

CABINET

Minutes of a hybrid webcast meeting on 25 September 2024 at 10.00 a.m.

Present
in County

Hall: Councillors Martin Dowey (Chair), Alec Clark, Brian Connolly, Ian Davis, William Grant, Hugh Hunter, Martin Kilbride, Bob Pollock and Bob Shields.

Attending
in County

Hall: M. Newall, Chief Executive; K. Braidwood, Director of Housing, Operations and Development; T. Eltringham, Director of Health and Social Care; C. Caves, Chief Governance Officer; G. Hunter, Assistant Director – Communities; L. Reid, Assistant Director – Transformation; K. Dalrymple, Assistant Director – Housing and Operations; K. Anderson, Assistant Director – Corporate Policy, Strategy and Performance; S. Mulholland, Assistant Director – Education; G. Cockburn, Service Lead – Education Support Services; J. Tait, Service Lead – Thriving Communities; K. Briggs, Service Lead – Legal and Licensing; M. Alexander, Service Lead – Housing Services; T. Burns, Service Lead – Asset Management and Community Asset Transfer; T. Simpson, Service Lead – Corporate Accounting; B. Seditas, Co-ordinator – Trading Standards and Environmental Health; L. McChristie, Co-ordinator – Licensing; S. McCardie, Co-ordinator – Performance and Community Planning; S. Rodger, Co-ordinator – Risk and Safety; F. Thomson, Senior Manager (Interim) – Business Support Services; C. Love, Team Leader – Community Asset Transfer; K. Copland, Senior Accountant/Finance Officer; M. Vance, Solicitor – Legal and Licensing; K. Hancox, Committee Services Officer; and C. McCallum, Committee Services Assistant.

Also

Attending
In County

Hall: A. Ingram; E. McBean, Headteacher; G. Laird; H. McGuire and L. Donnelly.

Attending Remotely: L. Jarvie, Co-ordinator – Sustainability and Fleet; and T. Howieson, Co-ordinator – Fleet.

Also

Attending

Remotely: N. Fullard.

Apologies: D. Gemmell and I. Gall.

Opening Remarks.

The Chair

- (1) took the sederunt, confirmed to Members the procedures to conduct this meeting and advised that the meeting was being broadcast live; and
- (2) welcomed the new pupil representatives Amirah Ingram and Liam Donnelly.

1. **Declarations of Interest.**

In terms of Council Standing Order No. 17 and the Councillors' Code of Conduct, it was noted that Councillor Clark would declare an interest in the item entitled "Barr Community Centre Community Asset Transfer" and leave the meeting during consideration of this matter due to a conflict of interest.

2. **Minutes of previous meeting.**

The minutes of 27 August 2024 ([issued](#)) were submitted and approved.

3. **Decision Log.**

The Cabinet

Decided:

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

Education

4. **Inspection of Barrhill Primary School and Early Years Centre: Education Scotland Report.**

There was submitted a report ([issued](#)) of 17 September 2024 by Depute Chief Executive and Director of Education informing the Cabinet of the outcome of the Education Scotland Inspection of Barrhill Primary School and Early Years Centre.

Having considered the contents of the report by Education Scotland, as contained in Appendix 1 of the report and following an update from the Assistant Director – Education, the Cabinet

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

5. **Additional Support Needs Education Provision – Troon Primary School.**

There was submitted a report ([issued](#)) of 17 September 2024 by the Depute Chief Executive and Director of Education seeking approval of a proposal paper relating to the creation of an Additional Support Needs (ASN) education provision within Troon Primary School; and for Educational Services to issue the proposal paper for statutory, public consultation, in accordance with the Schools (Consultation)(Scotland) Act 2010.

Having heard Members speak in support of the proposal, including the concerns arising in regard to traffic congestion and the security of the playground, the Cabinet

Decided:

- (1) to approve the proposal paper attached as Appendix 1 to the report;
- (2) to request that the Depute Chief Executive and Director of Education issues the proposal paper for public consultation; and
- (3) to request that the Depute Chief Executive and Director of Education provide a follow up report to Cabinet on 18 February 2025, on the outcome of the consultation for consideration and a decision.

6. Educational Services Standards and Quality Report 2023/24.

There was submitted a report ([issued](#)) of 17 September 2024 by Depute Chief Executive and Director of Education seeking approval for the Educational Services Standards and Quality Report, which covered academic session 2023/24.

Having heard Members commend the work of Education staff, the Cabinet

Decided:

- (1) to approve the Standards and Quality Report 2023/24 (Appendix 1);
- (2) to note the progress by Educational Services and the collective efforts of all staff across the service over the past year; and
- (3) to agree the publication of the report and plan in line with the Education (Scotland) Act 2016.

