

South Ayrshire Council

**Report by Head of Legal and Regulatory Services
to South Ayrshire Council
of 15 December 2022**

Subject: Representation on Outside Bodies

1. Purpose

- 1.1 The purpose of this report is to seek approval to make alterations to the list of Outside Bodies and representatives thereon.

2. Recommendation

2.1 It is recommended that the Council:

- 2.1.1 adds Age Concern and Scottish Older People's Assembly (SOPA) to the list of outside bodies;**
- 2.1.2 nominates and appoints Councillor Mary Kilpatrick as the Council's representative (as Older People's Champion); and**
- 2.1.3 notes the feedback from Freeport (Scotland) Limited as outlined at 4.2.2.**

3. Background

- 3.1 In terms of para 11.2 of the Council's Scheme of Delegation, the selection and de-selection of Councillors and officers to serve on and/ or to represent the Council on Joint Committees, Joint Boards and other external bodies and organisations is reserved to Council.
- 3.2 At its meeting on 13 October 2022, the Council requested the Chief Executive to seek clarity on the Council's ability to appoint an Elected Member to the Board of Freeport (Scotland) Limited and report back to a future meeting of the Council.

4. Proposals

4.1 Age Scotland

- 4.1.1 In February 2021, in her capacity as Portfolio Holder for Adults' Health and Social Care, Councillor Julie Dettbarn was confirmed as the Council's representative for Age Concern and SOPA (as Older People's Champion).

- 4.1.2 It is proposed that the Council adds Age Concern and SOPA to the list of outside bodies and nominates and appoints Councillor Mary Kilpatrick as the Council's representative (as Older People's Champion).

4.2 ***Freeport (Scotland) Limited***

- 4.2.1 At its meeting on 13 October 2022, the Council approved the appointment of the following officers as the Council's representatives for Freeport (Scotland) Limited (as Directors):

- Director of Housing, Operations and Development; and
- Assistant Director – Planning and Development.

- 4.2.2 Freeport (Scotland) Limited have advised that there are no plans to seek to change the company name and would prefer that Council representation was from officers rather than Elected Members.

5. **Legal and Procurement Implications**

- 5.1 There are no legal implications arising from this report.

- 5.2 There are no procurement implications arising from this report.

6. **Financial Implications**

- 6.1 Minimal costs for attending meetings, etc, can be met from existing budget.

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 In some cases failing to nominate or appoint members would result in the Council being unrepresented on key outside bodies/ organisations.

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 Commitment 1 of the Council Plan: Fair and Effective Leadership/ Leadership that promotes fairness.

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 Dowe, 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
Notification of nominations/ appointments to relevant outside bodies	23 December 2022	Service Lead – Democratic Governance

Background Papers [Scheme of Delegation](#)

[Report to South Ayrshire Council of 13 October 2022 – Representation on Outside Bodies](#)

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Date: 5 December 2022

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	Representation on Outside Bodies
Lead Officer (Name/Position/Email)	Catrina Caves, Head of Legal and Regulatory Services – catriona.caves@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)	-	-
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	-	-

Community or Groups of People	Negative Impacts	Positive impacts
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)
Eliminate unlawful discrimination, harassment and victimisation	Low
Advance equality of opportunity between people who share a protected characteristic and those who do not	Low
Foster good relations 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

Is a full Equality Impact Assessment required? (A full Equality Impact Assessment must be carried out if impacts identified as Medium and/or High)	YES NO
Rationale for decision: This report seeks the Council's approval to appoint or nominate representatives to the list of Outside Bodies. Their decision on this has no specific equality implications	
Signed : Catriona Caves	Head of Service
Date: 5 December 2022	