

SOUTH AYRSHIRE COUNCIL

Minutes of a remote webcast meeting
on 3 March 2022 at 10.00 a.m.

Present Councillors Helen Moonie (Provost), Laura Brennan-Whitefield, Andy Campbell, Douglas Campbell, Iain Campbell, Ian Cavana, Alec Clark, Ian Cochrane, Brian Connolly, Chris Cullen, Ian Davis, Julie Dettbarn, Ian Fitzsimmons, William Grant, Peter Henderson, Hugh Hunter, Mary Kilpatrick, Lee Lyons, Craig Mackay, Derek McCabe, Brian McGinley, Bob Pollock, Philip Saxton, Arthur Spurling and Margaret Toner.

Apologies: Councillors Martin Dowey and Peter Convery.

Attending: E. Howat, Chief Executive; D. Gillies, Director – Place; T. Eltringham, Director of Health and Social Care Partnership; C. Caves, Head of Legal, HR and Regulatory Services; T. Baulk, Head of Finance and ICT; L. Reid, Assistant Director – Place; K. Carr, Assistant Director – Place; W. Wesson, Services Lead – HR Payroll and Employee Services; P. Bradley, Professional Design Service – Place; M. Alexander, Service Lead – Housing Services – Place; D. Love, Senior Accountant Capital/Treasury; T. Ingram, ICT; A. Nelson, Co-ordinator, Democratic Services; C. Buchanan, Committee Services Officer; F. Maher, Temporary Committee Services Officer; and E. Moore, Committee Services Assistant.

1. Provost.

The Provost

- (1) welcomed everyone to the meeting;
- (2) intimated that apologies had been received from Councillors Martin Dowey and Peter Convery;
- (3) outlined the procedures for conducting this meeting and advised that part of this meeting would be broadcast live;
- (4) advised that, with the agreement of the Council, the electronic voting system would be utilised. The Council so concurred; and
- (5) advised that Item 11 entitled “Inclusive Investment Opportunity” had been deferred to Special Council on 10 March 2022.

The Leader

Councillor Peter Henderson made a statement on a recent COSLA Convention decision in respect of the situation in Ukraine.

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 of Council and Panels.

(1) Minutes of previous meeting of Council.

The Minutes of South Ayrshire Council of 9 December 2021 and 25 January 2022 (Special) (issued) were authorised to be signed as a correct record.

(2) Minutes of previous meetings of Panels.

The Minutes of the undernoted Panels were submitted for information: -

Audit and Governance Panel of [3 November](#) and [1 December 2021](#).

(ii) Chief Officers Appointments/Appraisal Panel of [4 November](#), [25 November](#) and [16 December 2021](#).

(iii) Leadership Panel of [23 November 2021](#), [30 November 2021 \(Special\)](#) and [18 January 2022](#).

In accordance with the Scheme of Delegation and Standing Orders for Meetings, Councillor Henderson, seconded by Councillor McGinley, moved the recommendations as contained in the 'C' paragraph of the Leadership Panel minutes of 18 January 2022 entitled "Treasury Management Mid-Year Report 2021/22"

(copy of minute excerpt issued)

The Council

Decided: to agree the terms of the 'C' paragraph.

(iv) Local Review Body of 26 October 2021, and 16 November 2021.

(v) Partnerships Panel of [17 November 2021](#).

(vi) Regulatory Panel – Licensing of [25 November 2021](#) and 20 January 2022.

(vii) Regulatory Panel – Planning of [9 November \(site visit\)](#), [11 November](#), [3 December \(site visit\)](#) and [8 December 2021](#).

(viii) Service and Performance Panel of [16 November 2021](#) and [11 January 2022](#).

4. Section 112 of the Local Government Finance Act 1992

The Chief Executive

(1) referred to the note on the agenda calling the meeting, to the effect that Members were subject to the provisions of Section 112 of the Local Government Finance Act 1992 which provided that a Member of the Council could not vote on a range of Council Tax issues, including setting or adjusting the rate of Council Tax, if he or she was three months or more in arrears with payment of Community Charge (Poll Tax) or two months in arrears with Council Tax.

(2) indicated that if Section 112 applied to any Member he or she was required to disclose that fact; and

- (3) gave the opportunity to any Member to disclose the fact that Section 112 applied to him or her and indicated that failure to disclose was also an offence.

No Members so declared.

5. Revenue Estimates 2022/23 Capital Programme 2022/23 to 2033/34 and Carbon Budget 2022/23

There was submitted a report (issued) of 23 February 2022 by the Head of Finance and ICT advising Members of the issues to be considered in setting the revenue budget for 2022/23, setting the capital budgets for 2022/23 to 2033/34 and setting a Carbon budget for 2022/23.

