

**South Ayrshire Council**

**Report by Head of Legal and Regulatory Services  
to South Ayrshire Council  
of 12 October 2023**

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**Subject: SAC LLP (Nominees) Limited**

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**1. Purpose**

1.1 The purpose of this report is to seek approval of a change of representation on SAC LLP (Nominees) Limited.

**2. Recommendation**

**2.1 It is recommended that the Council:**

**2.1.1 approves the appointment of Councillor Martin Dowey and Mike Newall, Depute Chief Executive and Director of Housing, Operations and Development (and prospective Chief Executive), as Directors of SAC LLP (Nominees) Limited with immediate effect; and**

**2.1.2 notes that Eileen Howat, Chief Executive, will resign as a Director of SAC LLP (Nominees) Limited with effect from 31 October 2023.**

**3. Background**

3.1 On 4 October 2018, the Council updated Elected Members on the need to amend the Ayr Renaissance LLP agreement to reflect that the Board was to be made up of Elected Members or Council Officers. Members also agreed that Ayr Renaissance LLP should be wound up providing that there was no detriment to the current or previous members of the Ayr Renaissance Board or the Council by this decision.

3.2 At its meeting on 27 November 2018, the Leadership Panel:

3.2.1 agreed proposed amendments to the LLP agreement;

3.2.2 noted advice provided in terms of the transfer of assets from Ayr Renaissance LLP to South Ayrshire Council;

3.2.3 requested officers to take the necessary action to transfer the assets in line with the professional advice provided; and

3.2.4 delegated authority to the (then) Head of Regulatory Services to progress the wind up of Ayr Renaissance LLP following the transfer of the assets.

3.3 At its meeting of 19 May 2022, South Ayrshire Council agreed the removal of Ayr Renaissance LLP and SAC LLP (Nominees) Limited from the List of Outside Bodies, on conclusion of all matters relating to Ayr Renaissance.

3.4 Following the resignation of Councillor Peter Henderson in June 2023, the current sole Director of SAC LLP (Nominees) Limited is Eileen Howat, Chief Executive, who retires from the Council's service on 31 October 2023. The winding up of Ayr Renaissance is not yet completed, and matters in relation to previous grant funding obtained from the Heritage Lottery Fund and potential claw-back require to be clarified. In the circumstances it is necessary to appoint new Directors to maintain the legal status of the company, until such time as the winding up of Ayr Renaissance LLP can be concluded.

#### **4. Proposals**

4.1 Members are asked to approve the appointment of Councillor Martin Dowey and Mike Newall, Depute Chief Executive and Director of Housing, Operations and Development (and prospective Chief Executive), as Directors of SAC LLP (Nominees) Limited with immediate effect; and note that Eileen Howat, Chief Executive, will resign as a Director of the company with effect from her retirement date, 31 October 2023.

#### **5. Legal and Procurement Implications**

5.1 Officers will take the appropriate legal steps to implement the decision of Elected Members.

5.2 There are no procurement implications arising from this report.

#### **6. Financial Implications**

6.1 Not applicable.

#### **7. Human Resources Implications**

7.1 Not applicable.

#### **8. Risk**

##### ***8.1 Risk Implications of Adopting the Recommendations***

8.1.1 There are no risks associated with adopting the recommendations.

##### ***8.2 Risk Implications of Rejecting the Recommendations***

8.2.1 There are no risks associated with rejecting the recommendations.

#### **9. Equalities**

9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. There are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as [Appendix 1](#).

## 10. Sustainable Development Implications

- 10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

## 11. Options Appraisal

- 11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

## 12. Link to Council Plan

- 12.1 The matters referred to in this report contribute to Priority 4 of the Council Plan: Efficient and effective enabling services.

## 13. Results of Consultation

- 13.1 There has been no public consultation on the contents of this report.
- 13.2 Consultation has taken place with Councillor Martin Dowey, Portfolio Holder for Corporate and Strategic, and the contents of this report reflect any feedback provided.

