

## **CABINET**

Minutes of a hybrid webcast meeting on 23 April 2024 at 10.00 a.m.

Present

in County Councillors Martin Dowey (Chair), Alec Clark, Brian Connolly, Ian Davis,  
Hall: Stephen Ferry, Martin Kilbride, Bob Pollock and Bob Shields.

Present

Remotely: Councillor Lee Lyons.

Attending

in County

Hall: M. Newall, Chief Executive; L. McRoberts, Depute Chief Executive and Director of Education; K. Braidwood, Director of Housing, Operations and Development; J. Bradley, Director of Communities and Transformation; C. Caves, Chief Governance Officer; T. Baulk, Chief Financial Officer; S. Mulholland, Assistant Director, Education; B. McClean, Head of Community Health and Care Services; C. Cox, Assistant Director – Planning, Development and Regulation; L. Reid, Assistant Director – Transformation; G. Hunter, Assistant Director – Communities; J. Corrie and D. Manson, Ayrshire Roads Alliance; P. Bradley, Service Lead – Professional Design Services; J. Tait, Service Lead – Thriving Communities; C. Love, Team Leader (Community Asset Transfer); C. McPhail, Co-ordinator (Economic Development); A. Gibson, Committee Services Officer; and E. Moore, Committee Services Assistant.

Also

Attending

In County

Hall: M. Anderson, Headteacher; L. Livingstone, Headteacher; R. McCallum, Headteacher, D. Gemmell and G. Laird (in attendance for items 4 (a) to (c)).

Apologies: I. Gall, H. McGuire, N. Fullard and A. Allan.

### **Opening Remarks.**

The Chair took the sederunt, confirmed to Members the procedures to conduct this meeting and advised that the meeting was being broadcast live.

#### **1. Declarations of Interest.**

There were no declarations of interest by Members of the Cabinet in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

#### **2. Minutes of previous meeting.**

The minutes of 12 March 2024 ([issued](#)) were submitted and approved.

### 3. **Decision Log.**

The Cabinet

#### **Decided:**

- (1) to note there were no overdue action;
- (2) to approve the actions listed with a revised due date ([issued](#)); and
- (3) to note the recently completed actions ([issued](#)).

## **Education**

### 4. **Inspection of Girvan Academy: Education Scotland Report.**

There was submitted a report ([issued](#)) of 11 April 2024 by the Depute Chief Executive and Director of Education informing the Cabinet of the outcome of the Education Scotland Inspection of Girvan Academy.

Having heard the Headteacher and considered the contents of the report by Education Scotland, as contained in Appendix 1 of the report, the Cabinet

**Decided:** to agree that the main points for action would be addressed by the Headteacher and Quality Improvement Manager.

### 5. **Inspection of Muirhead Primary School and Early Years Centre: Education Scotland Report.**

There was submitted a report ([issued](#)) of 11 April 2024 by the Depute Chief Executive and Director of Education informing Cabinet of the outcome of the Education Scotland Inspection of Muirhead Primary School and Early Years Centre.

Having heard the Headteacher and considered the contents of the report by Education Scotland, as contained in Appendix 1 of the report, the Cabinet

**Decided:** to agree that the main points for action would be addressed by the Headteacher and Quality Improvement Manager.

### 6. **Inspection of Sacred Heart Primary School: Education Scotland Report.**

There was submitted a report ([issued](#)) of 11 April 2024 by the Depute Chief Executive and Director of Education informing the Cabinet of the outcome of the Education Scotland Inspection of Sacred Heart Primary School.

Having heard the Headteacher and considered the contents of the report by Education Scotland, as contained in Appendix 1 of the report, the Cabinet

**Decided:** to agree that the main points for action would be addressed by the Headteacher and Quality Improvement Manager.

The Education representatives left the meeting at this point.

## **Economic Development**

### **7. Active Travel Strategy Performance Report.**

There was submitted a report ([issued](#)) of 11 April 2024 by Director of Housing, Operations and Development providing an update on Active Travel projects and the changes to external grant funding.

The Cabinet

#### **Decided:**

- (1) to approve the contents of the report;
- (2) to continue to commit to supporting Active Travel in South Ayrshire; and
- (3) to protect the Tier 1 funding for the sole purpose of Active Travel, as detailed in the financial implications section of the report.

### **8. Road Improvement Plan 2024-2026.**

There was submitted a report ([issued](#)) of 11 April 2024 by the Director of Housing, Operations and Development seeking approval for the 2024/26 Road Improvement Plan for carriageway, footways, street lighting and other related infrastructure improvements.