Decided:

- (1) to note the funding proposal as outlined by the Cabinet Secretary for Finance's letter of 9 December 2021 (attached as Appendix 1 of the report);
- (2) to note that the funding levels included within Finance Circular 9/2021 remain provisional until the Finance Order is approved in March/ April 2022;
- (3) to approve the budget proposals for revenue and capital for 2022/23 taking account of the conditions of the settlement that need to be met and incorporating:
 - (i) planned net revenue expenditure on services for 2022/23;
 - (ii) the level of reserves and fund balances held and contributions to/ from these;
 - (iii) the appropriate Band D Council Tax levy for 2022/23 and associated level of bad debt provision for non-collection of Council Tax;
 - (iv) the proposed capital programme for 2022/23 and beyond and associated debt charge implications; and
 - (v) consideration of the financial projections for 2023/24;
- (4) to note the required remuneration for Basic Councillors and the Leader of the Council as determined by The Local Governance (Scotland) Act 2004 (Remuneration), Amendment Regulations 2022, and include appropriate budget provision for all elected member remuneration for 2022/23;
- (5) to approve proposals for Common Good budgets for 2022/23; and
- (6) to present a Carbon Budget for the period 2022/23 in support of the Council's policies on Climate Change.

Councillor Henderson, seconded by Councillor McGinley, moved that the Council should accept the recommendations at (1) to (6) above and approve the proposals of the SNP, Labour, and Independent Members (copies of these proposals were previously issued and form Annex 1 to this Minute).

By way of Amendment, Councillor Davis, seconded by Councillor Iain Campbell, moved that the Council should agree to the Revenue Budget Recommendations for 2022/23, Covid-19 2022/23 budget implications and Carbon Budget set out in the Administration's proposals and to Capital Investment Programme 2022/23 to 2033/34 as set out in the Conservative Group's proposals (copies of these proposals were previously issued and form Annex 2 to this Minute) and confirmed that the Amendment did not seek to amend the proposals relating to the Revenue Budget recommendations for 2022/23, Covid-19 2022/23 budget implications and Carbon Budget set out in the SNP, Labour and Independent Members proposals.

10 Members voted for the Amendment, 15 for the Motion which was accordingly declared carried by the Council.

After detailed discussion and deliberation, the Council

Decided:

- (a) to accept the recommendations in the report by the Head of Finance and ICT and to approve the proposals of the SNP, Labour and Independent Members as detailed in Annex 1 which formed part of this Minute; and
- (b) to record their appreciation and thanks for the work undertaken by the Head of Finance and ICT and his Finance Teams and all Officers involved in the budget process.

6. Treasury Management and Investment Strategy 2022/23

There was submitted a report (issued) of 23 February 2022 by the Head of Finance and ICT requesting that Members consider the proposed Treasury Management and Investment Strategy for financial year 2022/23.

After lengthy discussion, the Council

Decided: to approve the draft Treasury Management and Investment Strategy for 2022/23 as detailed in Appendix 1 of the report.

7. Housing Revenue Account (HRA) – Revenue Budget 2022/23 and Capital Budget 2022/23 to 2026/27

There was submitted a report (issued) of 23 February 2022 by the Assistant Director – Place and Head of Finance and ICT seeking approval of the proposed Housing Revenue Account (HRA) Revenue Budget for 2022/23 and the proposed 5-year Capital Budget for 2022/23 – 2026/27.

After discussion the Council

Decided:

- (1) to note the decision taken by South Ayrshire Council on 20 January 2021 which approved rent increases of 1.5% per annum and specific rent setting provisions for new build housing for the 3-year period from 2021/22 to 2023/24. Tenants had already been notified of their 2022/23 rental charge in accordance with the statutory requirements;

- (2) to approve the creation of 4 FTE permanent posts (1 FTE Housing Officer – Level 7 and 3 FTE Housing Assistants) as outlined in section 4.4.2 of this report; and
- (3) to approve the 2022/23 HRA Revenue Budget outlined in [Appendix 1](#) of this report and the proposed 5-year Capital Budget as outlined in section 4.6 of this report and [Appendix 2](#).

8. **Adjournment of Meeting**

The time being 12.05 p.m., the Council agreed to adjourn for 10 minutes.

9. **Resumption of Meeting**

The Council reconvened at 12.15 p.m.

10. **Living Wage**

There was submitted a report (issued) of 23 February 2022 by the Head of Legal, HR and Regulatory Services seeking approval of the partial revision to the Council's Pay and Grading Structure up to and including Grade1, Level 4 in order to embed the Scottish Living Wage by 1 April 2022.

