

County Buildings
Wellington Square
AYR KA7 1DR
Tel. No. 01292 612169

9 December 2022

Dear Councillor

SOUTH AYRSHIRE COUNCIL

You are requested to participate in a meeting of South Ayrshire Council to be held **on Thursday 15 December 2022 at 10.00 a.m.** for the purpose of considering the undernoted business.

This meeting will be held on a hybrid basis for Elected Members, will be live-streamed and available to view at <https://south-ayrshire.public-i.tv/>

PLEASE NOTE THAT THERE WILL BE A SHORT BREAK AT 12 NOON WHEN SOME YOUNG PEOPLE FROM SOUTH AYRSHIRE WILL ENTERTAIN THE COUNCIL.

Yours sincerely

CATRIONA CAVES
Head of Legal and Regulatory Services

B U S I N E S S

1. Provost.
2. Sederunt and Declarations of Interest.
3. Minutes of meetings of the Council and Panels.

(a) Minutes of previous meeting.

Submit for approval as a correct record and authorise to be signed:-

- (i) 13 October 2022 (copy herewith).

(b) Minutes of Panels.

The minutes (copies previously issued) of the undernoted meetings are for noting:-

- (i) Audit and Governance Panel of [5 October](#), [9 November](#) and [23 November 2022 \(Special\)](#).
- (ii) Cabinet of [27 September](#) and [1 November 2022](#).

In accordance with the Scheme of Delegation and Standing Orders for Meetings, the recommendations in the minutes as contained in the 'C' paragraphs have been referred to the Council for decision: -

- Minutes of 1 November 2022 – “Revised Recruitment and Selection Policy”

(copy of minute excerpt herewith).

- (iii) Chief Officers' Appointments/Appraisal Panel of [30 September](#), [13 October](#) and [14 October 2022](#).
 - (iv) Regulatory Panel – Licensing of [29 September](#) and [3 November 2022](#).
 - (v) Regulatory Panel – Planning of [22 September](#), [4 October \(Special\)](#) and [12 October 2022](#).
 - (vi) Service and Performance Panel of [20 September](#) and [25 October 2022](#).
 - (vii) Ayrshire Shared Services Joint Committee of [10 June](#), [2 September](#) and [4 November 2022](#).
4. Call-ins on “Proposal to Deliver an Airshow in September 2023, 2024, 2025, 2026 and 2027” (copy of relevant papers herewith).
 5. Review of Political Decision Making Structure, Members' Remuneration and Appointments to Panels – Submit report by Chief Executive (copy herewith).
 6. Schedule of Meetings – Submit report by Head of Legal and Regulatory Services (copy herewith).
 7. Standing Orders Relating to Meetings – Submit report by Head of Legal and Regulatory Services (copy herewith).
 8. Representation on Outside Bodies – Submit report by Head of Legal and Regulatory Services (copy herewith).
 9. Representation on Working Groups – Submit report by Head of Legal and Regulatory Services (copy herewith).
 10. Financial Regulations Review – Submit report by Head of Finance, ICT and Procurement (copy herewith).
 11. Non-Domestic Rates Reliefs – Submit report by Head of Finance, ICT and Procurement (copy herewith).
 12. PPP Service Concession Flexibilities – Submit report by Head of Finance, ICT and Procurement (copy herewith).
 13. Development Plan Scheme: Local Development Plan 2 and 3 – Submit report by Depute Chief Executive and Director of Housing, Operations and Development (copy herewith).
 14. LDP2 Supplementary Guidance Site Design Brief: South East Ayr – Submit report by Depute Chief Executive and Director of Housing, Operations and Development (copy herewith).
 15. Local Development Plan 2 Action Programme – Submit report by Depute Chief Executive and Director of Housing, Operations and Development (copy herewith).
 16. Station Hotel Update – Submit report by Depute Chief Executive and Director of Housing, Operations and Development (copy herewith).
 17. Short Term Lets Planning Guidance - Submit report by Depute Chief Executive and Director of Housing, Operations and Development (copy herewith).
 18. South Ayrshire Council's Annual Performance Report 2021/22 – Submit report by Director of Strategic Change and Communities (copy herewith).

19. Best Value Action Plan Update – Submit report by Director of Strategic Change and Communities (copy herewith).
20. New Leisure Centre Project – Submit report by Director of Strategic Change and Communities (copy herewith).
21. Notices of Motion:-

(a) from Councillor Peter Henderson, seconded by Councillor Julie Dettbarn:-

“The Council is requested to write to the Scottish and UK Governments to seek the introduction of assistance to rural homeowners in regards to the Cost of Energy crisis, in particular the lack of alternative heating and energy supply in rural areas.

As many of you know, people living in rural areas are significantly more likely to be living in fuel poverty, with 42% of households in ‘remote’ rural homes classed as fuel poor or in extreme fuel poverty. This compares to 24.6% across Scotland as a whole. These figures are from 2019 and the true scale of fuel poverty is now believed to be significantly higher, with research showing as many of 57% of people could be in fuel poverty. Rural communities also face higher living costs, with evidence suggesting that living in remote rural Scotland typically adds 15-30% to a household budget.

Rural households face higher heating costs as many depend on expensive oil heating systems, with high and fluctuating upfront fuel costs. Oil heating is not regulated by Ofgem, which means people with oil heating systems are not protected by the Energy Price Guarantee. And this affects a large proportion of South Ayrshire homes and families. In the last 12 months the cost of heating oil has doubled with prices rising from around 64p per litre to £1.20 per litre.

The need to support schemes for new collective purchase and community asset ownership models to pay for the improvements, enhanced grants and loans to cover additional insulation and running costs and a support service for rural businesses to help them build the skills needed to decarbonise rural heating.”

(b) from Councillor Philip Saxton, seconded by Councillor Brian McGinley

“I am asking the Council to cancel the debt for School meals this was accumulated by parents from August till the present day, the amount is £6,343.69.

I would request this comes from the Councils uncommitted reserves.”

22. Formal Questions.
23. Early Learning and Childcare Funded Provider Rates – Submit report by Director of Education (Members only).
24. Consideration of Disclosure of the above confidential report.

<p>For more information on any of the items on this agenda, please telephone Janice McClure, Committee Services on at 01292 612169, at Wellington Square, Ayr or e-mail: janice.mcclure@south-ayrshire.gov.uk www.south-ayrshire.gov.uk</p>
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SOUTH AYRSHIRE COUNCIL.

Minutes of a hybrid webcast meeting
on 13 October 2022 at 10.00 a.m.

Present in County Buildings: Councillors Iain Campbell (Provost), Laura Brennan-Whitefield, Ian Cavana, Alec Clark, Ian Cochrane, Brian Connolly, Ian Davis, Mark Dixon, Martin Dowe, Stephen Ferry, William Grant, Peter Henderson, Hugh Hunter, Martin Kilbride, Mary Kilpatrick, Lee Lyons, Craig Mackay, Brian McGinley, Bob Pollock, Cameron Ramsay, Philip Saxton, Gavin Scott, Bob Shields, Duncan Townson and George Weir.

Present Remotely: Councillors Kenneth Bell, Chris Cullen and Julie Dettbarn.

Attending in County Buildings: E. Howat, Chief Executive; C. Caves, Head of Legal and Regulatory Services; T. Baulk, Head of Finance and ICT; L. Reid, Assistant Director – Place; D. Yuille, Service Lead – Special Property Projects; C. Iles, Service Lead – Planning and Building Standards; T. Burns, Service Lead – Asset Management and Community Asset Transfer; J. McClure, Committee Services Lead Officer; A. Gibson, Committee Services Officer; C. Buchanan, Committee Services Officer; C. McCallum, Committee Services Assistant; and E. Moore, Committee Services Assistant.

Attending Remotely: D. Alexander, Service Lead – Procurement.

1. Provost.

The Provost

- (1) welcomed everyone to the meeting;
- (2) intimated that no apologies had been received;
- (3) outlined the procedures for conducting this meeting and advised that this meeting would be broadcast live; and
- (4) congratulated Councillors Dowe and Henderson for receiving awards for Leadership at the LGIU awards; and Councillor Cullen for his Commendation for Resilience Award.

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.

(1) Minutes of 29 June 2022.

Provost Campbell, seconded by Councillor Kilpatrick, moved the [Minutes](#) of South Ayrshire Council of 29 June 2022 as a correct record.

The Council

Decided: to approve the Minutes of 29 June 2022 and authorise these minutes to be signed as a correct record.

(2) Minutes of 9 September 2022 (Special).

Provost Campbell, seconded by Councillor Kilpatrick, moved the [Minutes](#) of South Ayrshire Council (Special) of 9 September 2022 (Special) as a correct record.

The Council

Decided: to approve the Minutes of 9 September 2022 (Special) and authorise these minutes to be signed as a correct record.

(3) Minutes of previous meetings of Panels.

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

- (i) Audit and Governance Panel of [22 June](#), [28 June \(Special\)](#) and [7 September 2022](#).
- (ii) Cabinet of [14 June](#), [30 August](#) and [9 September 2022 \(Special\)](#).

In accordance with the Scheme of Delegation and Standing Orders for Meetings, Councillor Dowey, seconded by Councillor Lyons, moved the recommendations as contained in the 'C' paragraph of the Cabinet minutes of 30 August 2022 entitled "Treasury Management Annual Report 2021/22" ([copy of minute excerpt herewith](#)).

The Council

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

In accordance with the Scheme of Delegation and Standing Orders for Meetings, Councillor Dowey, seconded by Councillor Lyons, moved the recommendations as contained in the 'C' paragraph of the Cabinet minutes of 30 August 2022 entitled "Representation on Convention of Scottish Local Authorities" ([copy of minute excerpt herewith](#)).

The Council

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

In accordance with the Scheme of Delegation and Standing Orders for Meetings, Councillor Dowey, seconded by Councillor Lyons, moved the recommendations as contained in the 'C' paragraph of the Cabinet minutes of 30 August 2022 entitled "Mileage Expenses" ([copy of minute excerpt herewith](#)).

The Council

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

- (iii) Chief Officers Appointments/Appraisal Panel of [1 July](#), [28 July](#) and [9 September 2022](#).
- (iv) Local Review Body of [21 June 2022](#).
- (v) Partnerships Panel of [28 June 2022](#).
- (vi) Regulatory Panel – Licensing of [16 June](#) and [1 September 2022](#).
- (vii) Regulatory Panel – Planning of [23 June 2022](#).
- (viii) Service and Performance Panel of [22 June](#) and [23 August 2022](#).

4. **Representation on Outside Bodies.**

There was submitted a [report](#) (issued) of 3 October 2022 by the Head of Legal and Regulatory Services seeking approval to make alterations to the list of Outside Bodies and representatives thereon.

Councillor Dowey, seconded by Councillor Lyons, moved the recommendations as outlined in the report.

Questions were raised by Members in relation to:-

- (1) whether the designation "Freeport (Scotland) Limited" was correct; and the Chief Executive advised that this was the registered name of the Company that held land around Prestwick Airport which this Council was a Shareholder of, however, she would clarify the position with the Company in relation to the name; and
- (2) whether an Elected Member could be nominated to serve on Freeport (Scotland) Limited; and the Chief Executive advised that it was important that the Council remained represented on this body; that meetings of this body were operational discussions; and that she would discuss this with the other members of Freeport (Scotland) Limited to attain their agreement on an Elected Member joining this body and report back to Council on this matter.

The Council

Decided:

- (a) to approve the changes to officer appointments listed in paragraph 4.1 of the report to reflect the recently approved revised management structure; and
- (b) to request the Chief Executive to seek clarity on the Council's ability to appoint an Elected Member to the Board and report back to a future meeting of the Council.

5. Scheme of Delegation.

There was submitted a [report](#) (issued) of 3 October 2022 by the Head of Legal and Regulatory Services seeking approval to amend the Scheme of Delegation following review.

The Head of Legal and Regulatory Services outlined that the proposed changes to the Scheme of Delegation related to revisions to the remit of the Tourism and Rural Affairs Portfolio which would now be "Tourism, Culture and Rural Affairs Portfolio"; additional delegations in relation to the Short Term Let Licensing Policy; and revisions to the management structure.

Councillor Dowey, seconded by Councillor Lyons, moved the recommendations as outlined in the report.

Questions were raised by Members regarding the deletion of certain items; and the Chief Executive advised that these items had been moved to the remit of a different Director and renumbered but remained within the Scheme of Delegation.

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Council moved to a vote for or against the Motion. Twenty five Members voted for the Motion; one Member voted against the Motion and two Members Abstained and the Council accordingly

Decided: to approve the revised Scheme of Delegation (attached as Appendix 1 to the report) with effect from 14 October 2022.

6. Revision to Scheme of Delegation for Planning.

There was submitted a [report](#) (issued) of 3 October 2022 by the Assistant Director – Place seeking approval to revise the Planning Scheme of Delegation in relation to the determination of applications submitted under Planning and related legislation.

Councillor Pollock, seconded by Councillor Dowey, moved the recommendations as outlined in the report.

Questions were raised by Members in relation to:-

- (1) the removal of the geographical criteria for Community Council objections to planning applications and whether there were concerns that this would lead to numerous objections from various Community Councils; and the Service Lead – Planning and Building Standards advised that Community Councils should only object to a planning application if their area would be impacted by a proposed development and that, should they object to an application outwith their ward, this application would be considered by Regulatory Panel which may lead to a slight delay in handling the application, however, processes were currently being streamlined to enable planning applications to be dealt with more timeously;
- (2) the review of this Scheme of Delegation not having taken place within the five year statutory timescale and whether a list of legal documents the Council required to update could be compiled with the timescales for these; and the Head of Legal and Regulatory Services advised that she would contact all Council services and obtain details of all statutory documents which required regular update and she would submit this list to Members via the Bulletin;

- (3) why a planning application required to be considered by the Regulatory Panel if there were objectors and the planning officer's recommendation was refusal, therefore, could the application not be refused under delegated powers; and the Service Lead – Planning and Building Standards advised that, should there be more than ten objections to a planning application there was an element of controversy around this application and therefore it required to be considered by Regulatory Panel, however, should Members wish to amend the Scheme of Delegation to outline that an application should be refused if there were a certain number of objections, this could be examined but he was unaware of any other local authority that made a decision on this basis; and
- (4) why the review had not been completed within the five year timescale; and the Service Lead- Planning and Building Standards advised that the review of this document had been ongoing by his predecessors and he was now progressing the matter, that he would now submit this to the Planning Liaison Group on an annual basis to keep the document updated and would adhere to timescales going forward.

Comments were made by Members:-

- (a) welcoming the removal of the geographical criteria for Community Councils;
- (b) expressing disappointment that the legal requirements had not been adhered to for this Planning Scheme of Delegation which required it to be reviewed every five years;
- (c) on the requirement to tighten procedures as an applicant had attended a recent Regulatory Panel wishing to speak to his application without giving prior notice of his intention to speak; and the Service Lead – Planning and Building Standards advised that the Chair had used his discretion under the current processes and allowed the applicant to speak on this occasion, however, he would shortly submit a paper to the Planning Liaison Group for its input on his proposals to streamline planning processes; and
- (d) outlining that transparency of the process was a vital principle and that, whilst he agreed with most of the proposed changes within the Planning Scheme of Delegation, he was uncomfortable with the amendment from five representations to ten individual objections for local planning applications to be considered by the Regulatory Panel (Planning) and that this should be kept under review.

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Council moved to a vote for or against the Motion. Twenty six Members voted for the Motion and two Members Abstained and the Council accordingly

Decided:

- (i) to approve the revised Planning Scheme of Delegation;
- (ii) to agree that the approved Scheme of Delegation be submitted to the Scottish Ministers for approval;
- (iii) to request that the Head of Legal and Regulatory Services contact all Council services obtaining details of statutory documents which required regular update and submit this list to Members via the Bulletin;

- (iv) to request that the Service Lead – Planning and Building Standards submit a report to the Planning Liaison Group for its input on his proposals to streamline planning processes; and
- (v) to request that the Service Lead – Planning and Building Standards submit the Scheme of Delegation to the Planning Liaison Group on an annual basis to ensure this document was kept updated.

7. New Leisure Centre Project.

There was submitted a [report](#) (issued) of 3 October 2022 by the Assistant Director – Place providing Members with a further update on the work to cleanse the outstanding suspensive conditions for the site acquisition of the Arran Mall; to present options available to Council to respond to the Stage 2 submission; and to provide further information on the abortive costs should the project not go ahead.

Councillor Kilbride, seconded by Councillor Connolly moved that Council

- (1) notes the further update on the site acquisition of the Arran Mall to facilitate the new leisure centre development;
- (2) notes the options available to Council in response to the Stage 2 submission from HubSW set out in Appendix 1;
- (3) notes the information provided on the abortive costs should the project not proceed;
- (4) agrees that, given the project was now £7m over budget, that Council rejects the Stage 2 submission from HubSW on the basis it did not meet the Affordability Cap Approval Criteria prescribed by the HubSW Agreement, and asks Officers to provide a report to Cabinet detailing the response from HubSW to the rejection notice for their consideration; and
- (5) asks Officers to undertake a feasibility study for a mixed-use development of the Arran Mall and Hourston sites and report back to Cabinet at the earliest opportunity for consideration and instructions.