Following discussion on the process for repairing potholes, the Cabinet

#### **Decided:**

- (1) to approve the road improvement plan for 2024/2026, as detailed in Appendix1 of the report; and
- (2) to approve the Carriageway and Footway Programme for 2024/2026, as detailed in Appendix 1 of the report.

### **9. South Ayrshire Council Parking Strategy 2020 - 2024 – Ayr Parking Consultation.**

**Decided:** to agree that the report be withdrawn, with the matter to be considered at the next meeting of the Cabinet.

### **10. Strategic Transport Projects Review (STPR2) Publication.**

There was submitted a report ([issued](#)) of 11 April 2024 by the Director of Housing, Operations and Development providing an update on Transport Scotland's second Strategic Transport Projects Review (STPR2) publication.

Following discussion on the timelines involved, the Cabinet

**Decided:**

- (1) to note the publication of the Strategic Transport Projects Review 2;
- (2) to commit to funding a joint STAG on the A75 and A77 with Dumfries and Galloway Council;
- (3) to agree that the Director of Housing, Operations and Development would provide a Briefing Note on progress to Members in six months' time regarding STAG; and
- (4) to otherwise note the contents of the report.

**11. UK Shared Prosperity Funding (UKSPF) 2022 – 2025.**

There was submitted a report ([issued](#)) of 11 April 2024 by the Director of Communities and Transformation providing an update on UK Shared Prosperity Funding 2022-2025 and seeking approval to progress with the revised proposals for Year3 (2024/25) of the programme.

Having heard a Member of the Panel advise that this funding was not just for Ayr, the Cabinet

**Decided:** to approve

- (1) the new Financial Reprofile for Year 3 (2024/25) as detailed in Appendix 1 of the report; and
- (2) that the UKSPF Year2 Progression Report would be presented to the Service and Partnerships Performance Panel in June 2024.

**12. South Ayrshire Inward Investment Ambitions Plan.**

There was submitted a report ([issued](#)) of 11 April 2024 by the Director of Communities and Transformation to bring forward an Inward Investment Ambitions Plan that supported the existing Inward Investment Strategy.

Following discussion, the Cabinet

**Decided:**

- (1) to note the contents of the proposed Inward Investments Ambitions Plan, as detailed in Appendix 1 of the report, that supported the implementation of the Inward Investment Strategy; and
- (2) to request that officers from Economy and Regeneration provide a progress report on delivery of the proposed Ambitions to the April 2025 meeting of the Service and Partnerships Performance Panel.

**Adjournment.**

The time being 11.25 a.m., the Cabinet agreed to adjourn for fifteen minutes.

**Resumption of meeting.**

The Cabinet resumed at 11.40 a.m.

**Building, Housing and Environment.****13. Heritage Proposals submitted to the Council by Prestwick Civic Pride.**

There was submitted a report ([issued](#)) of 12 April 2024 by the Director of Housing, Operations and Development

- (1) advising of the submissions made by Prestwick Civic Pride to the Council on a range of potential development projects on Prestwick Promenade and the Freemans Hall, Prestwick; and
- (2) requesting that officers put these proposals out for public consultation so that the Council could have an initial understanding of the public's views on the proposals. The public consultation would require to make clear that these proposals were not the Council's, and the Council could not, at this stage, endorse the proposals.

Following discussion on the steeple at Freeman's Hall; and having noted that Members would be updated of any progress on the heritage proposals prior to the summer recess, the Cabinet

**Decided:** to agree to undertake a public consultation on the heritage proposals formed by Prestwick Civic Pride, as set out in Appendices 1 and 2 of the report and to seek initial views on the proposals. (The public consultation would make clear that the proposals had not been developed by the Council, nor had they followed statutory processes involved in a Council developed strategy, and therefore the Council could not, at this stage, endorse or commit funding to the proposals.)

**14. Redevelopment of Former Hourstons Building and Former Arran Mall, Ayr.**

There was submitted a report ([issued](#)) of 16 April 2024 by the Director of Housing, Operations and Development providing an update on further work that has been undertaken and to confirm the development option to progress for the redevelopment of the former Hourstons building, Ayr.

