

CABINET

Minutes of a hybrid webcast meeting on 1 November 2022 at 10.00 a.m.

Present
in County

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

Also
present
in County

Hall: E. Terras, C. McKenzie and T. McGill.

Apologies: D. Gemmell and T. Robinson.

Attending: E. Howat, Chief Executive; M. Newall, Depute Chief Executive and Director of Housing, Operations and Development; J. Bradley, Director of Strategic Change and Communities; C. Caves, Head of Legal and Regulatory Services; T. Baulk, Head of Finance and ICT; L. McRoberts, Director of Education; L. Reid, Assistant Director – Place; B. McClean, Head of Community Health and Care Services; C. Monaghan, Service Lead – Community Services and Facilities; D. Alexander, Service Lead – Procurement; C. Iles, Service Lead – Planning and Building Standards; R. Jamieson, Co-ordinator – Asset Management; L. Kerr, Service Lead – Destination South Ayrshire; A. Gibson, Committee Services Officer; E. Moore, Committee Services Officer; and E. Moore, Committee Services Assistant.

Attending

Remotely: T. Eltringham, Director of Health and Social Care.

1. **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.

2. **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.

3. **Minutes of previous meeting.**

The minutes of 27 September 2022 ([issued](#)) were submitted and approved.

4. **Decision Log.**

Following discussion, the Cabinet

Decided:

- (1) to note that there were no overdue items to report;
- (2) to approve the actions listed with revised due dates and to note

- (a) that the Chief Executive would ensure with officers that the amended due dates scheduled for November and December would be adhered to, with any slippage discussed with Portfolio Holders and reported to the next meeting; and
 - (b) that the Depute Chief Executive confirmed in relation to the action relating to “Fleet Transport Update,” that the use of electric vehicles would be examined together with the increasing costs of electricity pertaining thereto; and
- (3) to note the recently completed actions.

Education/ Health and Social Care Portfolio.

5. Children’s Services Plan Annual Report 2021/22.

There was submitted a joint report ([issued](#)) of 25 October 2022 by the Director of Education seeking approval of the draft Children’s Services Plan Annual Report 2021/22.

Following discussion on engagement with families to assist them with issues relating to poverty VASA’s work in this area; issues relating to campus police; and whether schools were best placed to provide information to families, the Cabinet

Decided: to approve the draft Children’s Services Plan Annual Report 2021/22, as detailed in Appendix 1 of the report.

Economic Development.

6. Developer Contributions Update relative to Planning Permissions (2021/2022).

There was submitted a report ([issued](#)) of 19 October 2022 by the Director of Housing, Operations and Development providing an update on the Developer contributions, relative to planning permissions, gathered and utilised during the period 2021/2022.

The Cabinet

Decided:

- (1) to note the developer contributions collected from Developers relative to their Planning Permissions and utilised for the provision of identified projects within the reporting period April 2021 to March 2022; and
- (2) to request that officers provide further regular updates to the Service and Performance Panel for each six month reporting period identified in the report.

7. Place Based Investment Programme 2022 to 2023 – Community Wellbeing Facilities Fund.

There was submitted a joint report ([issued](#)) of 19 October 2022 by the Depute Chief Executive and Director of Housing, Operations and Development and Director of Strategic Change and Communities providing an update on the Place Based Investment Programme (PBIP) and proposals for allocating the remaining funds for year 2022-2023.

The Cabinet

Decided:

- (1) to note the remaining fund balance of the Place Based Investment Programme for 2022 – 2023 of £75,000 and to approve the allocation to a Community Wellbeing Facilities Fund;
- (2) to note the title change to the project entitled 'Girvan Community Garden' to 'Knockcushan Street Car Park'; and
- (3) to agree that officers would develop a strategy to engage with the community and consider the funding as part of the Council participatory budgeting programme.

Tourism, Culture and Rural Affairs.

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8. Proposal to Deliver an Airshow in September 2023, 2024, 2025, 2026 and 2027.

There was submitted a report ([issued](#)) of 19 October 2022 by the Director of Strategic Change and Communities seeking agreement to progress with the planning and delivery of an Airshow in September 2023, 2024, 2025, 2026 and 2027.

Having heard the support for this proposal by a number of Members, the Cabinet

Decided:

- (1) to agree that officers progress with the planning of the Airshow including work to identify sponsors;
- (2) to approve that funding for the Airshow of £300,000 per year, for a period of five years, would be considered as part of the budget setting process for 2023-2024;
- (3) to approve the name for the Airshow - The International Ayr Show – Festival of Flight;
- (4) to approve the proposal to have the Royal Air Force Benevolent Fund as the charity partner for the event; and
- (5) to note the progress made by the SKYLAB in relation to expressions of interest with military display teams.

Finance, Human Resources and ICT.

9. Menopause at Work.

There was submitted a report ([issued](#)) of 19 October 2022 by the Chief Executive seeking approval for the implementation of new guidance for employees and managers on providing the right support to manage menopausal symptoms in the workplace.

