

County Buildings
Wellington Square
AYR KA7 1DR
Tel. No. 01292 612169

5 October 2023

Dear Councillor

SOUTH AYRSHIRE COUNCIL

You are requested to participate in a meeting of South Ayrshire Council to be held **on Thursday 12 October 2023 at 10.00 a.m.** for the purpose of considering the undernoted business.

This meeting will be held in the County Hall, County Buildings, Ayr on a hybrid basis for Elected Members, will be live-streamed and available to view at <https://south-ayrshire.public-i.tv/>

Yours sincerely

CATRIONA CAVES
Head of Legal and Regulatory Services

B U S I N E S S

1. Provost.
2. Sederunt and Declarations of Interest.
3. Minutes of meetings of the Council and Panels.

(a) Minutes of previous meetings.

Submit for approval as a correct record and authorise to be signed:-

- (i) 29 June 2023
- (ii) 15 September 2023 (Special)

(copies herewith).

(b) Minutes of Panels.

The minutes (copies previously issued) of the undernoted meetings are for noting:-

- (i) Audit and Governance Panel of [31 May](#), [28 June](#) and [6 September 2023](#)
- (ii) Cabinet of [20 June](#) and [29 August 2023](#).

In accordance with the Scheme of Delegation and Standing Orders for Meetings, the recommendations in the minutes as contained in the 'C' paragraph have been referred to the Council for decision: -

- o Minutes of 29 August 2023 – “Treasury Management Annual Report 2022/23”

(copy of minute excerpt herewith).

- (iii) Chief Officers' Appointments/Appraisal Panel of [27 June](#) and [28 June 2023](#).
 - (iv) Local Review Body of [20 June](#) and [22 August 2023](#)
 - (v) Regulatory Panel – Licensing of [25 May](#), [22 June](#) and [31 August 2023](#).
 - (vi) Regulatory Panel – Planning of [11 May](#) and [27 June 2023](#).
 - (vii) Service and Partnerships Performance Panel of [13 June](#) and [22 August 2023](#).
4. Results of Local Government By-Election 2023 – Ward 8 – Girvan and South Carrick – Submit report by Chief Executive (copy herewith).
 5. Appointments to Panel and Working Groups – Submit report by Head of Legal and Regulatory Services (copy herewith).
 6. Standing Orders Relating to Meetings – Submit report by Head of Legal and Regulatory Services (copy herewith).
 7. SAC LLP (Nominees) Limited – Submit report by Head of Legal and Regulatory Services (copy herewith).
 8. Report on the Public Engagement on Relocation of Troon Early Years Centre – Submit report by Director of Education (copy herewith).
 9. Notice of Motion:
 - (a) Moved by Councillor Bob Pollock, seconded by Councillor Martin Dowey:-

“Following recent events relating to the Station Hotel in Ayr, it has become clear through the practical experiences of this Council as the Building Standards Authority, that the obligations under Section 29 and 30 of the Building (Scotland) Act 2003 can place a significant undue financial burden on a Local Authority in circumstances where a building becomes a danger to the public and its owner is absent.

The Council is obligated under the legislation to carry out the works necessary to maintain public safety, and these costs can be significant and ongoing with no obvious conclusion or backstop position. This has been the case with Ayr Station Hotel, in dealing with an absentee landlord, and with significant expense being incurred by the Council and in turn its taxpayers over several years.

Quite rightly Councils have duties to protect public safety from dangerous buildings, but it is an invidious position that the Council has limited powers to ensure in so doing that their costs are met. With many of our historic buildings reaching an age where, without adequate maintenance, they could become a danger to the public, I have a real concern that in the near future we will see many more problems arising similar to that of the Ayr Station Hotel, with the Council and the public purse having to deal with the situation. I am also aware that this is a concern shared by other public rescue services.

My motion is to request that Council asks the Chief Executive to formally write to the Scottish Government, seeking a review of the legislative powers under the Building (Scotland) Act 2003 relating to dangerous buildings. The specific review that is being requested relates to circumstances where a property owner fails to maintain their building in a safe manner. In these circumstances when carrying out their statutory obligations, appropriate financial protection should be provided to Councils to enable us to carry out our duties, but with protection over the scale of costs and also easier and quicker means of Compulsory Purchase of the building when appropriate.”

10. Formal Questions.
11. **Affordable Housing Proposals, Ayr – Submit report by Depute Chief Executive and Director of Housing, Operations and Development (Members only).**
12. Consideration of Disclosure of the above Confidential Report.

<p>For more information on any of the items on this agenda, please telephone Janice McClure, Committee Services on at 01292 612169, at Wellington Square, Ayr or e-mail: janice.mcclure@south-ayrshire.gov.uk www.south-ayrshire.gov.uk</p>
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