Adjournment

The time being 11.00 a.m., the Council agreed to adjourn for fifteen minutes to allow discussion to take place by all Political Groups.

Resumption of Meeting

The meeting resumed at 11.25 a.m.

Provost reminded all Members of the requirement to adhere to the adjournment time as specified by him.

Point of Order

Councillor Henderson raised a Point of Order that, as this was a major decision which affected all residents in South Ayrshire, Members required time to submit an Amendment and that he had stated that he would require longer than fifteen minutes. Provost subsequently advised that he had made a ruling that the adjournment would be for fifteen minutes and that this should be adhered to by all Members.

Councillor Grant requested that, as Councillor Cochrane, was not yet present, the meeting not recommence until Councillor Cochrane was in attendance; and Provost advised that it was now thirty minutes since the adjournment was agreed and that Council would now proceed.

Questions were raised by Members in relation to:-

- (a) the meaning of the term “mixed-use development” as outlined in the Motion; and Councillor Dowey advised that this would be a mixture of housing and developments;

Councillor Cochrane re-joined the meeting at this point.

- (b) the Administration’s plans for the Citadel Leisure Centre as this was not included within the report; and Councillor Dowey advised that this report concerned the new leisure centre and that a further report would be submitted on plans for the Citadel Leisure Centre in due course;
- (c) as the new Chancellor had apparently removed a connection between taxation and public spending, whether the Leader was confident in the UK Government’s intentions to deliver for South Ayrshire; and how cancelling the leisure centre would be consistent with the Council’s hopes of securing the £20m Levelling Up funding applied for; and Councillor Dowey advised that this was irrelevant to the report currently before Council and that he had full confidence in the Conservative and Unionist Chancellor of the Exchequer;
- (d) the Chair of Scotland’s Town Partnership had described the previous plans for Ayr Town Centre which included the new leisure centre as one of the most comprehensive regeneration strategies he had seen anywhere in Scotland and did the Leader’s vision match these plans; and Councillor Dowey outlined that it did and exceeded the previous plans;
- (e) whether cognisance had been taken of inflation costs; and the plans for the top of the town in Ayr Town Centre; and Councillor Dowey advised that a plan would be put in place in due course;
- (f) whether, taking all things into consideration, the Leader of the Council was convinced that the proposals in the report were Best Value for the Council and the people of South Ayrshire as costs were now higher due to the delays and Ayr would not have a family-friendly fully functioning carbon neutral leisure centre in an attractive environment; and Councillor Dowey advised that the clearing conditions for this site had not been met, therefore building works could not commence at present; and the administration’s plans for Ayr would be family friendly, which he viewed the Citadel as;
- (g) whether these plans had now been put in place as the plans for a new leisure centre had been proposed by the previous administration; and Councillor Dowey outlined that this was not the case;
- (h) paragraphs 4.9 to 4.11 of the report indicated that there were matters still to be concluded and paragraph 4.1 indicated an additional £1m to the project costs since reported to Cabinet in August 2022 and whether this would be the final increase in costs; and the Service Lead - Special Property Projects advised that these were conservative costs based on 2% inflation and may be higher should the Contractor require to go back out to market;

- (i) the risks the Council would face given the possibility of entering into a dispute with HubSW; and the Service Lead – Special Property Projects advised that the Territory Partnering Agreement covered all participants in the process which set out the procedures to be followed which, if not followed, had consequences for the Council and action required to be taken, however, these processes were clearly set out and were being followed; and
- (j) as costs for the proposed leisure centre had risen, could they also not fall if the economy improved; and the Service Lead – Special Property Projects advised that the cost information within the report was provided by consultants and was a reflection of the current market conditions.

Comments were made by Members in relation to:-

- (i) the Citadel Leisure Centre being outdated; and how a new leisure centre would raise footfall in the town centre;
- (ii) the amount of work carried out in relation to this proposal and how delays were causing costs to rise; the abortive costs of £1m and the problems associated with not going ahead with the new development; and how disappointing it would be, should the new leisure centre not go ahead;
- (iii) part of the town centre regeneration and construction of the proposed new leisure centre having been to attract other businesses and develop the town centre;
- (iv) the costs had previously risen due to inflation since the original plan for the new leisure centre had been approved and, due to matters still requiring to be resolved, should the plans for the new leisure centre go ahead, these costs could again rise; and
- (v) that questions put to officers should not be of a political nature and should be limited to the subject matter within the report only.

Following a full discussion, Councillor Dowey, seconded by Councillor Lyons moved in accordance with Standing Order No. 21.1(2) that the question be now put.

Point of Order

Councillor Cavana raised a Point of Order requesting that it be ascertained if any of the Members who had joined the meeting remotely wished to speak; and the Head of Legal and Regulatory Services confirmed that none of the Members joining the meeting remotely had requested to speak prior to the Motion that “the question be now put”.

Point of Order

Councillor Hunter raised a Point of Order that, in terms of Standing Order No. 21.1(2), only those Members who had not spoken on the question before the meeting could move “that the question be now put” and Councillor Dowey had previously spoken. Provost then confirmed that Councillor Dowey had only spoken to answer questions put to him.

Point of Order

Councillor Henderson raised a Point of Order that an amendment had been suggested and had been overruled; and Provost outlined that no Amendment had been submitted prior to the Motion “that the question be now put”, therefore, no Amendment could be considered.

Point of Order

Councillor Cullen raised a Point of Order that he had used the “hands up” facility to advise of his intention to speak; and the Head of Legal and Regulatory Services advised that there had been no notification received of his intention to speak prior to the Motion “that the question be now put”, therefore, he was not entitled to speak on the matter being considered.

Point of Order

Councillor Mackay raised a Point of Order that he had experienced similar problems to Councillor Cullen at a previous meeting when he had joined the meeting remotely; and the Head of Legal and Regulatory Services advised that, due to connectivity problems for those Members joining remotely, it had now been agreed that Councillor Cullen could speak to the matter being considered.

Point of Order

Councillor Dettbarn raised a Point of Order advising that Councillor Cullen had his “hand up” outlining his intention to speak for some time before the Motion “that the question be now put” was Moved; and the Head of Legal and Regulatory Services advised that Councillor Cullen’s “hand up” was not visible within the Hall, however, he could now speak prior to the vote for “the question be now put”.

Councillor Cullen then raised questions as follows:-

- (A) that, given that the proposed new leisure centre was already a mixed use development consisting of a swimming pool, gym, soft play area, café, etc, what were the timescales and estimated costs of the requested feasibility study and how was it hoped that these proposals would regenerate the town centre; and Councillor Kilbride, as mover of the Motion advised that plans and associated timescales would be submitted in due course for the approval of Council; and
- (B) the costings of the mixed use development of housing and developments and the actual plans for the site; and the Service Lead – Special Property Projects advised that until it was known what the site would be developed for and how many units could be accommodated, it was not possible to cost this; and that the feasibility study would provide this information in due course.

Following a vote on whether “the question be now put”, fourteen Members voted for the Motion and fourteen Members voted against the Motion and the Provost then exercised his casting vote in favour of the Motion and the Council accordingly agreed to Move to Vote.

Following a vote on the Motion moved by Councillor Kilbride and seconded by Councillor Connolly, in terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Council moved to a vote for or against the Motion. Fourteen Members voted for the Motion and Fourteen Members voted against the Motion; Provost then exercised his casting vote in favour of the Motion and the Council accordingly

Decided:

- (I) to note the further update on the site acquisition of the Arran Mall to facilitate the new leisure centre development;
- (II) to note the options available to Council in response to the Stage 2 submission from HubSW set out in Appendix 1;
- (III) to note the information provided on the abortive costs should the project not proceed;
- (IV) to agree that, given the project was now £7m over budget, that Council rejects the Stage 2 submission from HubSW on the basis it did not meet the Affordability Cap Approval Criteria prescribed by the HubSW Agreement, and asks Officers to provide a report to Cabinet detailing the response from HubSW to the rejection notice for their consideration; and
- (V) to request Officers to undertake a feasibility study for a mixed-use development of the Arran Mall and Hourston sites and report back to Cabinet at the earliest opportunity for consideration and instructions.

8. Notice of Motion.

A Notice of Motion having been submitted in accordance with Council Standing Order No. 18, Councillor Laura Brennan-Whitefield, seconded by Councillor Brian Connolly, moved:-

“We are currently living in a cost-of-living crisis, with energy costs becoming an increasing concern for many members of our community. For some of our most vulnerable members of society they have no choice but to accept prepayment meters which are often imposed and are often more expensive than other options such as a direct debit or simply playing for the energy you use as the average standing charges are higher.

South Ayrshire Council requests that the chief executive writes to the energy regulator Ofgem to request that this issue is looked at urgently and that prices for prepayment meters are brought into line with other payment options so that those who are most economically vulnerable are not paying more for basic utilities.”

A full debate took place regarding the terms of the Motion and the Council

Decided: to agree the terms of the Motion.

Councillor Dixon left the meeting at this point.

9. Formal Questions.

In terms of Council Standing Order No. 26.2, there were submitted (tabled) [Formal Questions](#) from Councillors Saxton and McGinley, along with responses.

- (1) Councillor Saxton raised supplementary questions in relation to his Formal Questions as follows:-
 - (a) Freemans Hall, Prestwick – as two windows had been broken, could officers deal with this to prevent further vandalism; and the Service Lead – Asset Management and Community Asset Transfer advised that this would be taken care of;
 - (b) Prestwick Allocation of the VAT recovery funds – could further information be provided; and the Assistant Director – Place advised that she would seek further information from the Service Lead – Professional Design Services and respond to Councillor Saxton in writing;
 - (c) Refurbishment of Citadel – the price could increase as only some of the work was itemised; and the Assistant Director – Place advised that she would seek further information from the Service Lead – Professional Design Services and respond to Councillor Saxton in writing; and
- (2) Councillor McGinley raised supplementary questions in relation to his Formal Questions as follows:-
 - (a) Cost of Living Council Support – the Leader gave details of the meetings he attended to examine this issue and the outcome of the meeting appears to be the preparation of a South Ayrshire Lifeline magazine providing advice and guidance in conjunction with VASA – you are looking at cost of living Council support and you issue a magazine on advice and guidance on spending money, how does this deal with the cost of living crisis? Councillor Dowey responded that the magazine was a VASA project which the Council had supported financially; and that the Council had a cross-party Working Group which was Chaired by Councillor Dettbarn and would meet in due course;
 - (b) Air Show – what due diligence was taken in terms of the process to ensure the successful applicant was an appropriate partner? Councillor Dowey advised that he had no involvement in the procurement process and this would be a question for officers to respond to. The Service Lead – Procurement then advised that the bids for the air show had followed the Council's "quick quote" procurement process which included a number of selection criteria for all bidders including their acceptance of the Council's terms and conditions, criminal convictions, business priorities, etc, therefore the process had been followed for this particular exercise;

- (c) Council budget – I note that there is a significant deficit and that there was reference to the Labour Group not participating in the Budget Working Group and that was because we do not agree with the priorities of the administration and, therefore, we could not support you or give you ideas because we have different priorities. In terms of the difficult funding situation, I have had representations from parents and others that they are concerned about the Education Budget and I also note that you have not made a decision regarding non-compulsory redundancies, these are two areas of concern to the Labour Group, could you assure people that you are going to manage this deficit in a way that does not affect frontline services; and Councillor Dowey advised that the decisions of the Budget Working Group would be provided in due course; and that whilst he appreciated the reasons for not joining the Working Group, the position would remain open for the Labour Group to provide their input;
- (d) Council Appointment on NHS Board – so your response is saying that my appointment on the Board was dependent on supporting the administration's agenda? Councillor Dowey advised that this was not the case, however, he would respond to Councillor McGinley in writing regarding this; and
- (e) Lighting up the Wallace Tower – I did think this was a gesture, however, I accept that you think it was not. If it was not a gesture, why were the colours red, white and blue and not the Queen's colours of yellow and red? Councillor Dowey then outlined that he had answered this question within the written responses.

10. **Closing Remarks.**

The Provost thanked all in attendance for their contribution.

The meeting ended at 12.35 p.m.

**EXCERPT FROM THE MINUTES OF
THE CABINET
OF 1 NOVEMBER 2022**

Finance, Human Resources and ICT.

C

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).

**EXCERPT FROM THE MINUTES OF
THE CABINET
OF 29 NOVEMBER 2022**

Tourism, Culture and Rural Affairs.

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

Reference was made to the Minutes of the Audit and Governance Panel of 23 November 2022 (Page 3, paragraph 3) when that Panel had considered the terms of a call-in from the Cabinet of 1 November 2022 (Page 3, paragraph 3) and subsequent consideration at the Audit and Governance Panel on 9 November 2022 (Page 2, paragraph 2) in relation to the proposal to deliver an Airshow in September 2023, 2024, 2025, 2026 and 2027.

It was noted that the Audit and Governance Panel meeting on 23 November 2022 had agreed the undernoted, as detailed at (1) to (4) below and that the matter be referred back to the Cabinet for consideration:-

- (1) to note the financial projections contained in Appendix 1 of the report;
- (2) to request that officers present further more detailed financial information to Members through the budget setting process and in advance of the meeting of the Council on 2 March 2023;
- (3) to agree part of the decision of Cabinet at its meeting of 1 November 2022, namely paragraphs 3.2(1), 3.2(3), 3.2(4) and 3.2(5) of the report; and
- (4) to refer the matter back to Cabinet recommending that officers be requested to present a detailed financial report to Audit and Governance Panel on 22 February 2023.

The Panel heard from the Chair of the Audit and Governance Panel and the Portfolio Holder for Tourism, Culture and Rural Affairs.

Following discussion, the Cabinet

Decided: to agree

- (a) to confirm the decision taken at the meeting of the Cabinet on 1 November 2022, namely:-
 - (i) to agree that officers progress with the planning of the Airshow including work to identify sponsors;
 - (ii) 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;
 - (iii) to approve the name for the Airshow - The International Ayr Show – Festival of Flight;
 - (iv) to approve the proposal to have the Royal Air Force Benevolent Fund as the charity partner for the event; and
 - (v) to note the progress made by the SKYLAB in relation to expressions of interest with military display teams.
- (b) therefore, that the matter be referred to a meeting of the Council to be held on 15 December 2022 for determination; and
- (c) that the Chief Executive would confirm the position in respect of any outstanding debt from the last Airshow in South Ayrshire to Members.

**EXCERPT FROM THE MINUTES OF
AUDIT AND GOVERNANCE PANEL
OF 23 NOVEMBER 2022**

Continuation of Call in from Cabinet – “Proposal to Deliver an Airshow in September 2023, 2024, 2025, 2026 and 2027”

Reference was made to

- (1) the Minutes of the Cabinet of 1 November 2022 (Page 3, paragraph 8) when the Cabinet had decided
 - (a) to agree that officers progress with the planning of the Airshow including work to identify sponsors;
 - (b) 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;
 - (c) to approve the name for the Airshow - The International Ayr Show – Festival of Flight;
 - (d) to approve the proposal to have the Royal Air Force Benevolent Fund as the charity partner for the event; and
 - (e) to note the progress made by the SKYLAB in relation to expressions of interest with military display teams; and
- (2) the Minutes of the Audit and Governance Panel of 9 November 2022 (Page 2, paragraph 2) when the Panel had decided that officers progress the planning of the Airshow as per the Cabinet decision of 1 November 2022, with the proviso that officers bring forward information on a robust scoping exercise and indicative costs to a future meeting of this Panel, prior to the budget setting meeting of South Ayrshire Council of 2 March 2023.

Following the decision of the meeting of this Panel of 9 November 2022, there was submitted a [report](#) (issued) of 22 November 2022 by the Director of Strategic Change and Communities providing information on a scoping exercise with indicative costs for the delivery of an Airshow in September 2023; and seeking approval to progress with the recommendations as outlined in the report.

The Director advised that extensive work was required in the planning and delivery of an Airshow and that a scoping exercise had been carried out which involved scrutinising previously available financial information and consultation with the Council's strategic partner which subsequently allowed for the provision of an estimated indicative financial projection (attached as Appendix 1 to the report). She further advised that detailed projections could not be produced until potential sponsors had been contacted and until the charity partner could contact their potential sponsors and advertisers, which once carried out, further information on this and other indicative projections could be further interrogated and details brought forward in the budget setting process.

Questions were raised by Panel Members in relation to:

- (i) the period of funding; and the Director of Strategic Change and Communities advised that funding had been sought for a period of 5 years, ie 2023, 2024, 2025, 2026 and 2027; and that separately the contract with the Council's strategic partner was on a 2+1+1+1 basis;
- (ii) whilst acknowledging the challenges faced by Officers, the lack of robust financial information was a concern and what options were open to the Panel when considering the report; and the Chief Executive outlined the options open to the Panel when considering this call-in which were:
 - (A) to agree the Cabinet decision of 1 November 2022; or
 - (B) to refer the matter back to Cabinet, with recommendations, for final determination..

Adjournment

The time being 2.46 pm., the Panel adjourned for twenty five minutes.

Resumption of Meeting

The meeting resumed at 3.11 p.m.