The Cabinet

Decided:

- (1) to note the work that had been undertaken in the development of the guidance; and
- (2) to approve the implementation of the new guidance document on menopause in the workplace, as detailed in Appendix 1 of the report.

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10. Revised Recruitment and Selection Policy.

There was submitted a report ([issued](#)) of 19 October 2022 by the Chief Executive seeking approval for

- (1) the revisions applied to the Council 'Recruitment and Selection' Policy ('the Policy'), Handbook and Charter which incorporate:
 - new online recruitment resources;
 - changes to the Right to Work legislation;
 - achievement of Recruit with Convictions Ambassador Status; and
 - payment of SSSC fees; and
- (2) the implementation of a new guidance document on the Recruitment of Ex-Offenders.

The Cabinet

Decided:

- (a) to note the work that had been undertaken in the development of the revised Policy, Handbook and Charter, working with the Director of Recruit with Conviction and the Ayrshire Criminal Justice Partnership;
- (b) to approve the revisions made to the Policy, Handbook and Charter, as detailed in Appendices 1 to 3 of the report;
- (c) to approve the implementation of the new guidance document on the Recruitment of Ex-Offenders, as detailed in Appendix 4 of the report;
- (d) to agree that the Council would maintain its current position to discuss criminal convictions at interview;

- (e) to request that the Chief HR Adviser publicise and promote these procedures;
- (f) to request that officers from Procurement consider using the Ambassador's principles within commissioning and tendering by the Council and report back to a future meeting of Cabinet with any proposals;
- (g) to note that the roll out of 'Recruit with Conviction' awareness and skills development training would be carried out for managers across the Council;
- (h) to agree the updating of the Council's terms and conditions of employment to reflect the recommendations in this report;
- (i) to approve the changes made to the Recruitment and Selection complaints procedure, as detailed in Appendix 5 of the report; and
- (j) to approve the proposal that references requested by external organisations for current or former employees were solely issued by the HR department and only provide basic employment details (such as the position held and employment dates).

Finance, Human Resources and ICT/ Economic Development.

11. Annual Procurement Report 2022.

There was submitted a report ([issued](#)) of 19 October 2022 by the Head of Finance, ICT and Procurement seeking approval of the publication of the Council's Annual Procurement Report 2022 which detailed the Council's procurement activity between 1 April 2021 and 31 March 2022.

Following discussion on the need to use of local businesses, the Cabinet

Decided:

- (1) to approve the Annual Procurement Report 2022, as detailed in Appendix 1 of the report; and
- (2) to request that officers forward this report to the Scottish Government before it was published on the Council's website.

12. 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.

Education.

13. Educational Services Leadership Structure.

There was submitted a report (Members only) of 19 October 2022 by the Director of Education seeking approval for a change in staffing structure within the Education Services Directorate.

The Cabinet

Decided: to approve the proposed changes to staffing structures within the Education Services Directorate, as outlined in Appendix 1 of the report.

Buildings, Housing and Environment.

14. 15-17 Sandgate, Ayr Common Good Consultation.

There was submitted a report (Members only) of 19 October 2022 by the Depute Chief Executive and Director of Housing, Operations and Development

- (1) providing the results of the public consultation carried out under section 104 of the Community Empowerment (Scotland) Act 2015 in relation to the disposal of 15-17 Sandgate Ayr, 8; and
- (2) and having had regard to the results of the public consultation, to ask Cabinet to re-confirm the decision of the Leadership Panel of 8 March 2022 to dispose of the property in accordance with the terms contained within the Addendum (confidential) to the 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;
- (b) to agree the responses to the representations received, approve publication of the responses on the Council website and notification of those who responded to the consultation;
- (c) having regard to the outcome of the consultation, to re-confirm the decision of the Leadership Panel of 8 March 2022 to dispose of 15-17 Sandgate, Ayr;
- (d) to grant authority to the Head of Legal and Regulatory Services to conclude this transaction on the terms 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 and the Head of Legal and Regulatory Services; and
- (e) to agree that the Head of Legal and Regulatory Services provides a Members' Briefing detailing the law applicable to the sale of Common Good property and the rules around the use of Common Good Funds and considers how this can be communicated to South Ayrshire residents.

Health and Social Care.**15. Adult Locality Services Management Restructure.**

There was submitted a report (Members only) of 19 October 2022 by the Director of Health and Social Care seeking approval for the proposed Management Restructure agreed by the Integration Joint Board in principle on 14 October 2022 insofar as it impacted on Council employees

The Cabinet

Decided: to agree the proposals for changes to Council management structures in the HSCP as approved in principle by the Integration Joint Board and as set out in Annex 1 of the report.

16. Consideration of Disclosure of the above confidential reports.

Decided: to authorise the disclosure of part of the undernoted reports and related addendum falling under Standing Order 32.4:-

- Educational Services Leadership Structure after redaction to take account of GDPR;
- 15-17 Sandgate, Ayr Common Good Consultation except for those confidential items required to conclude the sale of the property which shall be disclosed after sale; and
- Adult Locality Services Management Restructure after redaction to take account of GDPR.

The meeting ended at 11.20 a.m.