questions, however, there were limitations around competency and relevancy which would require to be taken into account.

Point of Order

A Point of Order was raised by Councillor Craig Mackay, asking if the thirty minutes provided for discussion of Formal Questions was being used during discussion of the various Points of Order; and Provost advised that it was.

Councillor Mackay then asked when Council would move into discussion of supplementary questions; and Provost responded that Supplementary Questions would be discussed when all Members had read the Formal Questions and Responses.

Point of Order

Councillor Bob Pollock raised a Point of Order around whether his Formal Questions were competent, as these questions had gone through a clearing process and were approved; that these questions were around articles in the press which were factually incorrect and that it was important that this was clarified. The Chief Executive advised that she had no jurisdiction over Formal Questions submitted to her; and that questions could be put by Elected Members to various individuals.

The Head of Legal and Regulatory Services then reminded Members around the provisions in the Standing Orders Relating to Meetings for Points of Order; that any Member raising a Point of Order should refer to the Standing Order number and provide her with a clear explanation of what was incompetent or not relevant about the point being made to enable her to make a ruling on this.

A comment was made by Councillor Philip Saxton regarding references to the Ayrshire Post in the Formal Questions; and Councillor Bob Pollock advised that his Formal Questions related to direct quotes from articles in the Ayrshire Post.

(1) Councillor Pollock raised supplementary questions in relation to his Formal Questions as follows:-

- “that in relation to question 1.2, could I have clarity on the steps now taken to address any of the concerns identified regarding the original bids put in and how we ensure we do not repeat these mistakes; and that any further bids going forward are liable to be successful”; and the Chief Executive advised that the process for submission of round 3 of the Levelling Up bids was awaited; that she had taken on board the comments made and that advice would be taken from any authority that had previously been successful to ensure that in the next round of bids submitted, this authority had the greatest chance of being successful.
- “in relation to question 3.3, if a bid was received on Belleisle House, would the Council be in a position to accept this or would it require to go through procurement and advertising procedures”; and the Depute Chief Executive and Director of Housing, Operations and Development advised that the building was currently advertised for sale and that, should a bid be received and it was acceptable to the Council, this would then be taken forward.

- “in relation to question 6 on Golf, following the improvements made by the current administration and the changes proposed in the pricing structure, has there been an increase in membership and the number of rounds played?”; and the Director of Strategic Change and Communities advised that there had been an increase in membership; that member rounds so far this year had increased by 13% in Troon and 12% in Ayr and that non-member rounds had increased by 32% in Troon, by 33% in Ayr and by 100% in Carrick since the new prices had been introduced; and that there had been an increase of 10% of new members joining.
 - “in relation to question 6, following a report produced which highlighted the mental benefits and physical wellbeing of playing golf, could an officer comment and provide details?”; and the Director of Strategic Change and Communities advised that a detailed report had provided evidence that mental and physical wellbeing was greatly enhanced by the use of sporting activity such as golf and that she would submit this report to Members;
 - “in relation to question 9.1 regarding Girvan Harbour, does the Council have a legal requirement to maintain the harbour; and what would be the impact of not dredging the harbour?”; and the Depute Chief Executive and Director of Housing, Operations and Development advised that the Council did have a legal requirement, was responsible for the harbour as the Harbour Authority and that the Ayrshire Roads Alliance maintained the harbour on the Council’s behalf by providing the Harbour Master’s service; and that, if the Council stopped dredging the Harbour, there would be a risk to the RNLI as access to the harbour could be compromised.
 - “in relation to question 9.2 regarding the removal of School Crossing Patrols if the Labour supported SNP budget had been implemented, were there potential safety implications had this been implemented; and was a survey carried out?”; and the Depute Chief Executive and Director of Housing, Operations and Development advised that there would have been risks associated with removing School Crossing Patrols; and that a full Risk Assessment of each of the School Crossing Patrol locations would have been carried out prior to considering removal.
- (2) Councillor McGinley raised a supplementary question in relation to his Formal Question as follows:-
- “in relation to question 12 regarding facilities at Ayr Hospital, this is a major issue for the people of South Ayrshire and I would expect Councillor Lyons to stand up and advocate on our behalf to ensure that the services are delivered. What actions, if any, are the Council taking through Councillor Lyons as Portfolio Holder to ensure that the services at Ayr Hospital are protected?”; and Councillor Lyons advised that the Council and himself must follow a process if an issue is highlighted; and that Councillor McGinley had never raised any concerns with him regarding this matter.