Councillor Bell, seconded by Councillor Kilpatrick, moved that the Panel

- (I) note the financial projections contained in Appendix 1 of the report;
- (II) request that officers present further more detailed financial information to Members through the budget setting process and in advance of the meeting of the Council on 2 March 2023; and
- (III) agree the decision of Cabinet at its meeting of 1 November 2022, as outlined at paragraphs 3.2(1), 3.2(2), 3.2(3), 3.2(4) and 3.2(5) of the report.

By way of Amendment, Councillor McGinley, seconded by Councillor Ramsay, moved that the Panel

- (aa) note the financial projections contained in Appendix 1 of the report;
- (bb) request that officers present further more detailed financial information to Members through the budget setting process and in advance of the meeting of the Council on 2 March 2023;
- (cc) agree part of the decision of Cabinet at its meeting of 1 November 2022, namely paragraphs 3.2(1), 3.2(3), 3.2(4) and 3.2(5) of the report; and
- (dd) refer the matter back to Cabinet recommending that officers be requested to present a detailed financial report to Audit and Governance Panel on 22 February 2023.

A Panel Member requested a roll call vote and the Service Lead – Democratic Governance then took the vote by calling the roll as follows:-

Peter Henderson	Amendment
Kenneth Bell	Motion
Chris Cullen	Amendment
Mary Kilpatrick	Motion
Brian McGinley	Amendment
Cameron Ramsay	Amendment
Gavin Scott	Amendment
George Weir	Amendment

Six Members voted for the Amendment and two for the Motion. The Amendment was accordingly declared carried and the Panel

Decided:

- (AA) to note the financial projections contained in Appendix 1 of the report;
- (BB) to request that officers present further more detailed financial information to Members through the budget setting process and in advance of the meeting of the Council on 2 March 2023;
- (CC) to agree part of the decision of Cabinet at its meeting of 1 November 2022, namely paragraphs 3.2(1), 3.2(3), 3.2(4) and 3.2(5) of the report; and
- (DD) to refer the matter back to Cabinet recommending that officers be requested to present a detailed financial report to Audit and Governance Panel on 22 February 2023.

South Ayrshire Council

**Report by Director of Strategic Change and Communities
to Audit and Governance Panel (Special)
of 23 November 2022**

Subject: Proposal to Plan an Airshow in September 2023

1. Purpose

- 1.1 The purpose of this report is to provide information on a scoping exercise with indicative costs for the delivery of an Airshow in September 2023 and to seek approval to progress the recommendations outlined below.

2. Recommendation

2.1 It is recommended that the Panel:

- 2.1.1 notes the financial projections contained in [Appendix 1](#);
- 2.1.2 notes that officers will present further more detailed financial information to Members through the budget setting process and in advance of the meeting of the Council on 2 March 2023; and
- 2.1.3 either agrees the original decision of Cabinet as outlined at paragraph 3.2 or refers the matter back to Cabinet with an alternative proposal.

3. Background

- 3.1 In August 2022, Cabinet agreed that officers progress with the procurement of a strategic partner to deliver an event in September 2023.

- 3.2 A report was presented to Cabinet on 1 November 2022 to update on the progress of planning the Airshow and requesting that Cabinet agree the following recommendations:

- (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 5 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.

3.3 This paper was 'called in' by the Audit and Governance Panel who agreed ' that officers progress the planning of the Airshow as per the Cabinet decision of 1 November 2022, with the proviso that officers bring forward information on a robust scoping exercise and indicative costs to a future meeting of this Panel, prior to the budget setting meeting of South Ayrshire Council of 2 March 2023'.

4. Proposals

4.1 There is extensive work required in the planning and delivery of an Airshow. A scoping exercise has been carried out which involved scrutinising previously available financial information and consultation with our strategic partner. This has allowed us to produce an estimated indicative financial projection which is attached at [Appendix 1](#). Assumptions have been made in relation to potential sponsorship income. Further and more detailed projections cannot be produced until potential sponsors are contacted and until the charity partner can contact their potential sponsors and advertisers. Once this is done further information on this and other indicative projections can be further interrogated and details brought forward in the budget setting process referred to below.]

4.2 It is proposed that officers bring back further, more detailed financial information through the budget setting process and in advance of the meeting of the Council on 2 March 2023

4.3 Members of Audit and Governance Panel are now requested to either agree the original decision of Cabinet or refer the matter back to Cabinet with alternative recommendations.

5. Legal and Procurement Implications

5.1 The recommendations in this report are consistent with legal requirements and reflect appropriate advice.

5.2 There are no procurement implications arising from this report.

6. Financial Implications

6.1 Any detailed financial implications will be provided through the budget setting process and in advance of the meeting of the Council on 2 March 2023.

7. Human Resources Implications

7.1 Not applicable.

8. Risk

8.1 Risk Implications of Adopting the Recommendations

8.1.1 New risks have been identified and will be managed within existing operational activities and reference to the status of mitigations will be available through the South Ayrshire Council Strategic Risk Register.

8.2 **Risk Implications of Rejecting the Recommendations**

8.2.1 The risk associated with rejecting the recommendations is that officers would not be able to progress with the potential delivery of an Airshow.

9. **Equalities**

9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. A copy of the Equalities Scoping Assessment is attached as [Appendix 2](#). There are no significant potential positive or negative equality impacts of agreeing the recommendations therefore an Equalities Impact Assessment is not required in relation to this paper. However, when planning for the event a full EQIA will be completed from the outset as an integral part of the process and it will be updated throughout.

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 Commitments 4 and 6 of the Council Plan: South Ayrshire Works/ Make the most of the local economy; and A Better Place to Live/ Enhanced environment through social, cultural and economic activities.

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 Alec Clark, Portfolio Holder for Tourism, Culture and Rural Affairs, and the contents of this report reflects any feedback provided.

14. **Next Steps for Decision Tracking Purposes**

14.1 If the recommendations above are approved by Members, the Director of Strategic Change and Communities 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:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Progress the planning of the Airshow including work to identify sponsors	2 March 2023	Assistant Director – Communities and Service Lead – Destination South Ayrshire

Background Papers **Report to Leadership Panel (Special) of 1 March 2022 – [Tourism and Events Strategy](#)**

Report to Cabinet of 1 November 2022 – [Proposal to Deliver an Airshow in September 2023, 2024, 2025, 2026 and 2027](#)

Person to Contact **Jane Bradley – Director – Strategic Change and Communities
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**Laura Kerr, Service Lead – Destination South Ayrshire
Carnegie Library, 12 Main Street, Ayr, KA8 8EB
Phone 01292 616421
E-mail laura.kerr4@south-ayrshire.gov.uk**

Date: 22 November 2022

**Estimated Income and Expenditure
Proposed Air Show 2023**

Income	£
SAC Grant	300,000
Sponsorship and advertising	80,000
Concessions	40,000
Parking, programme and merchandise	30,000
VIP tickets	10,000
Catering	40,000
Total	500,000

Expenditure	£
STEM	30,000
Aviation support	12,000
Aircraft assets and event insurance	100,000
Tents, marquees, portacabin and toilets	30,000
Traffic management and car parks	25,000
Marketing	20,000
Police	30,000
Generators	8,000
Park and ride	2,000
Medical	20,000
Stewards and security	30,000
Event management and infrastructure	100,000
Total	407,000

Total	£
Estimated income	500,000
Estimated expenditure	407,000
Estimated balance	93,000

**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	Proposal to Deliver an Airshow in September 2023, 2024, 2025, 2026 and 2027
Lead Officer (Name/Position/Email)	Laura Kerr

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		X
Disability		X
Gender Reassignment (Trans/Transgender Identity)		X
Marriage or Civil Partnership		X
Pregnancy and Maternity		X
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers		X
Religion or Belief (including lack of belief)		X
Sex – (issues specific to women & men or girls & boys)		X
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight		X
Thematic Groups: Health, Human Rights & Children's Rights		X

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		X
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		X
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		X
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)		x
Socio-economic Background – social class i.e. parent’s education, employment and income		x

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

<p>Is a full Equality Impact Assessment required? (A full Equality Impact Assessment must be carried out if impacts identified as Medium and/or High)</p>	<p>YES <input type="checkbox"/></p> <p>NO X <input checked="" type="checkbox"/></p>
<p>Rationale for decision:</p> <p>A full Equality Impact Assessment is not required in relation to the paper, however a full EIA will be completed from the outset as an integral part of planning for the event and it will be updated throughout the process.</p>	
<p style="text-align: center;"><i>Laura Kew</i></p> <p>Signed :Service Lead – Destination South Ayrshire</p> <p>Date:10/10/21.....</p>	

**EXCERPT FROM THE MINUTES OF
AUDIT AND GOVERNANCE PANEL
OF 9 NOVEMBER 2022**

Call-in from Cabinet– “Proposal to Deliver an Airshow in September 2023, 2024, 2025, 2026 and 2027”

Reference was made to the Minutes of the Cabinet of 1 November 2022 (Page 3, paragraph 8) when the Cabinet had 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.

There were submitted two [call-ins](#) (issued) from Councillors William Grant and Duncan Townson and [Responses/Feedback](#) from Officers to the reasons for the call-ins (issued).

The Panel then heard Councillors William Grant and Duncan Townson outline the details of their call-ins; and the Director of Strategic Change and Communities responded to the points raised by both Members as follows:-

- (a) that the Council had entered into a partnership contract with SKYLAB who had been involved in delivering previous airshows and that the cost of the contract would be met through the Significant Events Fund;
- (b) that officers were currently working on proposals for the events village such as food and beverages, car parking, VIP ticketed packages and land based entertainment to generate income for the Council which would be applied to offset the cost of delivering the Airshow;
- (c) that works could progress to identify sponsors, in conjunction with the Royal Airforce Benevolent Fund, once approval was granted to commence; and that she was confident that the Council could attract sponsorship packages from a wide range of organisations, some of which had already expressed an interest and that this would be marketed widely;

- (d) that having, reviewed the financial statements of the previous company who had run the Airshow, she was confident that the Council could break even or hopefully generate income over the first few years of the Airshow;
- (e) that the contract with SKYLAB was a 2 +1 + 1 + 1 contract which and that the Council required to register an interest in having military aircraft at the Airshow in the September of the year prior to the airshow;
- (f) that this was likely to be the only Airshow north of Blackpool next year which would attract significant interest with interest also registered in civilian aircraft and a number of ground attractions being examined;
- (g) that the Council would engage with local businesses to ensure that they benefited from this event and that, as the plan was to hold a three day event, visitors to the area would use local accommodation and other local businesses;
- (h) that the intention was that the Airshow would generate income in future years as it was an event of significant importance to South Ayrshire as a driver for tourism and supporting the regeneration of the local economy;
- (i) that the budget for this event would be submitted for consideration of Members at the meeting of South Ayrshire Council of 2 March 2023 and that the intention was to include the proposals for the funding of the Airshow as part of that; and
- (j) that it was difficult to be clear at present on what could be achieved in conjunction with partner organisations as approval had not yet been granted to formally approach partners; and that this report was seeking approval to liaise with the partners.

Following further comments from Councillor Grant that this was an event of national significance and that sponsorship should be sought from large national companies; and that assurances were required that other local events would not be affected due to staff being involved in this large event; the Director of Strategic Change and Communities advised that the Events Team was currently recruiting an officer who would be dedicated to developing and organising the Airshow, along with staff from a range of other services who had previously been involved in arranging this event as she was aware of the significance and size of the event and the number of staff required to arrange this, which was why approval was being sought at this time as an event of this size required a long-term plan, however she was confident this could be delivered.

Following a further question from Councillor Townson on what guarantees could be given to local businesses that the Airshow would support them economically and support the local economy throughout South Ayrshire; the Director of Strategic Change and Communities and the Service Lead – Destination South Ayrshire, Culture and Sport advised

- (i) that local businesses would be given an opportunity through the procurement process to apply to take concessions within the local village;
- (ii) that, although it was acknowledged that some visitors would drive to the event, park then leave following the event, it was hoped to encourage visitors to stay and use hotels, restaurants and shops;

- (iii) that this event would showcase South Ayrshire as a fantastic place to visit and it was hoped to have a calendar of events arranged for South Ayrshire to issue to the visitors to the Airshow to encourage them to return to the area; and
- (iv) that an app was shortly being launched which visitors to the area could download highlighting what was on offer in the area; and that activities would be taking place at the bottom of the High Street to ensure that the town centre was seen as part of the wider festival and that the businesses in the High Street also benefited from the increased footfall.

Councillor Clark, as Portfolio Holder with responsibility for this matter then responded to the comments made by Councillors Grant and Townson and referred to the organisation of the previous Airshows when the Council had less input in the organisation and staging of the event and had provided monies to a company to stage the previous airshows however, the Council had management control over the ground activities for the proposed upcoming Airshow and he had confidence that Skylab had the technical expertise to deal with the aircraft; and that he had confidence in Skylab and the Council Officers managing the event. He further advised that, as a major event, this was a chance to promote South Ayrshire and stimulate the economy while also promoting other upcoming events.

A full discussion took place and comments were made by Panel Members in relation to:-

- (A) this matter being "called in" twice detailing similar concerns which outlined that the level of information required to make a proper decision was not provided within the original report which was concerning;
- (B) that, whilst there was confidence in the Council Officers to deliver this event, there was no evidence to show that this event had been sufficiently planned and developed at this point;
- (C) that, as there was no financial plan, business plan, environmental impact plan, insurance costs or mitigations outlined within the report, this raised concerns and more information was required to allow the event to go forward;
- (D) that, as £300,000 was the base budget and marketing, clean-up and insurance costs etc would require to be included, there were concerns that, at a time when the Council was required to make significant cuts to balance the budget, the cost of the Airshow could have a significant impact on service delivery, as well as the environmental impact;
- (E) certain elements of the planning of this event required to be in place prior to the approval of the Airshow; and
- (F) concerns that the Council could not withdraw from the contract with SKYLAB after year one but could only withdraw after year two.

The Director of Strategic Change and Communities responded to the above comments by advising that this report was seeking approval to progress with the planning and delivery of the Airshow and that, until this approval was granted, she was unable to produce a more detailed plan but, if approval was granted, she would develop these plans and they would be subject to continuous review and be fully evaluated following the first event which would then inform the future delivery and any amendments to the future delivery plan; that an officer dedicated to this event was being recruited and the Events Team would be assisting with the delivery of this event and she was very confident in the Council's ability to deliver the Airshow; that the Administration had outlined its support of the event and there had been significant interest from the people of South Ayrshire; and that she appreciated the Member's confidence in the Officers concerned.

Questions were raised by Panel Members in relation to:-

- (I) the financial accounts of the previous company who managed the Airshow; and the Director of Strategic Change and Communities advised that, having examined the accounts of this company along with the Council's potential income generation, she was confident that the Council could deliver the Airshow within the budget sought;
- (II) the reference to £300,000 within the written responses as a potential increase from that allocated to the last airshow was to take account of increased costs for staging the event and this would be reviewed annually and the £1.5m was proposed but not fixed; and the Director of Strategic Change and Communities advised that, as part of the budget setting process, the £300,000 was allocated for the delivery of the Airshow, however, it was hoped that the income generated in the first few years would negate the requirement for these monies in future years. She further advised that, in advance of delivering the Airshow, deposits required to be paid but that these would be offset by the income generated by the event which was why it was requested that this was built into the process for the next five years;
- (III) the event being met through the Significant Events Budget and whether this would have an impact on other events within South Ayrshire or any future events; and the Director of Strategic Change and Communities advised that the Council was currently committed to a two year contract with SKYLAB and was requesting a base budget of £300,000 at present, no funding above that figure;
- (IV) whether running the Airshow would affect the Council's Carbon Budget; and the Service Lead – Destination South Ayrshire, Culture and Sport advised that SKYLAB had joined the British Air Display Association which represented all areas of the British Air Display Industry and encouraged and advanced safety and standards, encouraged members of the Association to embrace the air display's environmental sustainability charter and that they would be creating an environmental action plan with the aim of reducing climate impact. She further advised that the Council, as part of the five year proposition, would aim to make the Airshow the UK leader in carbon offsetting and responsible design and would look to justify each aircraft booking responsibly.

Councillor Clark, as Portfolio Holder, responded to the questions and comments by Panel Members and advised that the questions raised at Cabinet outlined that scrutiny had taken place when approving this report; that the Council was being responsible with the contract agreed with SKYLAB; and that, with the Council's professional partners, a significant and successful Airshow could take place for the people of South Ayrshire.

The Chair then thanked all Panel Members for their contribution and outlined that the role of this Panel was to scrutinise reports to ensure best value for the people of South

Ayrshire, however, he outlined concerns with the monies required to produce this Airshow due to current pressures on Council budgets and also concerns regarding the environmental impact of those travelling to and from the event. The Director of Strategic Change and Communities advised that the Council would be encouraging visitors to the event to view this as a weekend event as there would be other activities provided and, therefore use the local guest houses and restaurants; and that it was anticipated that large numbers of people would visit the event during the course of the weekend and that the event would showcase Ayr and also the whole of South Ayrshire.

The Chair then outlined the options open to the Panel when considering this call-in.