The Cabinet

**Decided:**

- (1) to authorise officers to progress detailed designs involving the demolition of the former Hourstons Building with a façade retention, subject to statutory planning consents, to accommodate 2,600m<sup>2</sup> of new build floorspace, as indicated in Appendix 1 of the report, to be occupied by the South Ayrshire Health and Social Care Partnership and NHS Ayrshire and Arran;

- (2) to note the Conservation Appraisal, as set out in Appendix 2 of the report, supporting the heritage case for a façade retention of the Listed Building of the former Hourstons building; and
- (3) to note the ongoing work with the South Ayrshire Health and Social Care Partnership and NHS Ayrshire and Arran to define operating cost arrangements, including potential lease arrangements where appropriate. Any revenue impacts arising from the new facility would require consideration and approval by Council prior to contracts being issued to commence development.

## **Sport and Leisure/Tourism, Culture and Rural Affairs/Buildings, Housing and Environment.**

### **15. Proposed Temporary Relocation of the Quay Zone Gym to Girvan Community Centre.**

There was submitted a report ([issued](#)) of 12 April 2024 by the Director of Communities and Transformation and Development seeking approval to progress with the recommendation to temporarily relocate the Quay Zone Gym to Girvan Community Centre.

Following discussion and having noted that the Quay Zone gym had been insured against damage, the Cabinet

#### **Decided:**

- (1) to authorise officers to progress with the relocation of the Quay Zone Gym to Girvan Community Centre on a temporary basis and delegate authority to officers to grant to South Carrick Community Leisure SCIO a temporary licence to occupy part of the Girvan Community Centre, subject to appropriate terms and conditions;
- (2) to note the agreement for the temporary relocation from the Girvan Community Centre of existing users as set out in Appendix 2 of the report and that any increase in the cost of the temporary let to Council premises would be met by the Council and reasonable relocation costs agreed with the Council in advance would be met by the South Carrick Community Leisure SCIO; and
- (3) to agree that officers continue to support groups who had failed to agree an alternative location and identify potential suitable accommodation for displaced groups.

## **Health and Social Care.**

### **16. Ayrshire Shared British Sign Language (BSL) Local Plan 2024-2030.**

There was submitted a report ([issued](#)) of 11 April 2024 by the Director of Communities and Transformation providing details on the new Ayrshire Shared BSL Local Plan 2024-2030 and seeking approval to publish the plan.

Following discussion on how this could be incorporated into schools, the Cabinet

#### **Decided:**

- (1) to note the requirements to publish a BSL Local Plan every six years showing how they promoted and supported BSL;
- (2) to approve the Ayrshire BSL Local Plan 2024-2030, attached as Appendix 1 to the report; and
- (3) to agree that the co-produced operational action plan would be submitted to Service and Partnerships Performance Panel in Autumn 2024.

### **17. Current Risks and Mitigations in Community Assessment and Support.**

There was submitted a report ([issued](#)) of 12 April 2024 by the Head of Community Health and Care Services providing an update on the management of risk for those people who were in the community and in hospital awaiting a Social Work assessment or Social Care support.

Having considered the risks facing community services, as identified in paragraphs 1.2 to 2.5 of Appendix 1 of the report, the Cabinet

#### **Decided:**

- (1) to acknowledge the improvement activity and resultant improvement to date (identified in paragraphs 1.1 to 3.2 of Appendix 1 of the report); and
- (2) to endorse the improvement activity being taken to mitigate the risks for those awaiting community services referred to in (1) above.

## **Corporate and Strategic.**

### **18. Strategic Risk Management.**

There was submitted a report ([issued](#)) of 11 April 2024 by the Chief Governance Officer providing an update on the reviewed Strategic Risk Register, as detailed in Appendix 1 of the report, in line with the agreed reporting framework.

Having considered the reviewed Strategic Risk Register (Appendix 1 of the report) updated by Chief Officers, the Cabinet

**Decided:** to note the fourteen key risks and to endorse the work currently being undertaken or proposed by risk owners to mitigate these risks.

**Corporate and Strategic/Finance, HR and ICT/Economic Development.**

**19. Review of Governance Arrangements regarding Ward Capital/ Place Plans/ Promenade and Shorefront Projects/ Regeneration Projects and Proposed Arrangement to Develop Regeneration Projects.**

There was submitted a report ([issued](#)) of 12 April 2024 by the Director of Housing, Operations and Development

- (1) recommending revised governance arrangement for Ward Capital, Promenade/Seafront to provide for a more simplified and responsive set of arrangements to approve projects whilst ensuring that proper financial, legal and other regulatory diligence was maintained; and
- (2) proposing arrangements to develop regeneration projects for Maybole, Prestwick and Troon and governance arrangements for regeneration projects that also provided for simplified and responsive arrangements whilst ensuring the projects continued to meet their masterplan objectives.