Having thanked the Service Lead – HR, Payroll and Employee Services for the work undertaken in relation to this matter and having acknowledged that it would assist those in the lowest pay grades and following discussion the Council

Decided:

- (1) to note the work that had been completed in the development of a revised Pay and Grading structure taking into consideration the COSLA agreed Job Evaluation System for determining grades;
- (2) to note the work that had been completed in relation to review of pay models to take account of the Gender pay gap;
- (3) to note that the Revenue Budget 2022/23 included provision for the revised Pay and Grading structure;
- (4) to approve the proposed pay model and implementation of a revised Pay and Grading Structure which embedded the Local Government Scottish Living Wage and increased the rates of pay for the Council's lowest paid employees to above the Scottish Living Wage with effect from 1 April 2021;
- (5) to note the agreement with the Trade Unions to backdate the implementation date; and
- (6) to approve that the costs of backdating to 1 April 2021 was met from projected underspend as reported to the Leadership Panel on 15 February 2022.

11. Rationalisation of Pay Cycles

There was submitted a report of 25 February 2022 by the Head of Legal, HR and Regulatory Services seeking approval to rationalise the number of pay cycles as part of the Oracle Fusion project

Members acknowledged that this proposal would improve the efficiency of the payroll process and were pleased to note that arrangements were in place to assist those employees who may experience financial difficulty due to the change in payment frequency.

The Council

Decided:

- (1) to approve the removal of the fortnightly pay cycle and the move of employees to the Council's monthly pay cycle for Local Government Employees (LGE);
- (2) to approve the removal of the supply teacher pay cycle and the move of supply staff to the Council's monthly pay cycle for teaching staff; and
- (3) to agree that the Council make available a pay advance to the employees referred to in 2.1.1 of the report who may require assistance to bridge the gap between their last fortnightly and first monthly pay. This advance would be paid back by these employees over a term agreed with Employee Services, but no later than when they left the Council's employment.

12. Note of Motion

12.1 A Notice of Motion having been submitted in accordance with Council Standing Order No. 18 Councillor McGinley and Seconded by Councillor Dettbarn - Young Persons' (Under 22s) Free Bus Travel

'In light of the recent announcement by the Scottish Government to create a free bus access scheme for under 22s, officers from Health and Social Care were requested to investigate ways in which this scheme, or a complimentary initiative, could be established to increase the eligibility age to 30 years for care experienced people in South Ayrshire and to bring back a report to Council after the recess.'

A full debate took place regarding the terms of the Motion, including various questions to the Mover of the Motion and Officers.

Decided: unanimously, to agree the terms of the Motion as outlined above.

12.2 A Notice of Motion having been submitted in accordance with Council Standing Order No. 18 Councillor Chris Cullen and Seconded by Councillor Peter Henderson – Community Food Pantries.

'The impact of Covid has further enhanced food insecurity. Pantries enhance communities and were a preventative approach to food poverty, reducing the risk of household hunger.

Recognising this I ask that Council noted the support provided this year by the Council to the local Food Network in South Ayrshire and asked officers to bring back a report to the Leadership Panel after recess with proposals on the support Council could continue to provide to the local Food Network.'

A full debate took place regarding the terms of the Motion, including various questions to the Mover of the Motion and Officers.

Decided: unanimously, to agree the terms of the Motion as outlined above.

12.3 A Notice of Motion having been submitted in accordance with Council Standing Order No. 18 Councillor Dettbarn and Seconded by Councillor Grant – South Ayrshire Fair Pay Agenda

'UNISON South Ayrshire has welcomed the progress recently made by South Ayrshire Council through the joint work on the consolidation of the Living Wage.

They appreciate that this work has made South Ayrshire Council a more attractive employer with an entry level salary of 3 spinal points above the Scottish Living Wage and have praised our foresight and commitment to this issue.

UNISON South Ayrshire, Council Officers and Elected Members are united in their praise and recognition of the outstanding work of our frontline employees during the Covid 19 pandemic. Council wished to demonstrate our ongoing commitment to the fair pay agenda in South Ayrshire and to continue to reflect our recognition of the dedication and service shown by frontline staff.

Requesting Officers to work with the Trade Unions to develop proposals aimed at paying the Scottish Social Services Council (SSSC) registration fees where it is recognised that this expense may be a barrier to recruitment and/or retention of Social Services employees; and to request a report to the Leadership Panel on the outcome of this work by June 2022.'

A full debate took place regarding the terms of the Motion, including various questions to the Mover of the Motion and Officers.

Decided: unanimously, to agree the terms of the Motion as outlined above.

13. Formal Questions

There were no formal questions.

Meeting finished at 1.10pm