## 14. Next Steps for Decision Tracking Purposes

- 14.1 If the recommendations above are approved by Members, the Head of Legal and Regulatory Services will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

Implementation	Due date	Managed by
Where approved, lodge appropriate form with Companies House to update company information	By 10 October 2023	Service Lead – Legal and Licensing

**Background Papers**     **Report to South Ayrshire Council of 4 October 2018 – [Ayr Renaissance LLP](#)**

**Report to Leadership Panel of 27 November 2018 – [Ayr Renaissance LLP](#)**

**[South Ayrshire Council – 19 May 2023 - Minutes](#) (page 8, item 13)**

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**Date: 2 October 2023**

## South Ayrshire Council Equality Impact Assessment Scoping Template

Equality Impact Assessment is a legal requirement under the Public Sector Duty to promote equality of the Equality Act 2010. Separate guidance has been developed on Equality Impact Assessment's which will guide you through the process and is available to view here: <https://www.south-ayrshire.gov.uk/equalities/impact-assessment.aspx>

Further guidance is available here: <https://www.equalityhumanrights.com/en/publication-download/assessing-impact-and-public-sector-equality-duty-guide-public-authorities/>

The Fairer Scotland Duty ('the Duty'), Part 1 of the Equality Act 2010, came into force in Scotland from 1 April 2018. It places a legal responsibility on Councils to actively consider ('pay due regard to') how we can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions. [FSD Guidance for Public Bodies](#) in respect of the Duty, was published by the Scottish Government in March 2018 and revised in October 2021. See information here: <https://www.gov.scot/publications/fairer-scotland-duty-guidance-public-bodies/>

### 1. Policy details

Policy Title	SAC LLP (Nominees) Limited
Lead Officer (Name/Position/Email)	Karen Briggs, Service Lead – Legal and Licensing – karen.briggs@south-ayrshire.gov.uk

**2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this policy? Please indicate whether these would be positive or negative impacts**

Community or Groups of People	Negative Impacts	Positive impacts
Age – men and women, girls & boys	-	-
Disability	-	-
Gender Reassignment (Trans/Transgender Identity)	-	-
Marriage or Civil Partnership	-	-
Pregnancy and Maternity	-	-
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	-	-
Religion or Belief (including lack of belief)	-	-
Sex – (issues specific to women & men or girls & boys)	-	-

Community or Groups of People	Negative Impacts	Positive impacts
Sexual Orientation – person’s sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	-	-
Thematic Groups: Health, Human Rights & Children’s Rights	-	-

**3. What likely impact will this policy have on people experiencing different kinds of social disadvantage i.e. The Fairer Scotland Duty (This section to be completed for any Strategic Decisions). Consideration must be given particularly to children and families.**

Socio-Economic Disadvantage	Negative Impacts	Positive impacts
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	-	-
Low and/or no wealth – enough money to meet Basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	-	-
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	-	-
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	-	-
Socio-economic Background – social class i.e. parent’s education, employment and income	-	-

**4. Do you have evidence or reason to believe that the policy will support the Council to:**

General Duty and other Equality Themes Consider the ‘Three Key Needs’ of the Equality Duty	Level of Negative and/or Positive Impact (High, Medium or Low)
<b>Eliminate unlawful discrimination, harassment and victimisation</b>	Low
<b>Advance equality of opportunity</b> between people who share a protected characteristic and those who do not	Low
<b>Foster good relations</b> between people who share a protected characteristic and those who do not. (Does it tackle prejudice and promote a better understanding of equality issues?)	Low
Increase participation of particular communities or groups in public life	Low
Improve the health and wellbeing of particular communities or groups	Low
Promote the human rights of particular communities or groups	Low
Tackle deprivation faced by particular communities or groups	Low

## 5. Summary Assessment

<b>Is a full Equality Impact Assessment required?</b> (A full Equality Impact Assessment must be carried out if impacts identified as <b>Medium and/or High</b> )	<del>YES</del> <b>NO</b>
<b>Rationale for decision:</b>  <b>This report seeks approval of a change of representation on SAC LLP (Nominees) Limited. Members' decision on this has no specific equality implications</b>	
<b>Signed :</b> Karen Briggs	<b>Service Lead</b>
<b>Date:</b> 14 September 2023	