Councillor McGinley, seconded by Councillor Cullen, moved that the Panel continue consideration of this matter to the next meeting of this Panel scheduled to be held on 7 December 2022 to allow officers to compile a robust scoping exercise and indicative costs.

The Panel heard the Service Lead – Democratic Governance advise that this Motion could not be practically realised due to the short timescales; and heard from the Chief Executive and the Head of Legal and Regulatory Services in relation to the decision of the Cabinet of 1 November 2022; outlining that the £300,000 would be submitted for approval as part of the budget-setting process; and that to allow officers to develop the proposals and come forward with a business plan, officers required to be granted approval to undertake planning for the event.

Councillor McGinley as Mover of the Motion, agreed to Amend the Motion, with the agreement of the Seconder, Councillor Cullen to:-

“that officers progress the planning of the Airshow as per the Cabinet decision of 1 November 2022, with the proviso that officers bring forward information on a robust scoping exercise and indicative costs to a future meeting of this Panel, prior to the budget setting meeting of South Ayrshire Council of 2 March 2023”.

The Panel

Decided: that officers progress the planning of the Airshow as per the Cabinet decision of 1 November 2022, with the proviso that officers bring forward information on a robust scoping exercise and indicative costs to a future meeting of this Panel, prior to the budget setting meeting of South Ayrshire Council of 2 March 2023.



**Audit and Governance Panel
Call-In Requisition**

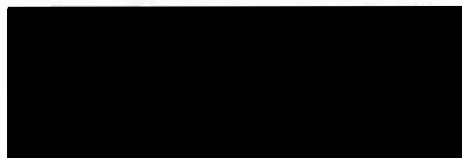
We, the undersigned, require that the following decision of the Cabinet be called-in to the next meeting of the Audit and Governance Panel.

Date of Cabinet	01/11/22
Item No.	6(a)
Report Title	Proposal to deliver Airshow in September 2023, 2024, 2025, 2026 and 2027

Signature

Print Name

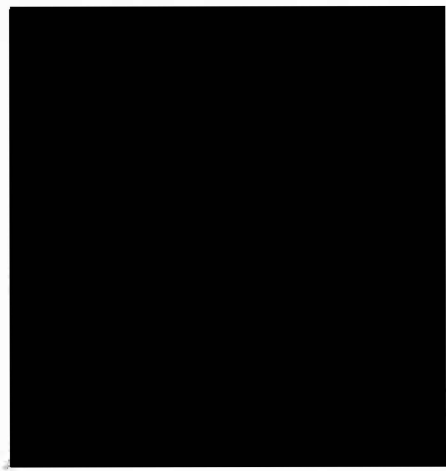
(1) Councillors responsible for call in:



William Grant

(2) Councillors supporting call-in (three required):

(a)



Julie Dettbarn

(b)

Craig Mackay

(c)

Mark Dixon

Date: 2 Nov 2022

Reason

In order to improve information for Councillors, to assist officers in briefing the Panel and to improve the quality of Scrutiny, we confirm that the item is being called-in for the following reason(s).

Councillors are reminded that the 'reasons' section should be completed with sufficient detail as to allow members of the Audit and Governance Panel and officers to appreciate the cause for concern prompting the call-in. (This may be by reference to a part or parts of the Report or Decision or by describing an issue which may not have been adequately addressed or by requesting the provision of additional information which should be specified). Where a call-in requisition contains any questions, or requests for further or additional information, officers, in consultation with the relevant Portfolio holder, shall, where possible, provide written responses to be intimated to all Councillors in advance of the Panel. Receipt of responses to questions shall not itself preclude further scrutiny of the item called-in for the reason set out in this form.

The paper proposes the Council host an Airshow for 5 consecutive years at a total cost of £1.5m; however, the costs outlined appear only to be the payment to the partner organization and take no account of the costs of operating the event village.

We agree that a proportionate degree of public subsidy for an event that claims to significant economic benefit is justifiable. Evidence is therefore requested on the anticipated income streams that would realise the break-even position in year 1 suggested by portfolio carriers during the meeting.

What assurances are factored into the initial funding that will ensure that over time the event will move towards being self-sustaining, and why would this still necessitate a flat rate £300k expenditure by the council for each of the five years?

Should income projections prove to be unachievable, what risks have been assessed in SAC's ability to fund this event for the full five years, given other increasing pressures on revenue budgets and the current financial instability (inflation, spiralling costs etc)?

What measures have been considered to maximise the benefit of the event to local businesses, and in particular to ensure that we attract visitors from outwith Ayrshire and that visitors generate significant footfall in the town centre and not just at the Low Green?

Note

Call-ins must be delivered to the Chief Executive no later than 4.00 pm on the day (usually Thursday) two days following the day (usually Tuesday) on which the Cabinet has met.

Time Received..... 13:37 hrs Date Received 02-Nov-22 Received by 

**Audit and Governance Panel
Call-In Requisition**

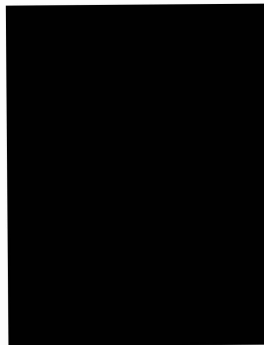
We, the undersigned, require that the following decision of the Cabinet be called-in to the next meeting of the Audit and Governance Panel.

Date of Cabinet	01/11/22
Item No.	6(a)
Report Title	Proposal to deliver Airshow in September 2023, 2024, 2025, 2026 and 2027

Signature

Print Name

(1) Councillors responsible

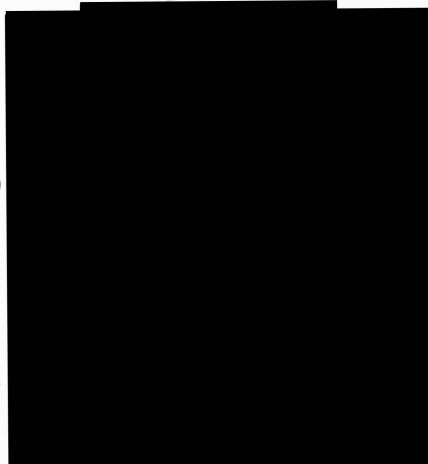


for call-in

DUNCAN TOWNSON...

(2) Councillors supporting call-in (three required):

(a)

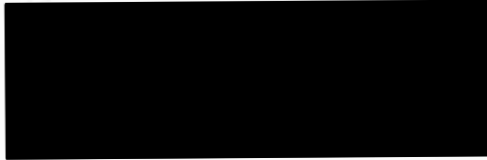


PHILIP SAXTON

(b)

IAN COCHRANE

(c)



LAURA BRENNAN-WHITEFIELD

Date 03/11/22.....

Reason

In order to improve information for Councillors, to assist officers in briefing the Panel and to improve the quality of Scrutiny, we confirm that the item is being called-in for the following reason(s).

Councillors are reminded that the 'reasons' section should be completed with sufficient detail as to allow members of the Audit and Governance Panel and officers to appreciate the cause for concern prompting the call-in. (This may be by reference to a part or parts of the Report or Decision or by describing an issue which may not have been adequately addressed or by requesting the provision of additional information which should be specified). Where a call-in requisition contains any questions, or requests for further or additional information, officers, in consultation with the relevant Portfolio holder, shall, where possible, provide written responses to be intimated to all Councillors in advance of the Panel. Receipt of responses to questions shall not itself preclude further scrutiny of the item called-in for the reason set out in this form.

The proposal outlines a plan for Council to host the Airshow for 5 years at a total cost of £1.5m.

1. In the current economic climate, and with a budget cut of around £14m to be identified, in what terms can this proposal be regarded as best value and good use of public funds?
2. What is the rationale for committing the Council to 5 year funding when:
 - (a) The first show has not taken place;
 - (b) Partners and event organisers have no track record in operating a show of this magnitude; and
 - (c) We do not know the state of Council finances or structure, 5 years out.
3. What are the budget implications of adding this £300k to the budget process in 2023/24?
4. What are the financial contributions from partner organisations?
5. What are the expected level of contributions from sponsors and what arrangements are in place if these levels do not materialise?

Note

Call-ins must be delivered to the Chief Executive no later than 4.00 pm on the day (usually Thursday) two days following the day (usually Tuesday) on which the Cabinet has met.

Time Received..... 11.04 Date Received 03-Nov-22 Received by 

**EXCERPT FROM THE MINUTES OF
THE CABINET
OF 1 NOVEMBER 2022**

Tourism, Culture and Rural Affairs.

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.

South Ayrshire Council

Report by Director of Strategic Change and Communities to Cabinet of 1 November 2022

Subject: Proposal to Deliver an Airshow in September 2023, 2024, 2025, 2026 and 2027

1. Purpose

- 1.1 The purpose of this report is to seek agreement from the Cabinet to progress with the planning and delivery of an Airshow in September 2023, 2024, 2025, 2026 and 2027.

2. Recommendation

2.1 It is recommended that the Cabinet:

- 2.1.1 agrees that officers progress with the planning of the Airshow including work to identify sponsors;
- 2.1.2 approves that funding for the Airshow of £300,000 per year, for a period of 5 years, will be considered as part of the budget setting process for 2023-2024;
- 2.1.3 approves the name for the Airshow - The International Ayr Show – Festival of Flight;
- 2.1.4 approves the proposal to have the Royal Air Force Benevolent Fund as our charity partner for the event; and
- 2.1.5 notes the progress made by the SKLAB in relation to expressions of interest with military display teams.

3. Background

- 3.1 In March 2022, the Leadership Panel approved the [Tourism and Events Strategy](#). The strategy is driven by a clear focus on eight key offers, one of which is events and festivals.
- 3.2 Within the implementation of the strategy, there is a need to develop and assertively promote an annual programme of events and activities that benefit the wider local economy.
- 3.3 In August 2022, Cabinet agreed that officers progress with the procurement of a strategic partner to deliver an event in September 2023 on a contract which would be delivered on a 2 + 1 + 1 + 1 basis.

3.4 After an open procurement process, the successful bidder was the SKYLAB and they were appointed as the Council's strategic partner on 28 September 2022. The cost for this contract will be met through the existing significant events fund.

4. Proposals

4.1 The SKYLAB have already made initial notifications of interest in booking the following military displays:

- The Red Arrows;
- The Typhoon;
- The F35 Role Demonstration;
- RAF Falcons Parachute Display Team;
- Battle of Britain Memorial Flight – Spitfire, Hurricane and Lancaster;
- Chinook Transport Helicopter;
- Apache Battlefield Support Helicopter; and
- Grob Tutor Elementary Basic Trainer.

4.2 A range of enquiries have also been made in relation to civilian aircraft

4.3 Air Displays must be co-ordinated by a qualified and experienced Flight Director. The SKYLAB have also confirmed that they are in the process of securing the services of a Flight Director with significant experience of delivering Airshows.

4.4 A proposed calendar of events for 2023 will be brought to a future Cabinet meeting for consideration. However work must be progressed quickly to ensure sufficient time to organise a significant event like an Airshow.

4.5 It is therefore proposed that Cabinet agree that officers proceed with the planning towards the delivery of the Airshow in September 2023, 2024, 2025, 2026 and 2027 and agree that an allocation of £300,000 per year towards the delivery of the event, will be considered as part of the budget setting process.

4.6 It is also proposed that Officers begin work to identify additional sponsors for the event to raise additional funding.

4.7 It is proposed to name the event 'The International Ayr Show – Festival of Flight'.

4.8 It is also proposed that our Charity Partner for this event is the Royal Air Force Benevolent Fund.

5. Legal and Procurement Implications

5.1 The recommendations in this report are consistent with legal requirements and reflect appropriate advice.

5.2 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 Funding of £300,000 from the Council for each of the financial years 2023-24, 2024-25, 2025-26, 2026 – 2027 and 2027-2028 would require to be identified through the budget setting process. Initial costs will be met from the existing core budget of £50,000 pending the consideration of the recurring funding as part of the budget setting process.

7. Human Resources Implications

- 7.1 Not applicable.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

- 8.1.1 New risks have been identified and will be managed within existing operational activities and reference to the status of mitigations will be available through the South Ayrshire Council Strategic Risk Register.

8.2 *Risk Implications of Rejecting the Recommendations*

- 8.2.1 The risk associated with rejecting the recommendations is that Officers would not be able to progress with the potential delivery of an Airshow.

9. Equalities

- 9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. A copy of the Equalities Scoping Assessment is attached as [Appendix 1](#). There are no significant potential positive or negative equality impacts of agreeing the recommendations therefore an Equalities Impact Assessment is not required in relation to this paper. However, when planning for the event a full EIA will be completed from the outset as an integral part of the process and it will be updated throughout.

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 Commitments 4 and 6 of the Council Plan: South Ayrshire Works/ Make the most of the local economy; and A Better Place to Live/ Enhanced environment through social, cultural and economic activities.

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 Alec Clark, Portfolio Holder for Tourism, Culture and Rural Affairs, and the contents of this report reflects any feedback provided.

14. Next Steps for Decision Tracking Purposes

- 14.1 If the recommendations above are approved by Members, the Director of Strategic Change and Communities 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:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Deliver an Airshow in September 2023	30 September 2023	Director of Strategic Change and Communities; and Service Lead – Destination South Ayrshire
Bring a report to Cabinet before December 2023 providing an evaluation of the 2023 event and presenting recommendations for the 2024 event	December 2023	Director of Strategic Change and Communities; and Service Lead – Destination South Ayrshire
Deliver an Airshow in September 2024	30 September 2024	Director of Strategic Change and Communities; and Service Lead – Destination South Ayrshire

Background Papers **Report to Leadership Panel (Special) of 1 March 2022 – [Tourism and Events Strategy](#)**

Person to Contact **Jane Bradley – Director of Strategic Change and Communities**
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612045
E-mail jane.bradley@south-ayrshire.gov.uk

Laura Kerr, Service Lead – Destination South Ayrshire
Carnegie Library, 12 Main Street, Ayr, KA8 8EB
Phone 01292 616421
E-mail laura.kerr4@south-ayrshire.gov.uk

Date: 26 October 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	Proposal to Deliver an Airshow in September 2023, 2024, 2025, 2026 and 2027
Lead Officer (Name/Position/Email)	Laura Kerr

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		X
Disability		X
Gender Reassignment (Trans/Transgender Identity)		X
Marriage or Civil Partnership		X
Pregnancy and Maternity		X
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers		X
Religion or Belief (including lack of belief)		X
Sex – (issues specific to women & men or girls & boys)		X
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight		X
Thematic Groups: Health, Human Rights & Children's Rights		X

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		X
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		X
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		X
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)		x
Socio-economic Background – social class i.e. parent’s education, employment and income		x

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 <input type="checkbox"/> NO X <input checked="" type="checkbox"/>
Rationale for decision: A full Equality Impact Assessment is not required in relation to the paper, however a full EIA will be completed from the outset as an integral part of planning for the event and it will be updated throughout the process.	
<p style="text-align: center;"><i>Laura Kew</i></p> <p>Signed :Service Lead – Destination South Ayrshire</p> <p>Date:10/10/21.....</p>	

South Ayrshire Council

**Report by Chief Executive
to South Ayrshire Council
of 15 December 2022**

**Subject: Review of Political Decision Making Structure,
Members' Remuneration and Appointments to Panels**

1. Purpose

1.1 The purpose of this report is to seek consideration of changes to the Political Decision Making Structure, Members' Remuneration and Appointments to Panels.

2. Recommendation

2.1 It is recommended that the Council:

2.1.1 considers the contents of this report;

2.1.2 approves the amendments to the Political Decision Making Structure as outlined at 4.1;

2.1.3 approves the revisions to Members' Remuneration as outlined at 4.2 and 4.3;

2.1.4 requests that Group Leaders confirm appointments to the Service and Partnerships Performance Panel;

2.1.5 requests that the Head of Legal and Regulatory Services makes revisions to the proposed timetable of Panel meetings for the period August 2023 to June 2024;

2.1.6 requests that the Chief Executive arranges publication of the revised Scheme of Delegation incorporating any proposed amendments;

2.1.7 approves the change to membership of the Ayrshire Shared Services Joint Committee as detailed at 4.7; and

2.1.8 approves the change to the Vice-Chair of the Integration Joint Board as detailed at 4.8.

3. Background

3.1 A new decision-making structure was approved by the Council on 19 May 2022 (see [Appendix 1](#)) and appointments made to approved Panels.

3.2 In addition to the Leader of the Council and the Civic Head, each local authority may have a maximum number of Senior Councillors, and a total budget for paying them. The maximum set for South Ayrshire Council is 14 Senior Councillors within a budget of £342,524 for 2022/23.

3.3 On 19 May 2022, the Council approved 13 Senior Councillors – 7 members of Cabinet at £26,305 and 6 other members (Panel Chairs) at £23,704 – a total of £326,359. The number of Senior Councillors was reduced to 12 and cost reduced to £300,054 when Depute Leader was appointed to Ayrshire and Arran Health Board and reverted to receiving a basic allowance.