7. Parameters for Considering Consultation on Mothballing of Primary Schools.

There was submitted a report ([issued](#)) of 17 September 2024 by Depute Chief Executive and Director of Education seeking approval on setting operational parameters for Educational Services to progress consultation on the 'mothballing' of a primary school, when the number of catchment area pupils had fallen below an agreed level.

Having heard Members questions regarding the report, the Cabinet

Decided:

- (1) to approve the criteria and parameters for primary schools to be considered for mothballing, as outlined in paragraph 4.1 of the report; and
- (2) to approve the proposed management process to be followed by Educational Services when schools were being considered for mothballing.

8. Community Learning and Development Plan 2024-2027.

There was submitted a report ([issued](#)) of 17 September 2024 by Director of Communities and Transformation seeking approval from the Cabinet to approve the new CLD Plan 2024-2027.

Having heard Members speak in support of the proposed plan, the Cabinet

Decided:

- (1) to approve the new Community Learning and Development Plan 2024-2027; and
- (2) to note the progress made by the CLD Partnership during 2021-2024.

Education/Health and Social Care.

9. Children's Services Plan Annual Report 2023/24.

There was submitted a report ([issued](#)) of 17 September 2024 by Depute Chief Executive and Director of Education seeking approval from the publication of the first annual report sharing progress of the Children and Young People's Services Plan 2023-2026 over reporting period April 2023 to March 2024.

Following an update from the Assistant Director – Education, the Cabinet

Decided:

- (1) to approve the Children's Services Annual Report 2023/2024, attached as Appendix 1 of the report; and
- (2) to agree the publication of the annual report in line with the Children and Young People (Scotland) Act 2014.

The Education representatives left the meeting at this point.

Adjournment

The time being 11.40 a.m., the Panel adjourned for fifteen minutes.

Resumption of Meeting

The meeting resumed at 11.55 a.m.

Buildings, Housing and Environment.

10. Annual Assurance Statement – Housing.

There was submitted a report ([issued](#)) of 17 September 2024 by the Director of Housing, Operations and Development providing Members with an update on the Regulatory Framework for Housing and seeking Cabinet approval to submit the Annual Assurance Statement to the Scottish Housing Regulator and publish the statement for tenants and other customers.

Having heard Members speak in relation to homeless applications, the figures for re-lets, anti-social behaviour incidents and how a trauma informed approach had been taken, the Cabinet

Decided:

- (1) to note the content of the Assurance Action Plan outlined in Appendix 1 of the report and the overview of operation service delivery outlined in Appendix 2 of the report;
- (2) to approve the Annual Assurance Statement in Appendix 3 of the report;
- (3) to approve the submission of the Annual Assurance Statement to the Scottish Housing Regulator by 31 October 2024 and its publication for tenants and other customers; and
- (4) to note the requirements of the Regulatory Framework and ongoing work, as outlined in section 4.1 of the report, to achieve full compliance in the areas of Equalities and Human Rights and tenant and resident safety and the position in relation to homelessness services.

Councillor Clark, having previously declared an interest, left the meeting at this point.

11. Barr Community Centre Community Asset Transfer under Part 5 of the Community Empowerment (Scotland) Act 2015 and Application for Funding from the Advancing Community Assets Fund.

There was submitted a report ([issued](#)) of 17 September 2024 by the Director of Housing, Operations and Development presenting to the Cabinet the proposal for the Community Asset Transfer of ownership of Barr Community Centre and its surrounding grounds, to Barr Community SCIO, under Part 5 of the Community Empowerment (Scotland) Act 2015; for a price less than best consideration; and an associated application for funding through the Advancing Community Assets Fund (ACAF).

The Cabinet

Decided:

- (1) to approve the asset transfer request for the ownership of Barr Community Centre and grounds, Stinchar Road, Barr Girvan, KA26 9TW as shown outlined red on the plan forming Appendix 1, to be transferred to Barr Community SCIO under Part 5 of the Community Empowerment (Scotland) Act 2015 for the discounted sum of £1 (One Pound) sterling, for the reasons detailed in paragraph 4.9, such approval to be conditional on the resolution of a title issue affecting the property and subject to further conditions as detailed in Appendix 11, having had regard to the recommendations made by the Community Asset Transfer Assessment Group (Appendix 2) and in the Best Value Assessment (Appendix 3);
- (2) to approve the associated award of £118,826 from the Advancing Community Assets Fund subject to the general terms and conditions contained in Appendix 10 section 3 and to such specific terms and conditions as may be considered appropriate;
- (3) to agree the Council's responses to the representations received (Appendix 4) following publication of the Notice of Asset Transfer Request (Appendix 5) and to approve the publication of the responses on the Council website and notification of those who responded to the consultation;
- (4) to note that the Chief Governance Officer and the Service Lead-Asset Management and Community Asset Transfer would work to resolve the title issue affecting the

property, in liaison with Barr Community SCIO, to allow the disposal to take place, and that an update will be given to a future meeting of Cabinet;