(3) Councillor Mackay raised supplementary questions in relation to his Formal Questions as follows:-

- “in relation to Question 13, I have had difficulty getting a response from Ayrshire Roads Alliance and made three attempts to contact them about concerns raised in January regarding a specific junction. There’s a poor level of attention from ARA given to road safety concerns, particularly around schools. Councillor Pollock faced similar difficulties in having measures around Troon Primary School implemented. Will this change and will we in fact see requests for restrictions around schools trialled and not just talked about?”; and the Depute Chief Executive and Director of Housing, Operations and Development advised that he would contact the Head of ARA regarding this matter; and that he would like to see a more focussed service from ARA to South Ayrshire and he intended to make that improvement.
- “in relation to Question 14, I had requested these details be put on the agenda for the last Active Travel Forum and was told that none of the actions had been completed over the last year. I highlighted that some had been achieved and it is disappointing that this list is still made available as a baseline for future work and batted down the line to the next Active Travel Forum. It is a sad reflection on the administration that they cannot keep track of the things they have achieved. Could I have an assurance that the administration will start to afford active travel issues the attention that is required going forward?”; and Councillor Dowey responded “yes”.

20. Closing Remarks.

The Provost

- (1) thanked all in attendance for their contribution; and
- (2) referred to the imminent retiral of Councillor Peter Henderson, spoke of the many hours worked by him in the past six years since he became a Councillor in 2017 and wished him a long and happy retirement.

Provost then invited any other Member to speak on the retiral of Councillor Henderson.

Councillor Martin Dowey outlined that he hoped Councillor Henderson would enjoy his new found spare time; advised that it would be difficult to replace him in Ward 8 as he was a very hard working Councillor who did his best for everyone and, on behalf of the Conservative Group and the Administration, wished him well.

Councillor William Grant referred to an end of an era; outlined that he had enjoyed working with Councillor Henderson for the good of the Carrick area; praised him for his leadership with many excellent projects being brought to fruition during his term as Leader of the Council; and advised that he would be sadly missed.

Councillor Alec Clark advised that he and Councillor Henderson had worked together as Ward Councillors since 2017 and had been through good and bad times, however, Councillor Henderson had defended and backed up the reputation of the Council at all times; that they had worked on many issues in many communities and he was one of the most diligent, hard working and responsible Councillors that he had the pleasure of working with; and he thanked him for their working relationship, advised that he would be sorely missed and wished him well in his retirement.

Councillor Duncan Townson thanked Councillor Henderson for his service to the people of Ward 8 and beyond; referred to him leading the Council through one of its most challenging periods in history with the Covid-19 pandemic and advised that his contribution to the public and to the Council would be sorely missed; and hoped he enjoyed his retirement.

Councillor Hugh Hunter thanked Councillor Henderson for allowing him the privilege of seconding his valedictory Motion; outlined that he was dependable, hard working and a very nice man; and wished him all the best.

Councillor Brian McGinley spoke of his close working relationship with Councillor Henderson during the previous administration and advised that he was straightforward and honest which was not easy when running a Council with different political groups; commended his hard work and his reputation of working for his party at national level and for national organisations too which enhanced the reputation of South Ayrshire Council; and outlined that, following his short number of years on the Council he would be fondly remembered, wished him a happy retirement and thanked him for all that he had done.

The Chief Executive thanked Councillor Henderson on behalf of the staff of South Ayrshire Council as he had always been extremely supportive and advised that it was a privilege to work with him when he was Leader; and wished him well in his retirement.

Councillor Henderson then thanked everyone for their kind words; advised that he had always had a strong work ethic and if anyone came to him for assistance, he tried his best to help and had always tried to support the staff at all levels; referred to the highlights of his time as a Councillor and outlined that he was proud of his contribution to South Ayrshire Council.

The meeting ended at 3.30 p.m.