4. Proposals

4.1 Members of the Administration have requested the following changes to the Political Decision Making Structure:

- Cabinet - Creation of an additional Portfolio Holder for Developing South Ayrshire with oversight of future developments and special projects – Cllr Bob Shields;
- Merge Service and Performance and Partnerships Panels – Chair (SNP Group) and increase membership to 8 Elected Members including Chair;
- Membership of new Panel, Service and Partnerships Performance Panel, to comprise members as follows: Labour (1), SNP (4) and Conservative (3); and
- Chair of Appeals Panel be a member of the SNP Group rather than a member of the Labour Group.

4.2 The proposed changes outlined at 4.1 impact on the Members' Remuneration approved by Council in May 2022 and are summarised as follows:

- Additional Senior Councillor £26,305 (Portfolio Holder); and
- Reduction in Senior Councillor £23,704 (Panel Chair).

4.3 The Administration has also requested that the post of Depute Provost be a Senior Councillor and receive £23,704.

4.4 Group Leaders are requested to confirm the appointments to the Service and Partnerships Performance Panel.

4.5 Revisions to the proposed timetable of Panel meetings for the period August 2023 to June 2024 will be required if proposals contained within this report are approved.

4.6 Revisions to the Scheme of Delegation will also be required to reflect any proposed changes. The revised remit of the Service and Partnerships Performance Panel is detailed at [Appendix 2](#) (changes marked in **bold** text) and responsibilities of Portfolio Holder for Developing South Ayrshire at [Appendix 3](#).

4.7 The Administration have also requested that Councillor Bob Pollock replace Councillor Ian Davis on the Ayrshire Shared Services Joint Committee.

4.8 Councillor Lee Lyons is currently Vice-Chair of the Integration Joint Board (IJB). It is proposed that this role is now undertaken by Councillor Hugh Hunter who is a member of the Board. Councillor Lyons will remain as a member of the IJB.

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 The proposals outlined in this report will increase the cost of Members' Remuneration to £326,359 and the number of Senior Councillors to 13. This is within the permitted budget and overall number of Senior Councillors.

7. Human Resources Implications

7.1 Not applicable.

8. Risk

Risk Implications of Adopting the Recommendations

8.1.1 There are no risks associated with adopting the recommendations.

Risk Implications of Rejecting the Recommendations

8.2.1 There are no risks associated with rejecting the recommendations.

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 4](#).

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 consultation on the contents of this report.
- 13.2 Consultation has taken place with Councillor Martin Dowey, 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 Chief Executive 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 Leadership Panel in the 'Council and Leadership Panel Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Publish details of membership of Panels, etc	23 December 2022	Service Lead – Democratic Governance
Publish updated meeting timetable	23 December 2022	Service Lead – Democratic Governance
Updated Scheme of Delegation to be published and notified to employees	23 December 2022	Chief Executive

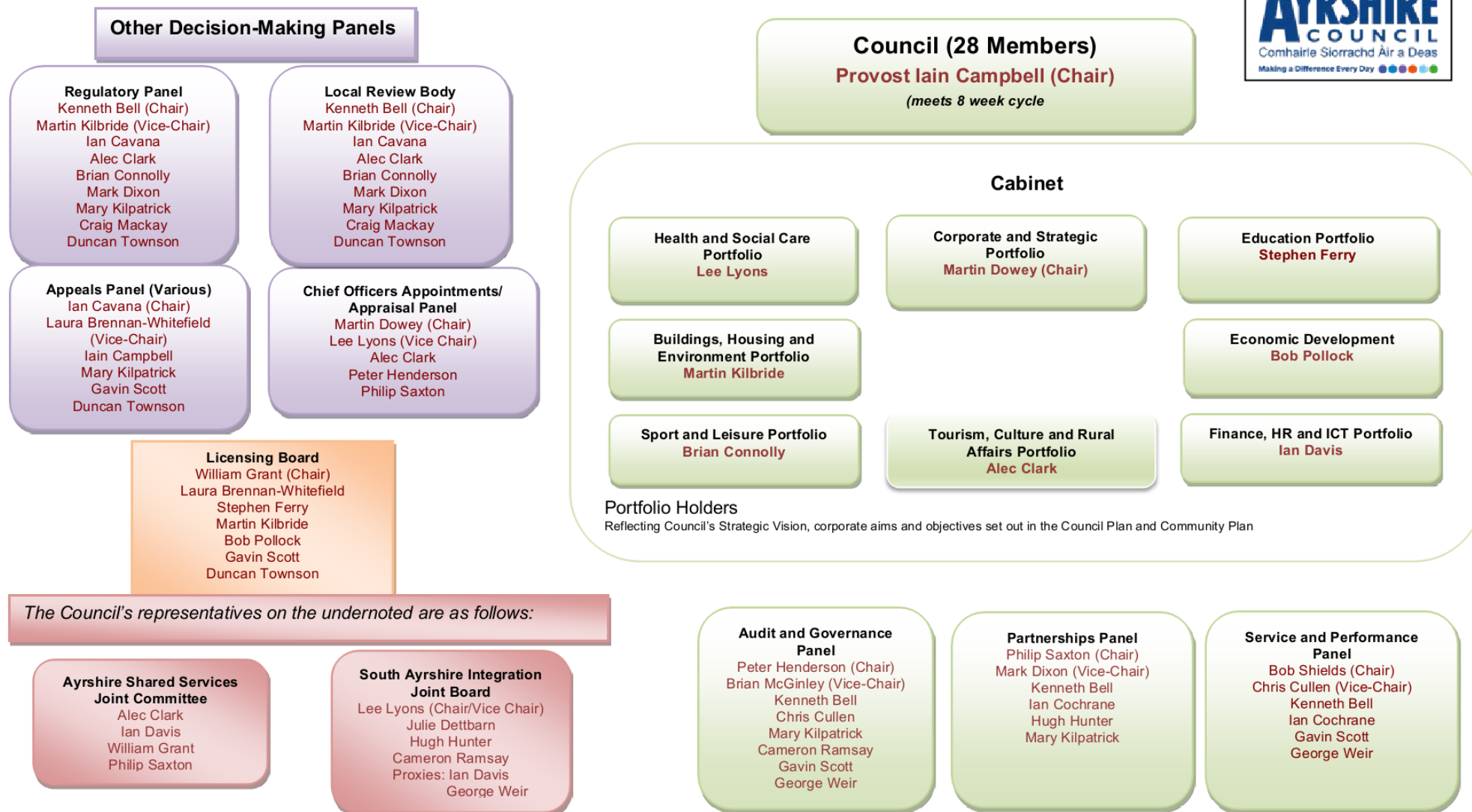
Background Papers **Report to South Ayrshire Council of 19 May 2022 – [Review of Political Decision Making Structure and Appointments to Panels](#)**

[Scheme of Delegation](#)

Person to Contact **Eileen Howat, Chief Executive**
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Date: 7 December 2022

Political Decision Making Structure



Terms of Reference and Delegations to Scrutiny Panels

Scrutiny Panels will focus on issues being decided on by the Cabinet and which support the Council Plan and the Council's Strategic Objectives and Outcomes.

In *all but one case* the specific legislative powers of the Council have either been reserved to the Council itself or delegated to officers, Joint Boards, Committees, Sub-Committees, Joint Committees, Panels or the Cabinet. The *one exception* is in the case of the Council's statutory audit function which has been delegated to the Audit and Governance Panel.

The Audit and Governance Panel has a specific power to consider and determine call ins of decisions of the Cabinet (see section 4 below).

The **Service and Partnerships Performance** Panel will receive and consider petitions received by the Council from the public in accordance with the Petitions Protocol.

Otherwise the Scrutiny Panels' functions relate to the governance and scrutiny of decisions, performance and improvement activity and all recommendations arising from the carrying out of the scrutiny process are to be reported back to the Cabinet or Council for decision.

In any situation of uncertainty, it is for the Chief Executive to determine which Scrutiny Panel should undertake any particular scrutiny activity.

The Council has established ~~three~~ **two** Scrutiny Panels and their remits and terms of reference are as follows:

1. **Audit and Governance Panel**

- 1.1 To act as the Audit Committee of the Council within the remit and powers as set out in detail in the [Audit Committee Handbook](#) approved by Council, and including:
 - 1.1.1 considering the overall adequacy and effectiveness of the Council's framework of governance, risk management and control arrangements, including the associated anti-fraud and anti-corruption arrangements;
 - 1.1.2 undertaking regular scrutiny of the Council's risk register and challenging the effectiveness of the risk mitigations put in place by risk owners to reduce the risks in line with the Council's risk tolerance;
 - 1.1.3 receiving and considering the Council's unaudited Annual Accounts (including the statements which form part of the Annual Accounts) as submitted to the auditor by the Proper Officer (unless received and considered by full Council);
 - 1.1.4 receiving and considering the Annual Report to Members of the Council and the Controller of Audit in the annual audit;
 - 1.1.5 receiving, considering and approving the audited Annual Accounts (including the statements which form part of the Annual Accounts) by no later than 30 September immediately following the financial year to which the accounts relate (unless received, considered and approved by full Council), and in so doing to have regard to any report made or advice

provided on the Annual Accounts by the Proper Officer or appointed auditor;

- 1.1.6 ensuring that any issues arising from the process of drawing up, auditing and certifying the Annual Accounts are properly dealt with;
 - 1.1.7 undertaking the same role and remit as set out in paragraphs 1.1.2, 1.1.3, 1.1.4 and 1.1.5 above in relation to the Annual Accounts of charitable trusts administered by the Council and of which Councillors are Trustees;
 - 1.1.8 receiving and reviewing summary Internal Audit reports and the main issues arising, and seek assurance that action has been taken where necessary;
 - 1.1.9 receiving the annual report of the Chief Internal Auditor and monitoring the performance of the Internal Audit service;
 - 1.1.10 receiving and considering all reports of the external auditors, Audit Scotland, Accounts Commission (and other inspection agencies, where not within the remit of the Cabinet), including reports relating to charitable trusts administered by the Council and of which Councillors are Trustees, and, where appropriate, remit to another Scrutiny Panel for further detailed scrutiny;
 - 1.1.11 monitoring management action in response to the issues raised by the external auditors, including but not limited to the Strategic Audit Priorities and follow-up to any Best Value Audit reports.
- 1.2 To deal with called-in decisions of the Cabinet for further discussion, consideration and investigation, all in accordance with the provisions of the [Scrutiny Handbook](#), and to:
- 1.2.1 agree the Cabinet decision(s); or
 - 1.2.2 continue the matter to the next meeting of the Panel (which may include an additional meeting held in terms of Standing Order 35.3 (2)) for further discussion, consideration, investigation or agreement; and/ or
 - 1.2.3 refer the matter back to the Cabinet, with recommendations, for final deliberation.
- 1.3 To deal with applications for review of decisions in relation to Community Asset Transfer requests for further discussion, consideration and investigation, and to:
- 1.3.1 agree the Cabinet decision(s); or
 - 1.3.2 continue the matter to the next meeting of the Panel (which may include an additional meeting held in terms of Standing Order 35.3 (2)) for further discussion, consideration, investigation or agreement; and/ or
 - 1.3.3 refer the matter back to the Cabinet, with recommendations, for final deliberation.

- 1.4 To keep under review the Council's local Code of Corporate Governance (in terms of the Delivering Good Governance Framework) and ensure arrangements for its review and continuing relevance leading to the publication of an annual statement as part of the Council's Annual Accounts confirming how well the Council is complying with the framework.
- 1.5 To monitor and review the effectiveness of the Council's Scrutiny Panel arrangements having regard to the Council's powers and duties under Best Value, continuous improvement and effective resource management in the provision of services, performance management frameworks, value for money, and business improvement/ re-design.
- 1.6 To promote and maintain high standards of conduct by all Elected Members of the Council, including consideration of the management and operation of ethical standards as set out in the Councillors' Code of Conduct within the Council, and recommending to Council, if appropriate, the adoption of any protocols relating to Members' conduct supplementary to the Councillors' Code of Conduct, and to consider and advise the Council on any requirements for supplementary training or additional support for Members in relation to ethical standards or any other matters.
- 1.7 To consider any issues which are referred to it by the Council or Cabinet for detailed scrutiny.
- 1.8 To ensure that areas of concern arising from the Audit Committee function are reported to Council, including those that may require further scrutiny either by the Panel or Council.
- 1.9 To make recommendations to the Cabinet or Council (as appropriate) on matters arising from the outcome of the scrutiny processes carried out by the Panel including recommendations for areas for Service Review in accordance with the Council's approved [Framework](#).

2. Service and Partnerships Performance Panel

- 2.1 To monitor, review and challenge the performance of the Council's services and service delivery having regard to the Council Plan, the Council's strategic objectives and outcomes, corporate improvement programme, the approved Service and Improvement Plans and performance targets, across all service areas, ~~(but excluding the delivery of services by or in partnership with external bodies falling within the remit of the Partnerships Panel)~~, in accordance with the [Scrutiny Handbook](#) and including:
 - 2.1.1 receiving and considering regular reports in relation to performance in terms of the approved Service and Improvement Plans and corporate improvement programme;
 - 2.1.2 receiving and considering service benchmarking information; and
 - 2.1.3 reviewing the effectiveness of performance reporting arrangements.
- 2.2 To consider external inspection agency reports relating to services which have been referred to this Panel by the Cabinet or the Audit and Governance Panel.
- 2.3 To undertake in-depth reviews of particular issues of concern in areas of service provision where performance issues have been identified through the Panel's

consideration of the Service and Improvement Plans or other performance reports, all as detailed in, and in accordance with, the [Scrutiny Handbook](#) and as set out in the Panel's annual work programme, and to refer any recommendations arising from such review to the Cabinet for consideration.

2.4 To receive and consider regular reports on public complaints handling and information governance arrangements within the Council.

~~2.5 Where necessary, to remit reports to the Partnerships Panel for detailed scrutiny of matters falling within the terms of reference of that Panel.~~

2.65 To consider any issues which are referred to it by the Council, Cabinet or the Audit and Governance Panel for detailed scrutiny.

2.67 To make recommendations to the Cabinet or Council (as appropriate) on matters arising from the outcome of the scrutiny processes carried out by the Panel, including recommendations for areas for Service Review in accordance with the Council's approved [Framework](#)

~~3. Partnerships Panel~~

~~3.12.7~~ To monitor, review and challenge the performance of services in South Ayrshire which are delivered through or in partnership with external bodies, including improvement actions and performance targets, where applicable, having regard to the Council Plan and the Council's strategic objectives and outcomes, and its duties of Best Value, Following the Public Pound, continuous improvement and effective resource management, in accordance with the [Scrutiny Handbook](#), and including (but not limited to) performance of and in relation to:

~~3.12.7.1 Ayr Renaissance LLP and~~ any Leisure trusts and other arm's length external organisations in which the Council participates;

~~3.12.7.2~~ Police Scotland;

~~3.12.7.3~~ the Scottish Fire and Rescue Service;

~~3.12.7.4~~ the use of Common Good funds and assets;

~~3.12.7.5~~ Community Planning (including funded projects);

~~3.12.7.6~~ Ayrshire Shared Services Joint Committee;

~~2.7.7~~ **hub South West Scotland Ltd;** and

~~3.12.7.87~~ any other South Ayrshire Council funded projects and organisations.

~~3.22.8~~ To receive and hear Petitions addressed to the Council from members of the public, in accordance with the Council's Petitions Protocol, and to determine the appropriate action to be taken within the terms of that Protocol, including, where considered appropriate by the Panel, to report to Cabinet with recommendations.

~~3.3 Where necessary, to remit reports to the Service and Performance Panel for detailed scrutiny of matters falling within the terms of reference of that Panel.~~

- ~~3.4 To consider any issues which are referred to it by the Council, Cabinet or the Audit and Governance Panel for detailed scrutiny.~~
- ~~3.5 To make recommendations to the Cabinet or Council (as appropriate) on matters arising from the outcome of the scrutiny processes carried out by the Panel including recommendations for areas for Service Review in accordance with the Council's approved [Framework](#)~~

Proposed Responsibilities of Portfolio Holder for Developing South Ayrshire

4.12 *Developing South Ayrshire Portfolio*

- 4.12.1 To exercise strategic and political leadership and to formulate appropriate strategic and operational plans to achieve the Council's objectives in relation to the development of South Ayrshire area.
- 4.12.2 The following functions comprised within this Portfolio are hereby delegated to the Cabinet as specific delegations (subject to the exceptions at para 1.1 above and in addition to the general delegation to the Cabinet at para 3.1 above and on the basis that the Cabinet will make recommendations to Council as appropriate in accordance with the provisions set out in Section 1 of this Scheme):
- 4.12.3 In pursuit of this remit, the Portfolio Holder will oversee the following functions/ services to ensure their effective management and continuous improvement:
- Special Projects.

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	Review of Political Decision Making Structure and Appointments to Panels
Lead Officer (Name/Position/Email)	Eileen Howat, Chief Executive – eileen.howat@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)	-	-

Community or Groups of People	Negative Impacts	Positive impacts
Sexual Orientation – person’s sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	-	-
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 Council approval of changes to the political decision making structure. Their decision on this has no specific equality implications	
Signed : Eileen Howat Date: 7 November 2022	Chief Executive

South Ayrshire Council

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

Subject: Schedule of Meetings

1. Purpose

1.1 The purpose of this report is to submit for approval a proposed timetable of Panel meetings from August 2023 to June 2024.