The Cabinet

**Decided:** to agree that the report be continued to the next meeting of the Panel to allow revisions to the content and to enable officers to provide a Members' Briefing Session.

**20. Exclusion of press and public.**

The Cabinet resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded during consideration of the remaining items of business on the grounds that they involved the likely disclosure of exempt information in terms of paragraphs 1, 8 and 9 of Part 1 of Schedule 7A of the Act.

**Corporate and Strategic/Economic Development.**

**21. AGD Commercial Build Project - Company A.**

There was submitted a report (Members only) of 11 April 2024 by the Director of Communities and Transformation providing an update on the Ayrshire Growth Deal Commercial Build Project A and seeking approval for the next steps.

The Cabinet

**Decided:**

- (1) to note the update on the Commercial Build Project - Company A provided by the project Delivery Partner, Scottish Enterprise, as detailed at Appendix 1 of the report;



- (2) to agree that, due to the inability of Company A to secure financing to enable it to meet project cost overruns, the project cannot proceed; and
- (3) to agree that a report be provided to the regional Partnership Board to update on the project and to seek agreement from the regional partners that Commercial Build Project A was no longer viable, with decision making on the project thereafter being subject to regional AGD governance arrangements.

### **Buildings, Housing and Environment.**

#### **22. Former Toilets/ Shelter, Esplanade, Ayr - Common Good Consultation.**

There was submitted a report (Members only) of 11 April 2024 by the Director of Housing, Operations and Development

- (1) providing the results from the statutory community consultation – under Section 104 of the Community Empowerment (Scotland) Act 2015; and Town and Country Planning (Scotland) Act 1959 s.27 (2A) (as amended) – in relation to the proposed leasing of the former toilets/ shelter located on the corner of Esplanade and Blackburn Drive, Ayr to a business person; and
- (2) having regard to the results of that consultation, to ask Cabinet to confirm its decision of 28 November 2023 to conclude the lease subject to the agreed terms and conditions contained in the Addendum (confidential) to this report.

The Cabinet

#### **Decided:**

- (a) to note the results of the public consultation carried out under section 104 of the Community Empowerment (Scotland) Act 2015 and Town and Country Planning (Scotland) Act 1959 s.27 (2A) (as amended);
- (b) to agree the responses to the representations received, as outlined in Appendix 1 of the report, approve publication of the responses on the Council website and notification of those who responded to the consultation;
- (c) to have regard to the outcome of the consultation, re-confirm the decision of the Cabinet of 28 November 2023 to offer a 25 year lease on the former Toilets/ Shelter to a local business person;
- (d) given that confirmation grants authority to the Chief Governance Officer to submit a Petition to the Sheriff Court, to obtain Court authority to proceed with the lease; and
- (e) that if the Court granted authority for the lease, grant authority to the Chief Governance Officer to conclude the transaction on the terms offered by the business person as contained within the Addendum (confidential) to this report and on terms to be agreed to the satisfaction of the Service Lead - Asset Management and Community Asset Transfer.

**Economic Development/Finance, HR and ICT.****23. Economy and Regeneration Structure Review.**

There was submitted a report (Members only) of 12 April 2024 by the Director of Communities and Transformation seeking approval for the new Economy and Regeneration operational structure in line with the Council's approved budget for 2023/24.

Having considered the proposals outlined within the report, the Cabinet

**Decided:** to approve the Economy and Regeneration Service employee structure, as set out in Appendix 1 of the report.

**24. Consideration of Disclosure of the above confidential reports.**

The Cabinet

**Decided:-**

- (1) AGD Commercial Build Project - Company A – not to authorise under Standing Order 32.4 disclosure of the report until matters had been agreed with the Regional Partnership Board and then allow disclosure after the report is redacted in accordance with GDPR requirements.
- (2) Former Toilets/ Shelter, Esplanade, Ayr - Common Good Consultation – to authorise under Standing Order 32.4, disclosure of the report subject to redactions in accordance with GDPR requirements except the addendum which will be disclosed once the lease is concluded.
- (3) Economy and Regeneration Structure Review - to authorise under Standing Order 32.4 disclosure of the report, once the call-in period had expired.

The meeting ended at 1.05 p.m.