- (5) to note that, if the applicants wished to proceed with the acquisition, they had a period of 12 months from the date of the decision notice within which to submit a formal offer to acquire ownership of the property; and
- (6) that in the event of an offer being received, requested the Chief Governance Officer to conclude the sale, subject to the title issue being resolved, in accordance with the recommendations of this report.

Councillor Clark rejoined the meeting.

12. Civic Government (Scotland) Act 1982 – Taxi and Private Hire Vehicles.

There was submitted a report ([issued](#)) of 17 September 2024 by the Chief Governance Officer advising Members of the representations from members of the Taxi and Private Hire Operators Forum at its meeting of 27 February 2024 regarding (1) the upper age limit on vehicles licensed as taxi and private hire vehicles and (2) the age at which a vehicle can first be licensed as a taxi or private hire vehicle in South Ayrshire; and to seek Members views on whether the current age limits in the relevant Council policy are retained or an increase is considered appropriate.

Following a discussion by Members of the Cabinet including concerns in relation to Electric Vehicles regarding safety implications, the Cabinet

Decided:

- (1) after considering the request put forward by the Taxi and Private Hire Operators Forum detailed in paragraph 3.5, and the Options detailed in paragraph 4.7; to agree to follow Option 2 in paragraph 4.7 of the report, to increase the age limits for first registration of taxi and private hire vehicles and the age limits for ceasing operation of taxi and private hire vehicles; and to approve that in each case, an increase of one year to the current age limit is appropriate; and to amend the Policy, Guidelines and Code of Conduct applicable to the Licensing, Operation and Testing of Taxi and Private Hire Cars accordingly; and
- (2) to request officers to review the application of the Policy in relation to electric and hybrid Taxi and Private Hire vehicles and report back with their findings to a future meeting of the Cabinet.

Corporate and Strategic.

13. Integrated Impact Assessment.

There was submitted a report ([issued](#)) of 17 September 2024 by the Depute Chief Executive and Director of Education seeking Cabinet approval for the implementation of the Integrated Impact Assessment (IIA) following the test phase.

Following an update from the Assistant Director – Corporate Policy, Strategy and Performance, the Cabinet

Decided:

- (1) to note the progress that has taken place during the test phase and additional amendments made to the IIA; and
- (2) to agree the implementation and roll-out of the IIA across Council Services and South Ayrshire Health and Social Care Partnership.

14. Strategic Risk Management.

There was submitted a report ([issued](#)) of 17 September 2024 by the Chief Governance Officer updating Members on the reviewed Strategic Risk Register (Appendix 1) in line with the agreed reporting framework.

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

Decided: to note the 15 key risks and endorse the work currently being undertaken or proposed by risk owners to mitigate these risks.

Finance, HR and ICT.

15. Treasury Management and Investment Strategy Quarter 1 Update Report 2024/25.

There was submitted a report ([issued](#)) of 17 September 2024 by the Chief Financial Officer updating on the 2024/25 treasury prudential indicators for the period April-June 2024 (Quarter 1) and provide an update on the latest wider economic position.

Following discussion by Members of the Cabinet, including the Capital Programme and the concerns arising regarding future funding, the Cabinet

Decided:

- (1) to note the comments made by the Audit and Governance Panel of 4 September 2024 as outlined in 4.2 of the report; and
- (2) to approve the Quarter 1 Update Report.

16. 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 item of business on the grounds that it involved the likely disclosure of exempt information in terms of paragraph 1 of Part 1 of Schedule 7A of the Act.

Health and Social Care.

17. Proposals for HSCP Administration Services Restructure.

There was submitted a report (issued) of 17 September 2024 by the Director of Health and Social Care seeking approval for the proposed restructure of the administration function within the HSCP as agreed by the Integration Joint Board in principle on 11 September 2024 insofar as it impacts on Council employees.

Following discussion, the Cabinet

Decided: to agree the proposals for changes to Council and administration structures in the HSCP as approved in principle by the IJB and as set out in Appendix 1 of the report.

18. Consideration of Disclosure of the above confidential report.

The Cabinet

Decided: to authorise under Standing Order 32.4 disclosure of the undernoted report subject to redactions in accordance with GDPR requirements:-

- Proposals for HSCP Administration Services Restructure.

The meeting ended at 1.55 p.m.