2. Recommendation

2.1 It is recommended that the Council:

2.1.1 approves the timetable of Council and Panel meetings from August 2023 to June 2024 as detailed in [Appendix 1](#);

2.1.2 approves the proposed changes as outlined in [Appendix 2](#) (marked in bold text); and

2.1.3 requests the Head of Legal and Regulatory Services to submit a timetable of meetings from August 2024 onwards to a future meeting of the Council.

3. Background

3.1 The Council is required to set a timetable of meetings for itself and its Panels.

4. Proposals

4.1 The Council is asked to consider for approval the proposed timetable of meetings contained in [Appendix 1](#). This has been prepared in accordance with the current Scheme of Delegation, previous practice in relation to frequency of meetings, and taking account of school holidays where appropriate.

4.2 The Council is also requested to approve changes to meetings scheduled for Week 8 2023 as detailed in [Appendix 2](#) (marked in bold text)..

5. Legal and Procurement Implications

5.1 The contents of this report are in compliance with the provision of the Local Government (Scotland) Act 1973, as amended.

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 the absence of an approved timetable, the Council will be unable to undertake its business efficiently.

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 3](#).

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 Dowey, Portfolio Holder for Corporate and Strategic, and the contents of this report reflect any feedback provided.

14/

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
Publish the meeting timetable	23 December 2022	Service Lead – Democratic Governance

Background Papers [Scheme of Delegation](#)

Person to Contact **Catriona Caves, Head of Legal and Regulatory Services**
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612556
E-mail catriona.caves@south-ayrshire.gov.uk

Date: 5 December 2022

Proposed Schedule of Meetings

August 2023 to June 2024

2023			
Week 1			
Tuesday 22 August	10.00 am	Service and Performance Panel	
Tuesday 22 August	2.00 pm	Local Review Body	
Wednesday 23 August	10.00 am	Licensing Board	
Week 2			
Tuesday 29 August	10.00 am	Cabinet	
Thursday 31 August	10.00 am	Regulatory Panel – Licensing	
Week 3			
Wednesday 6 September	10.00 am	Audit and Governance Panel	
Week 4			
Tuesday 12 September	2.00 pm	Local Review Body	
Wednesday 13 September	10.00 am	Appeals Panel	
Thursday 14 September	10.00 am	Regulatory Panel - Planning	
Friday 15 and Monday 18 September 2023 - Public Holidays			
Week 5			
Tuesday 19 September	10.00 am	Service and Performance Panel	
Wednesday 20 September	10.00 am	Partnerships Panel	
Thursday 21 September	10.00 am	Licensing Board	
Week 6			
Tuesday 26 September	10.00 am	Cabinet (Education)	
Thursday 28 September	10.00 am	Regulatory Panel – Licensing	
Week 7			
Tuesday 3 October	2.00 pm	Local Review Body	
Wednesday 4 October	10.00 am	Audit and Governance Panel	
Week 8			
Tuesday 10 October	10.00 am	Appeals Panel	
Wednesday 11 October	10.00 am	Regulatory Panel - Planning	
Thursday 12 October	10.00 am	South Ayrshire Council	
Recess - Schools Close on Friday 13 October 2023 and re-open on Monday 23 October 2023 (in-service day) and Tuesday 24 October 2023 (pupils)			

2023			
Week 1			
Tuesday 24 October	10.00 am	Service and Performance Panel	
Tuesday 24 October	2.00 pm	Local Review Body	
Thursday 26 October	10.00 am	Licensing Board	
Week 2			
Tuesday 31 October	10.00 am	Cabinet	
Thursday 2 November	10.00 am	Regulatory Panel – Licensing	
Week 3			
Wednesday 8 November	10.00 am	Audit and Governance Panel	
Week 4			
Tuesday 14 November	2.00 pm	Local Review Body	
Wednesday 15 November	10.00 am	Appeals Panel	
Thursday 16 November	10.00 am	Regulatory Panel - Planning	
Week 5			
Tuesday 21 November	10.00 am	Service and Performance Panel	
Wednesday 22 November	10.00 am	Partnerships Panel	
Thursday 23 November	10.00 am	Licensing Board	
Week 6			
Tuesday 28 November	10.00 am	Cabinet (Education)	
Thursday 30 November	10.00 am	Regulatory Panel – Licensing	
Week 7			
Tuesday 5 December	10.00 am	Appeals Panel	
Tuesday 5 December	2.00 pm	Local Review Body	
Wednesday 6 December	10.00 am	Audit and Governance Panel	
Wednesday 6 December	2.00 pm	Regulatory Panel - Planning	
Thursday 7 December	10.00 am	South Ayrshire Council	
<p>Recess - Schools Close on Friday 22 December 2023 and re-open on Monday 8 January 2024</p>			

2024			
Week 1			
Tuesday 9 January	10.00 am	Service and Performance Panel	
Tuesday 9 January	2.00 pm	Local Review Body	
Thursday 11 January	10.00 am	Licensing Board	
Week 2			
Tuesday 16 January	10.00 am	Cabinet	
Thursday 18 January	10.00 am	Regulatory Panel – Licensing	
Week 3			
Wednesday 24 January	10.00 am	Audit and Governance Panel	
Week 4			
Tuesday 30 January	2.00 pm	Local Review Body	
Wednesday 31 January	10.00 am	Appeals Panel	
Thursday 1 February	10.00 am	Regulatory Panel - Planning	
Week 5			
Tuesday 6 February	10.00 am	Service and Performance Panel	
Wednesday 7 February	10.00 am	Partnerships Panel	
Thursday 8 February	10.00 am	Licensing Board	
<p><i>Schools Close on Thursday 8 February 2024 and re-open on Tuesday 13 February 2024 (in-service day) Wednesday 14 February 2024 (pupils return)</i></p>			
Week 6			
Wednesday 14 February	10.00 am	Cabinet (Education)	
Thursday 15 February	10.00 am	Regulatory Panel - Licensing	
Week 7			
Tuesday 20 February	2.00 pm	Local Review Body	
Thursday 22 February	10.00 am	Audit and Governance Panel	
Week 8			
Tuesday 27 February	10.00 am	Appeals Panel	
Wednesday 28 February	10.00 am	Regulatory Panel - Planning	
Thursday 29 February	10.00 am	South Ayrshire Council	
Week 1			
Tuesday 5 March	10.00 am	Service and Performance Panel	
Thursday 7 March	10.00 am	Licensing Board	

2024			
Week 2			
Tuesday 12 March	10.00 am	Cabinet	
Tuesday 12 March	2.00 pm	Local Review Body	
Thursday 14 March	10.00 am	Regulatory Panel – Licensing	
Week 3			
Wednesday 20 March	10.00 am	Audit and Governance Panel	
Recess - Schools close on Friday 22 March 2024 and re-open on Monday 8 April 2024			
Friday 29 March 2024 – Public Holiday			
Monday 1 April 2024 – Public Holiday			
Week 4			
Wednesday 10 April	10.00 am	Appeals Panel	
Thursday 11 April	10.00 am	Regulatory Panel - Planning	
Week 5			
Tuesday 16 April	10.00 am	Service and Performance Panel	
Tuesday 16 April	2.00 pm	Local Review Body	
Wednesday 17 April	10.00 am	Partnerships Panel	
Thursday 18 April	10.00 am	Licensing Board	
Week 6			
Tuesday 23 April	10.00 am	Cabinet (Education)	
Thursday 25 April	10.00 am	Regulatory Panel - Licensing	
Week 7			
Wednesday 1 May	10.00 am	Audit and Governance Panel	
Monday 6 May 2024 – Public Holiday			
Week 8			
Tuesday 7 May	2.00 pm	Local Review Body	
Wednesday 8 May	10.00 am	Appeals Panel	
Thursday 9 May	10.00 am	Regulatory Panel - Planning	
Week 1			
Tuesday 14 May	10.00 am	Service and Performance Panel	
Thursday 16 May	10.00 am	Licensing Board	
Week 2			
Tuesday 21 May	10.00 am	Cabinet	
Thursday 23 May	10.00 am	Regulatory Panel - Licensing	
Monday 27 May 2024 – Public Holiday			

2024			
Week 3			
Tuesday 28 May	2.00 pm	Local Review Body	
Wednesday 29 May	10.00 am	Audit and Governance Panel	
Week 4			
Wednesday 5 June	10.00 am	Appeals Panel	
Thursday 6 June	10.00 am	Regulatory Panel - Planning	
Week 5			
Tuesday 11 June	10.00 am	Service and Performance Panel	
Wednesday 12 June	10.00 am	Partnerships Panel	
Thursday 13 June	10.00 am	Licensing Board	
Week 6			
Tuesday 18 June	10.00 am	Cabinet (Education)	
Tuesday 18 June	2.00 pm	Local Review Body	
Thursday 19 June	10.00 am	Regulatory Panel - Licensing	
Week 7			
Tuesday 25 June	10.00 am	Regulatory Panel - Planning	
Wednesday 26 June	10.00 am	Audit and Governance Panel	
Thursday 27 June	10.00 am	South Ayrshire Council	
<p>Recess</p> <p><i>Schools close on Friday 28 June 2024 and re-open on Thursday 15 August and Friday 16 August 2024 (in-service days) and Monday 19 August 2024 (pupils)</i></p>			

Proposed Changes to Schedule of Meetings

Week 8 2023

Week 8			
Wednesday 1 March Tuesday 28 February	10.00 am	Regulatory Panel - Planning	
Tuesday 28 February	10.00 am 2.00 pm	Appeals Panel	
Thursday 2 Wednesday 1 March	10.00 am	South Ayrshire Council	

South Ayrshire Council Equality Impact Assessment Scoping Template

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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	Schedule of Meetings
Lead Officer (Name/Position/Email)	Wynne Carlaw, Service Lead – Democratic Governance – wynne.carlaw@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?	<input checked="" type="checkbox"/> YES
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(A full Equality Impact Assessment must be carried out if impacts identified as Medium and/or High)	NO
<p>Rationale for decision:</p> <p>This report submits for approval a timetable of Council and Panel meetings from August 2023 to June 2024. Members' decision on this has no specific equality implications</p>	
<p>Signed : Catriona Caves</p> <p>Date: 5 December 2022</p>	<p>Head of Service</p>

South Ayrshire Council

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

Subject: Standing Orders Relating to Meetings

1. Purpose

- 1.1 The purpose of this report is to seek approval to amend the Standing Orders Relating to Meetings following review.

2. Recommendation

- 2.1 **It is recommended that the Council approves the revised Standing Orders Relating to Meetings (attached as Appendix 1) with effect from 16 December 2022 .**

3. Background

- 3.1 It is a requirement of corporate governance that the Council's Standing Orders Relating to Meetings be kept under review. The last update was approved by Special Council on 2 September 2021.

4. Proposals

- 4.1 It is proposed that the Standing Orders Relating to Meetings be updated to reflect changes to provide clarification in relation to:

- 4.1.1 attendance by remote means;
- 4.1.2 convening of special meetings of the Council;
- 4.1.3 time period for adjournment of meetings;
- 4.1.4 intimation of requirement to leave meetings; and
- 4.1.5 the call-in process;

and proposed changes to the Council's Scrutiny Panels if approved by the Council (separate item on the agenda).

- 4.2 The proposed Standing Orders Relating to Meetings apply to the Council and its Committees (known as Cabinet/ Panels), but the Integrated Joint Board, the Ayrshire Joint Valuation Board and the Ayrshire Economic Joint Committee all have their own standing orders which apply to the conduct of their business.

4.3 The proposed amendments are tracked and highlighted in **bold text** in the revised Scheme (attached as Appendix 1).

4.4 Subject to approval, it is proposed that the revised Standing Orders Relating to Meetings are adopted with effect from 16 December 2022.

4.5 Subject to approval, the revised Standing Orders Relating to Meetings, will be published on The Core and the Council's website, and will also be notified to employees by way of the SAC Staff Community Hub.

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 Not applicable.

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 The risk associated with rejecting the recommendations is that the Council's corporate governance will be less effective.

9. Equalities

9.1 The proposals in this report have been assessed through the Equalities Impact Assessment Scoping process, and there are no significant positive or negative equality impacts of agreeing the recommendations, therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as Appendix 2.

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 Dowey, 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 the following steps are taken within the following timescales, with progress reported to the Leadership Panel in the 'Council and Leadership Panel Decision Log' at each of its meetings until such time as the steps are completed:

<i>Steps to be taken</i>	<i>By what date</i>	<i>Managed by</i>
Updated Standing Orders Relating to Meetings to be published and notified to employees	23 December 2022	Head of Legal and Regulatory Services

Background Papers Report to South Ayrshire Council (Special) of 2 September 2021 - [Standing Orders Relating to Meetings](#)

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Date: 7 December 2022

Standing Orders Relating to Meetings

December 2022



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Standing Orders Relating to Meetings

Section 1

Preliminary Matters

1. Interpretation

- 1.1 These Standing Orders are made under Section 62 and Paragraph 8 of Schedule 7 of the Local Government (Scotland) Act 1973, and, subject to the provisions of that Act, apply to meetings and proceedings of the Council and its Committees (to be known as **Cabinet/ Panels**).
- 1.2 The Interpretation Act 1978 will apply to the interpretation of these Standing Orders as it applies to the interpretation of an Act of Parliament.
- ~~1.3 Part 4 of Schedule 6 of the Coronavirus (Scotland) Act 2020 contains temporary modifications of the Local Government (Scotland) Act 1973 in relation to (a) the grounds for exclusion of the public from meetings of local authorities and (b) the provision of copies of documents in respect of meetings of local authorities. The former includes a provision that ‘the public are to be excluded from a meeting of a local authority whenever it is likely that, if members of the public were present, there would be a real and substantial risk to public health due to infection or contamination with coronavirus’.~~
- 1.34 The Local Government (Scotland) Act 2003 permits the holding of and participation in remote meetings.

2. Definitions

- 2.1 In these Standing Orders, unless the context otherwise demands, the following terms will have the undernoted meanings:

<i>Term</i>	<i>Meaning</i>
Casual vacancy	A casual vacancy occurs when an Elected Member ceases to be an Elected Member as a result of, for example, their death, resignation, becoming disqualified or being no longer qualified to remain elected
Chair or Chairperson	The convener or person presiding at a Panel or other Committee, duly appointed by the Council
Clear days	When referring to service of Notices, the term ‘clear days’ refers to weekdays, excluding weekends, Bank Holidays, local or national holidays and public holidays of the Council, the day the Notice is received and the day on which the meeting is held

Term	Meaning
Councillor/ Councillors	A member of the Council duly elected at an election or by-election, and who has made and delivered to the Proper Officer of the Council a Declaration of Acceptance of Office in accordance with Section 33A of the 1973 Act
Monitoring Officer	The officer appointed by the Council in terms of Section 5 of the 1989 Act
Monitoring Officer	The officer appointed by the Council in terms of Section 5 of the 1989 Act
Signed by	Which shall include electronic signature
The 1973 Act	The Local Government (Scotland) Act, 1973 as amended from time to time
The 1975 Act	The Local Government (Scotland) Act, 1975 as amended form time to time
The 1985 Act	The Local Government (Access to Information) Act, 1985 as amended from time to time
The 1989 Act	The Local Government and Housing Act, 1989 as amended from time to time.
The 1992 Act	The Local Government Finance Act, 1992 as amended from time to time
The 1994 Act	The Local Government Etc. (Scotland) Act, 1994 as amended from time to time
The 2000 Act	The Ethical Standards in Public Life Etc (Scotland) Act, 2000 as amended from time to time
The Council	South Ayrshire Council constituted by virtue of and incorporated under the 1994 Act
The Depute Provost	Any Vice-Convener or Chair of the Council duly appointed as such by a full meeting of the Council in terms of Section 4 (2) of the 1994 Act
The Provost	The Convener or Chairperson of the Council duly appointed as such by a full meeting of the Council in terms of Section 4 (1) of the 1994 Act
Vice Chair	The person presiding at a Panel or other Committee, in the absence of the Chair, duly appointed by the Council

Standing Orders Relating to Meetings

Section 2

Meetings of the Council - Procedures

3. First Meeting of the Council after Elections

- 3.1 The first meeting of the Council after an ordinary election of Councillors shall be held within twenty one days from the date of the election, on a date to be fixed by the Chief Executive as Returning Officer.
- 3.2 The Returning Officer for that Election or, failing him/ her, the Depute Returning Officer, will preside at the meeting until the Provost is elected following which the Provost will take the chair.
- 3.3 At the first meeting of the Council, the following business shall normally be transacted **and elections and appointments made in accordance with the terms of Standing Order 24:**
- (1) To note the election of Councillors;
 - (2) To take the sederunt, noting which Councillors have executed the Declaration of Acceptance of Office;
 - (3) To elect the Provost of the Council;
 - (4) If it is resolved to do so, to elect the Depute Provost of the Council;
 - (5) To appoint the Leader of the Council;
 - (6) To appoint the Depute Leader of the Council;
 - (7) To resolve what Panels will be appointed and the terms of reference of each of those Panels;
 - (8) To appoint members and Chairs and Vice-Chairs of all Panels of the Council, with the exception of a lay Chair of the Audit and Governance Panel, the tenure of a lay Chair of the Audit and Governance Panel being governed by specific contractual arrangements;
 - (9) To appoint members of the Licensing Board;
 - (10) To appoint representatives to outside bodies and working groups, in so far as can be competently done at this meeting;
 - (11) To approve the timetable of meetings; and
 - (12) To deal with any other urgent, competent business specified in the notice calling the first meeting of the Council.

3.4 No adjournment of the statutory meeting will take place to a date later than twenty one days from the date of the election.

4. Ordinary Meetings

4.1 Subject to Standing Orders 3 (First Meeting) and 5 (Special Meetings), unless otherwise agreed to by the Council, ordinary meetings of the Council shall be held on an 8–weekly cycle in accordance with a timetable approved by the Council. Changes to the timetable must be made not later than the preceding ordinary Council meeting.

4.2 Due notice of any alteration to the ordinary meeting, place or time, shall be given in compliance with the provisions of the 1973 Act.

4.3 A Panel shall hold such meetings as the Council may from time to time approve in the timetable of meetings as aforesaid.

4.4 An ordinary meeting may be held on a wholly remote basis by electronic means or in circumstances whereby some Councillors attend in person and others take part via remote means. **Attendance by remote means should be advised to the Chief Executive in advance of the meeting and should be from a fixed private location.**

4.5 No sound, film, videotape, digital or photographic recording of the proceedings of any meeting shall be made without the prior approval of the Council, other than recording of the proceedings of meetings agreed by the Council, either for webcasting or as a back-up for a live webcast, or as an alternative where live webcasting is not possible . (All phones should be switched off or on silent and Councillors should not correspond, whether by email, text, social media or any other electronic means, with any other Councillor or other person during a Council meeting (except as required for the conduct of the meeting). Such restrictions shall not preclude participation in a meeting which takes place over a remote platform.)

5. Special Meetings of the Council

5.1 Special meetings of the Council may be convened under the following circumstances:

(1) At any time by decision of the Council;

(2) For consideration of urgent business in accordance with the provisions of Standing Order 5.4;

(3) To determine planning applications in terms of the Town and Country Planning (Scotland) Act 1997 as amended, if required; and

(4) By requisition in accordance with the provisions of Standing Order 5.3.

5.2 Those requesting a meeting in accordance with Standing Order 5.1 (2) shall do so by completing the form attached in [Appendix 1](#) specifying the purpose of the business proposed to be transacted at the meeting.

5.3 A Special Meeting may be called at any time by the Provost providing he/ she has received a requisition in writing specifying the business proposed to be transacted at the meeting and signed by at least seven Members of the Council. The date, time

and venue of the meeting will be as determined by the Chief Executive but must be within fourteen days of receipt of the requisition.

- 5.4 The Provost may convene a Special Meeting if it appears to him/her that there are items of urgent business to be considered. If the office of Provost is vacant, or if the Provost is unable to act for any reason, the Depute Provost of the Council may at any time call such a meeting. If the Offices of Provost and Depute Provost are both vacant or they are otherwise unable to act, the Chief Executive may convene such a meeting.
- 5.5 If the Provost agrees to convene a meeting, the notice of the meeting will confirm the special purpose for which it is being called and the date, time and venue will be as determined by the Chief Executive but shall be no later than 14 days from receipt of the form requesting the meeting.
- 5.6 The Chief Executive may determine in consultation with the Monitoring Officer and the Chair of a Panel, or in their absence the Vice -Chair, the requirement to convene a special meeting of any Panel. The notice of the meeting will confirm the special purpose for which it is being called and the date, time and venue will be as determined by the Chief Executive.
- 5.7 A Special Meeting may be held on a wholly remote basis by electronic means or in circumstances whereby some participants attend in person and other participants take part by remote means. **Attendance by remote means should be advised to the Chief Executive in advance of the meeting and should be from a fixed private location.**

6. Place, Time and Duration of Meetings

- 6.1 All meetings of the Council shall be held within the County Buildings, Ayr at 10.00 am or at such other place or hour as the Council or the Provost or Depute Provost may from time to time direct. Where it is deemed appropriate, the Chief Executive, in consultation with the Provost, may also call for a meeting of the Council to take place on a wholly remote basis by electronic means or in circumstances whereby some Councillors attend the Council Chambers/ County Buildings and others take part via remote means.
- 6.2 In the event of the business of the meeting not being completed within 4 hours, then, unless a motion to continue the meeting for a further specified period has been moved, seconded and voted upon without discussion, the meeting will stand adjourned and the remaining business will be carried forward to the next or another meeting.
- 6.3 Nothing in this Standing Order will prejudice the power of the Provost, at his/ her discretion, to adjourn temporarily any meeting for a brief period, **and the Provost shall adjourn the meeting for a period of 20 minutes after 2 hours provided there has been no earlier adjournment. At the expiry of this period, the Provost shall recommence the meeting provided it is quorate.**

7. Notice of Meetings

7.1 *Public Notification*

Public notification of meetings shall be given by posting a notice at the County Buildings and on the Council's website at least three clear days before the meeting

or, if the meeting is convened at shorter notice, then at the time the meeting is actually convened.

The notice of the meeting shall comprise:

- (1) the date, time and place of the meeting;
- (2) the list of items of business to be transacted; and
- (3) if it is likely that the public is to be excluded during the whole or part of the meeting, notification of that fact.

7.2 **Notice to Councillors**

Notice of meetings shall be given by the Chief Executive to all Councillors in accordance with the provisions of the 1973 Act as amended, by posting or delivering to each Councillor at his or her usual place of residence or at such other address as may be notified to the Chief Executive, or sending by electronic means, at least three clear days before the meeting (or, if the meeting is convened at shorter notice, then at the time the meeting is actually convened), specifying the following:

- (1) the date, time and place of the meeting;
- (2) the list of items of business to be transacted, and
- (3) if it is likely that the public is to be excluded during the whole or part of the meeting, notification of that fact.

7.3 The validity of any meeting of the Council shall not be affected by the failure of any Member to receive notice of a meeting.

8. **The Agenda**

8.1 Each item of business to be transacted at a meeting will be noted on the agenda which will be approved by the Chief Executive or the Head of Legal and Regulatory Services. No other item of business will be considered at the meeting unless in accordance with Standing Order 13.1 (12) (Urgency).

8.2 Copies of the agenda and any accompanying reports will be open for inspection by members of the public at the Chief office of the Council at County Buildings and on the Council's website, at least three clear days before the meeting, except:

- (1) where the meeting is convened at shorter notice, in which case the agenda and reports will be available for public inspection from the time the meeting is convened;
- (2) where an item is added to an agenda, copies of which are open for inspection by the public, copies of the item (or of the revised agenda), and copies of any report for the meeting relating to the item, will be open for inspection from the time the item is added to the agenda; and
- (3) there may be excluded from the copies of reports the whole or part of any report which relates only to items during consideration of which, in the opinion of the Head of Legal and Regulatory Services, the meeting is likely not to be open to the public.

9. Cancellation of Meetings

- 9.1 The Provost may cancel any scheduled meeting because of lack of business or unavailability of Councillors due to illness or other reasons as are thought appropriate. Cancellation will be intimated as soon as possible by email to Councillors and on the Council's website.

10. Public Access to Meetings

- 10.1 All meetings of the Council will be open to the public, except that:
- (1) Whenever it is likely at any meeting, in view of the nature of the business to be transacted or the nature of the proceedings, that there will be a disclosure of exempt information (see [Appendix 2](#)), the public may, by resolution of the meeting (under Standing Order 21.1 (6)), be excluded from the meeting while the particular matter is being considered.
 - (2) Whenever it is likely at any meeting, in view of the nature of the business to be transacted or the nature of the proceedings, that confidential information (see [Appendix 2](#)) will be disclosed in breach of an obligation of confidence, the public shall be excluded from the meeting while the particular matter is being considered.
 - (3) The Provost has power to exclude any members of the public from a meeting in order to suppress or prevent disorderly conduct or other misbehaviour which is impeding or likely to impede the work or proceedings of the Council.
- 10.2 No members of the public will be permitted to speak or to take any part in the proceedings of a meeting of the Council except when addressing a meeting of the **Service and Partnerships Performance** Panel under the procedures for Petitions (Standing Order 31), or in accordance with other procedures for hearings etc (such as at the Regulatory Panel).

11. Non-Attendance of Councillors

- 11.1 If a member of the Council is unable to attend a meeting for whatever reason he/ she may tender his/ her apologies either by intimating them to the Chief Executive in advance of the meeting or by another Councillor doing so prior to the commencement of business and these apologies only shall be incorporated in the minute of meeting. A Member may be regarded as being present at a meeting if he/ she is able to participate from a remote location by a communication link, and shall be counted for the purposes of deciding if a quorum is present.
- 11.2 Subject to the provisions of Section 35 of the 1973 Act and Section 19 of the 2000 Act, if a Councillor fails throughout a period of six consecutive months to attend any meeting of the Council, the Chief Executive will, unless such Councillor has been granted leave of absence by the Council, inform the Council who will consider whether the failure to attend was due to some reason approved by them and, if they are not satisfied as to the cause of such failure, that Councillor will cease to be a member of the Council.

- 11.3 Subject to the provisions of the 1973 Act and the 2000 Act, the Council may grant a leave of absence to any Councillor who, for a reason approved by Council, is unable to attend any meeting of the Council for a continuous period of six months.
- 11.4 Attendance at any Panel of the Council or any Joint Committee, Joint Board or other body to which any function of the Council has been delegated or any meeting of any body of persons at which the Councillor is authorised to represent the Council is deemed to be attendance at a meeting of the Council for the purposes of this Standing Order.

12. Quorum

- 12.1 No business will be transacted at any meeting of the Council unless at least one quarter of the whole number of members of the Council (that is to say seven Councillors) are present to form a quorum. For the avoidance of doubt, 'present' shall include the participation of Councillors via a remote meeting platform.
- 12.2 If within ten minutes after the time appointed for the commencement of a meeting of the Council, a quorum is not present, the meeting will stand adjourned to such date and time as may be fixed, and the minute of the meeting will disclose this fact.
- 12.3 If, at any time after a meeting has commenced, the number of Councillors present falls below the quorum, the Provost will suspend the proceedings. If, after the lapse of five minutes, the Provost finds that the quorum has not been achieved, (s)he will adjourn the meeting to such other date and time as may be fixed, and any business not considered at the adjourned meeting will be postponed to and considered at the reconvened meeting.
- 12.4 The quorum for Panels shall be determined from time to time but shall not be less than one-fourth of the membership. Subject to the above and Standing Order 35.2 (10) (the Cabinet when it meets as the Education Authority), the quorum for Panels shall be three. In the case of the Audit and Governance Panel, three Councillors shall be required to constitute a quorum. In the case of the Cabinet, three Portfolio Holders are required to constitute a quorum.

13. Order and Conduct of Business at Meetings

- 13.1 The order of business at every meeting of the Council (other than the first meeting of the Council held in accordance with Standing Order 3 above) shall be:
- (1) The Provost, or, in his/ her absence, the Depute Provost, shall take the chair; if both are absent the Council shall appoint a Convener for the time being from the Councillors present and that Councillor shall act as Chair during the absence from the meeting of the Provost or Depute Provost;
 - (2) The sederunt shall be taken;
 - (3) Any apologies shall be tendered;
 - (4) Any Declaration of Interest shall be intimated;
 - (5) Presentations;
 - (6) Minutes of the previous meeting or meetings of the Council submitted for approval and signed by the Provost as a correct record;

- (7) The minutes of the Cabinet and each other Panel of the Council as appropriate intimated for noting as a correct record and/ or for the Council to approve the decision (if a paragraph is marked with a 'C') the Minutes will be held to be approved unless an objection is made by a member to any paragraph when it is submitted for approval when the process in Standing Order 13.2 shall be followed or otherwise any recommendations made to it by such Panels;
- (8) Any items referred to the Council for determination by the Cabinet any of its other Panels;
- (9) Business remaining from the last meeting (if any);
- (10) New Business in the form of reports from the Chief Executive or relevant Chief Officer as listed in the agenda;
- (11) Notices of motion submitted in accordance with Standing Order 18 (in the order in which they have been received) so far as specified in the agenda;
- (12) Any business not specified in the agenda and brought before the meeting as a matter of urgency and of which notice has not been given as provided at Standing Order 18 (Notice of Motion) provided that (i) notice of motion in respect of such business shall have been given by the mover thereof after item (4) of the order of business above, and (ii) the Provost shall be of the opinion that the matter should be considered at the meeting as a matter of urgency; and
- (13) Formal questions submitted in accordance with Standing Order 26.

13.2 When an objection is made, it will be noted by the Chief Executive and considered after disposal of the unopposed minutes. The mover and seconder of a paragraph marked 'C' may speak in support of the minutes either when submitting it for consideration or, if there is an objection to it, when the objection is debated,

13.3 The Council may agree at any meeting to vary the order of business so as to give precedence to business of special urgency or for reasons of convenience.

13.4 At the last meeting of Council prior to election, no new Business, motions or questions may be brought before the meeting. All Minutes of the previous meeting or meetings of the Council shall be submitted for approval and signed by the Provost as a correct record.

14. Minutes

14.1 Minutes of Council and Panel meetings will be compiled and kept by the Head of Legal and Regulatory Services.

14.2 Minutes of Council meetings will be submitted to the next ordinary Council meeting for approval as a correct record. Minutes of Panel meetings will be submitted to the next appropriate Ordinary Panel meeting for approval as a correct record and then intimated to the next Ordinary Council meeting for noting and for approval by Council of any items which require Council approval in terms of these Standing Orders and/ or the Scheme of Delegation.

- 14.3 There will be no discussion of minutes except as to their accuracy. Any question of accuracy must be raised by motion and voted on without discussion. No written notice of motion is required.
- 14.4 The Provost shall move the Council minutes submitted for approval and will sign the Council minutes once they are approved. The relevant Panel Chair shall move any item referred to Council from a Panel for final decision in accordance with Standing Orders and the Scheme of Delegation. The relevant Panel Chair at a Panel meeting shall move the Panel minutes submitted for approval and will sign the Panel minutes once they are approved.
- 14.5 In the absence of the Provost or other Councillor who presided at the Council or Panel meeting in question, any other Councillors who were present may move the minutes for approval. In every case the motion to approve must be seconded by another Councillor who was present at the meeting in question.
- 14.6 Notwithstanding the foregoing provisions, where appropriate, having regard to the timing of meetings and the business required to be conducted, the Chief Executive may determine that Panel minutes be submitted to the next Ordinary Council for approval rather than to the next Ordinary Panel meeting. After approval by Council, the minutes in question shall then be submitted to the next Ordinary Panel meeting for noting.
- 14.7 A Council or Panel meeting which has had its minutes properly signed will be deemed to have been held, and all Councillors present at the meeting will be deemed to have been duly qualified under statute until the contrary is proved.

15. Duties and Powers of Provost/ Depute Provost

- 15.1 Without prejudice to the provisions of Standing Order 3 (First Meeting), the Provost will preside at all meetings of the Council. In his/ her absence, the Depute Provost will preside at the Council meeting and, in the absence of both, the Chief Executive will preside over the meeting until the Council appoints a Convener for that meeting.
- 15.2 Without prejudice to the whole other provision of these Standing Orders, the Provost shall have power:
- (1) To decide on all matters of decorum, order, competency and relevancy;
 - (2) To determine all matters of procedure for which no provision is made within these Standing Orders;
 - (3) To decide between two or more Councillors rising or wishing to speak by calling on the Councillors whom he/ she first observed to do so;
 - (4) To order the exclusion of any members of the public to prevent or suppress disorderly conduct or other misbehaviour;
 - (5) In ruling that certain language is unacceptable, to seek withdrawal of a remark, an apology or any other action required, in the opinion of the Provost, to allow the meeting to proceed properly;
 - (6) To rule upon the acceptability of behaviour during the course of the meeting;

- (7) In the event of disorder arising, to adjourn the meeting to a time and date as he/ she shall fix then or later, and his/ her leaving the chair in such circumstances shall without further procedure have the effect of a formal adjournment of the meeting;
- (8) To exercise both a deliberative and a casting vote unless otherwise provided by statute;
- (9) To seek advice from the Chief Executive or the Head of Legal and Regulatory Services in respect of any of the foregoing powers; and
- (10) To exercise the powers set out in Standing Order 16.7 below.

15.3 The Provost shall have the duty:

- (1) To ensure that Standing Orders are observed;
- (2) To ensure that a fair opportunity is given to all Councillors to express their views on any item of business;
- (3) To preserve order within the meeting; and
- (4) To sign the minutes of the previous meeting, adjusted in accordance with any amendments adopted by the Council.

15.4 The decision of the Provost on all matters within his/ her powers shall be final and shall not be open to question or discussion.

16. Councillors' Conduct at Meetings

16.1 All Councillors must comply with the requirements of The Councillors' Code of Conduct and associated regulations and guidance as issued by the Standards Commission for Scotland from time to time.

16.2 Deference shall at all times be paid to the authority of the Provost. When he/ she begins to speak, any Councillors addressing the meeting shall give way; he/ she shall be heard without interruption, and no Councillors shall speak until the Provost has finished speaking. **Councillors shall intimate to the Provost their requirement to leave a meeting, whether they have joined in person or remotely, and this shall be recorded in the minutes of the meeting.**

16.3 All Councillors must respect the Provost, colleagues, Council employees and any members of the public present during meetings or other formal proceedings of the Council.

16.4 Councillors are accountable for their own individual conduct in meetings of the Council at all times irrespective of the conduct of others. Abusive or offensive language shall not be acceptable. Councillors shall have regard at all times to the requirements of equalities legislation.

16.5 All Councillors must comply with rulings from the Provost in the conduct of business of the Council. This includes rulings on the proper and timely conduct of meetings, the acceptability of language used and the fairness and sufficiency of debate. Councillors present at the meeting share the responsibility for the proper and

expeditious discharge of business and the role of the Provost requires to be supported and respected.

- 16.6 No behaviour disruptive to a meeting shall be acceptable and where appropriate, the sanctions specified in Standing Order 21.1 (1) (Suspension of a Councillor) will be invoked.
- 16.7 In the event of persistent misconduct of a Councillor by disregarding the ruling of the Provost, or behaving improperly or offensively or using unbecoming language, or wilfully obstructing the business of the meeting, the Provost may take any of the following courses either separately or in sequence:
- (1) direct the Councillor to refrain from speaking during the remainder of the debate on the matter under discussion;
 - (2) adjourn the meeting for such period as seems expedient to the Provost; and
 - (3) in the event of general disturbance which in the opinion of the Provost renders the due and orderly despatch of business impossible, the Provost may, in addition to any other power vested in him/ her, without the question being put, suspend the meeting for such period of time that he/ she considers expedient.

17. Declaration of Interests of Councillors

- 17.1 The Councillors' Code of Conduct makes provision in Section 5 for the circumstances in which a Councillor who is present at a meeting must declare an interest in relation to any contract, proposed contract or other matter to be considered at that meeting. An interest may be financial or non-financial, registerable under the Code or non-registerable and may relate to a Councillor's personal interests or to the interests of other persons.
- 17.2 Councillors are required to declare an interest in accordance with the requirements of the Councillors' Code of Conduct, having regard to the general exclusions, the specific exclusions and the objective test, namely, whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice a Councillor's discussion or decision making in their role as Councillor.
- 17.3 Any declaration of interest should be made as soon as practicable after the start of a meeting where that interest arises. Any declaration of interest should identify the item or items of business to which it relates and state clearly the specific nature of the interest.
- 17.4 A Councillor who has declared an interest must withdraw from the meeting room, or remote meeting platform (as applicable), until discussion and voting on the relevant item of business is concluded, (except in circumstances where the Code specifies there is no need to withdraw).
- 17.5 The minutes of the meeting shall record the name of any Councillor who has declared an interest, the nature of the interest and whether or not the Councillor remained in the meeting, took part in the debate or voted.

18. Notices of Motion Intended for Consideration at Next Meeting

- 18.1 Every notice of motion must be in writing and signed by the Councillor giving the notice and seconded in writing and signed by another Councillor. Every motion must be relevant to some matter in relation to which the Council has functions or which affects the area of the Council. ~~The Provost will, if need be, give a ruling as to whether the motion is relevant and/ or competent.~~
- 18.2 Every such notice must be delivered to the Chief Executive at his or her office not later than 12.00 noon on the day five clear days before the date of the next meeting of the Council, otherwise it will not appear on the agenda for such meeting. The motion may be delivered by hand, post or email. (For example, if the Council meets on Thursday, then any Motions for this meeting would require to be delivered to the Chief Executive at her/ his office by 12.00 noon on the Wednesday of the preceding week (5 clear days).)
- 18.3 If any motion raises an issue affecting the operational policy or finances of the Council which has not been the subject of a report to the Cabinet, the motion may (if approved after discussion) be referred to the Cabinet for consideration.
- 18.4 All motions considered valid by the Chief Executive **in accordance with the terms of Standing Order 18.8** and of which notice has been duly given will be included in the agenda for the next meeting in the order in which they were received by the Chief Executive, who will record both the date and time of receipt of the original notice.
- 18.5 If more than one such motion, in the opinion of the Chief Executive, having consulted with the Provost, deals with the same subject matter, only the motion first lodged will be considered.
- 18.6 If a motion, notice of which is specified in the agenda, is not moved either by the Councillor who has given the notice or by some other Councillor on his/ her behalf when it arises on the agenda, it will, unless postponed by leave of the meeting, be considered as abandoned and may not be moved without fresh notice.
- 18.7 Notwithstanding Standing Order 18.2 above, the Provost may accept a notice of motion delivered to the Chief Executive not later than 12.00 noon on the day prior to the day of the meeting if the Provost is satisfied by reason of special circumstances that the motion should be considered as a matter of urgency.
- 18.8 A notice of motion or amendment shall not be deemed competent for inclusion or consideration on the Agenda if, in the opinion of the Monitoring Officer, the motion or amendment is:**
- **Likely to be illegal, defamatory or in breach of Data Protection Principles;**
 - **Likely to give rise to a contravention by the Council of any enactment or rule of law or any code of practice made or approved by or under any enactment;**
 - **Contrary to Standing Orders;**
 - **The same or similar to a motion determined by Council in the previous 6 months;**

- **Similar in terms to a motion that has already been submitted to the same meeting by another Member;**
- **Likely to incur expenditure , the source of which has not been identified;**
- **Proposing use of Council’s reserves as a source of funding for the purpose of the motion or amendment without the prior advice and agreement of the Chief Financial Officer having being obtained;**
- **In respect of a matter which requires to be assessed for any equalities impact ;**
- **Imprecise as to the outcome sought; and**
- **Incompetent in any other respect.**

19. Motions and Amendments - General

- 19.1 In relation to items of business on the agenda, the Provost will ask the Council Administration if they wish to propose a motion (except in relation to 13.1 (11) Motions, when the proposer of the motion shall be given the first opportunity to propose the motion, which failing, any Member may propose the motion). If a member of the Council Administration does not propose a motion, any Member may propose a motion. Any such motion must be immediately seconded. ~~Thereafter the Provost will seek any amendments, which should also be seconded.~~ The proposer of any motion or amendment may speak to their motion or amendment when proposing it, otherwise shall be allowed to speak to it during debate.
- 19.2 The Provost may require that any motion or amendment shall be reduced to writing and **the time taken to do so shall not exceed 15 minutes.** A copy ~~thereof shall be~~ passed to the Clerk ~~who shall and~~ circulated ~~it~~ to each Councillor. ~~and The Provost~~ may require any motion or amendment to be read out prior to it being put to the meeting.
- 19.3 Subject to Standing Order 19.4, motions or amendments made but not seconded will not be discussed or recorded in the minutes.
- 19.4 When a motion or amendment has been moved but not seconded, the mover may require his or her dissent in respect of a decision taken on the item of business to which the motion or amendment relates to be entered in the minute, and such dissent shall be so recorded by the insertion of a note that the Councillor concerned asked that his/ her dissent be recorded together with the motion or amendment which failed to find a seconder.
- 19.5 Any motion or amendment which seeks to add to, take from or otherwise alter or amend the annual budgets previously approved by Council (relating to the Revenue Budget, the General Services Capital Programme, the Housing Revenue Account, Setting of Council Rents, the Housing Investment Programme and Common Good Accounts) shall require to detail the cost of the proposal(s) being advanced or the savings proposed to be achieved and the consequential impacts (including, without limitation to the foregoing generality, equalities impacts) of that cost or those savings on the budget as previously approved by Council.
- 19.6 A motion or amendment once moved and seconded shall not be altered or withdrawn without the consent of the mover and seconder.

- 19.7 An amendment must be relevant to the motion, should be either to leave out words, and/ or insert and/ or add others but should not have the effect of introducing new and unrelated subject matter into the motion before Council. The Provost shall have the authority to rule out of order any amendment, which he/ she may consider irrelevant, or substantially the same as the motion or another amendment.
- 19.8 No Councillor shall move or second more than one motion or amendment upon a particular issue although a Councillor who has moved or seconded a motion or amendment shall not be precluded from moving or seconding a fresh amendment if the original motion or amendment is withdrawn.
- 19.9 Except where the Provost notes that those Councillors at the meeting are in general agreement with regard to any unopposed motion, each motion and amendment will be put to the vote in accordance with Standing Order 23 below.

20. Debate and Speeches

- 20.1 Except with the consent of the Provost, the original mover of a motion (but not an amendment) shall speak for no more than ten minutes and, thereafter, no Councillor shall speak to a motion or amendment or in reply for more than five minutes. A Councillor who seconds a motion or an amendment may, when seconding, reserve the right to speak at a later point in the debate.
- 20.2 A Councillor may either sit or stand when speaking, and shall address the Provost.
- 20.3 Subject to Standing Order 20.4, a Councillor must direct his or her speech to the question under discussion and may only speak once during the debate on an item of business to either: move an amendment or motion, or to second or speak to an amendment or motion moved by another Councillor.
- 20.4 The exceptions to Standing Order 20.3 are:
- (1) to exercise a right of reply (under Standing Order 20.9);
 - (2) on a point of order;
 - (3) questions; and
 - (4) by way of personal explanation.
- 20.5 Any Member may ask a question at any meeting of the Council concerning any item of business arising upon the agenda of any senior officer present at the meeting or the relevant portfolio holder provided such questions are relevant to the item of business under consideration.
- 20.6 Questions seeking clarity on the terms of any motion or amendment shall be made to the mover, seconder or the relevant Portfolio Holder. . Clarification can also be sought from any senior officer present at the meeting. The Councillors or officer to whom the question is addressed shall be given the opportunity of replying in writing.
- 20.7 On a point of personal explanation, a Councillor who has previously spoken on an item of business may, with consent of the Provost, speak in personal explanation of some material part of a former speech by him/ her which may appear to have been misunderstood, or as to some statement or act wrongly attributed to him/ her. The Councillor must confine his/ her remarks strictly to that point and must not refer

to other matters nor endeavour to elaborate a former speech by new arguments, or a reply to other Councillors.

- 20.8 A Question of Order shall relate only to an alleged breach of a Standing Order. Any Member indicating a desire to raise a question of order shall state at the outset the number or terms of the Standing Order considered to be infringed and the way in which the Member raising it considers that it has been broken. A Councillor shall cease speaking when a point of order is raised until the point in question has been decided by the Provost who shall be sole and final judge as to the competency and validity of the point of order. No Member other than the Member who raised the Question of Order will speak to that question, except with the permission of the Provost.
- 20.9 After a Question of Order is decided, the Member who was addressing the meeting at the time when it was raised will be entitled to proceed with the discussion, giving effect to the Provost's ruling.
- 20.10 The mover of a motion shall have a right of reply at the close of the debate in the motion, immediately before it is put to the vote. The mover of an amendment has no right of reply to the debate on that amendment. The mover of a motion shall, in his/ her reply, strictly confine himself/ herself to answering previous speakers, and shall not introduce any new matter.
- 20.11 After the reply is concluded, the discussion shall be held to be closed, after which no Councillors shall be permitted to offer an opinion or to ask a question or otherwise interrupt proceedings or to speak, except with regard to the manner of taking a vote and the question under discussion shall be put by the Provost.

21. Procedural Motions

- 21.1 The following motions are permitted during discussion of another motion. They will be moved, seconded and put to a simple vote of 'Agree' or 'Disagree' without discussion and shall take precedence over the motion under discussion.

(1) ***Suspension of a Councillor***

In the event of any Councillors at any Council meeting disregarding the authority of the Provost, or being guilty of obstruction or offensive conduct or conduct likely to disrupt the orderly execution of the business of the meeting, a motion may be moved and seconded to suspend such Councillors for the remainder of the meeting. The motion shall be put to the meeting without discussion. Should the motion be carried, such Councillors shall thereupon retire from the meeting. A Council Officer shall act upon any orders he/ she may receive from the Provost in pursuance of such decision.

(2) ***Move to Vote***

At the close of any speech, any Councillor who has not yet spoken on the question before the meeting, may move 'That the question be now put'. If this is seconded, then the Provost, if he/ she is of opinion that the subject has been sufficiently discussed, shall, without further debate, put this to a vote. If it is carried, the mover of the original motion shall have the right to reply, in accordance with Standing Order 20.8.

(3) ***Adjournment of Meeting***

A motion for the adjournment of the meeting may be put at the conclusion of any speech by any Councillor. It should be moved and seconded without a speech, and shall at once be put by the Provost in the form of 'Adjourn' or 'Not Adjourn'. A second motion for the adjournment of the meeting shall not be made within a period of half-an-hour, unless it be moved by the Provost, when it shall be dealt with as above.

(4) ***Proceed to Next Business***

It shall be competent for any Councillor at the close of any speech to move without comment that the Council proceeds to the next business and if the motion is seconded it shall at once be put to a simple vote. When a motion is carried that the Council proceeds to the next business, the motion under discussion shall be considered as abandoned.

(5) ***Suspension of Standing Orders***

Any one or more of the Standing Orders (other than Standing Order 22 (Rescinding/ Revocation of Previous Decision/ Resolution) and Standing Order 33 (Standing Orders), in any case of urgency as determined by the Provost or upon a motion being made, may be suspended at any meeting of the Council provided that two thirds of the members of the Council present and entitled to vote (and an absolute majority of the members of the Council) shall so decide. It shall not be competent for the Council to suspend any Standing Order which gives effect to any provision of Schedule 7 to the Local Government (Scotland) Act 1973 (Arrangements for Meetings and Proceedings of Local Authorities) or any other statutory provision. For the avoidance of doubt, no Panel of the Council shall have power under this Standing Order or otherwise to suspend any Standing Order.

(6) ***Press and Public***

Any Councillor may move to exclude or re-admit the press and public under Section 50A (4) of the 1973 Act. If this be seconded then the Provost shall, without further debate, put this to a simple vote.

22. Rescinding/ Revocation of Previous Decision/ Resolution

- 22.1 Except where required by statute, no decision of the Council may be reconsidered and no item of business the same or substantially the same as one previously determined by the Council (as ruled by the Provost) may be discussed by the Council or any Panel of the Council (but without prejudice to the call-in process under Standing Order 35.4 **and the requirement to amend the Scheme of Delegation in accordance with 35.1 (3)**) within six months of the date of the making of the previous decision or determination of the item, except when two-thirds of the Councillors present and voting at a meeting of the Council (and an absolute majority of the whole Council - ie 15 Councillors) agree otherwise, or where the Provost rules that there has been a material change of circumstances which shall include where there has been a change in the law or the decision is unable to be implemented for reasons outwith the control of the Council or the failure to reconsider may result in a potential loss of life or substantial economic loss to the Council. The Provost shall explain the reason for the ruling and the reason shall be minuted. For the avoidance of doubt, no Panel of the Council shall have power to vote to reconsider an item of business as aforesaid. Requests for changes within

a six month period to the membership of the Cabinet and other Panels, Committees and Sub-Committees, and representatives of the Council on Joint Committees, Joint Boards and other external bodies and organisations are not considered to be the same or substantially the same.

23. Voting

- 23.1 Without prejudice to Standing Order 19.9, each motion and amendment will be put to the vote in accordance with this Standing Order 23.
- 23.2 Unless dispensed with by the Provost, the terms of the motion and any amendment(s) will be read out to the meeting.
- 23.3 After the Provost has announced the issue on which a vote is to be taken and voting has commenced, no Councillor will be permitted to offer an opinion, ask a question or otherwise interrupt the proceedings, until the result of the vote is declared.
- 23.4 When a motion only, or a motion and one amendment only, are before the meeting, a vote shall be taken 'for' and 'against' the motion, or, as the case may be, between the motion and amendment, with the amendment being taken first.
- 23.5 When a motion and two or more amendments are before the meeting, the amendment last proposed, (except when one of the amendments implies negation as herein after provided) shall be put against that amendment immediately preceding, and then the one which is carried shall be put against the next preceding, and so on until there remains only one amendment, between which amendment and the original motion the vote shall be taken.
- 23.6 Where a Councillor desires to move an amendment which is the direct negative of the motion this shall be first put to the vote against the motion. If this amendment, (the direct negative) is carried the motion and any other amendment(s) shall fall and shall not be put to the meeting; if the amendment being the direct negative is not carried, the motion and remaining amendment(s) shall be put to the vote in accordance with the preceding Standing Order.
- 23.7 At each stage, the result of the vote on the basis of a simple majority of those present and voting will be announced.
- 23.8 All votes on procedural motions will be taken by electronic voting or ~~by~~ **on** a show of hands. Voting otherwise will be by electronic voting or by a show of hands, except in the following circumstances:
- (1) subject to Standing Order 23.8 (2), if any Councillor present and voting so requests, the Clerk will call out the names of all the Councillors and will record in the minutes of the meeting the names of those:
 - voting for or against the motion or amendment; or
 - abstaining from voting, or
 - absent from the meeting when the vote was taken.
 - (2) on a motion put forward, seconded, and carried without discussion, by a majority of Councillors at the meeting, voting will be by ballot which will be undertaken by the Clerk to ensure the secrecy of the vote. No written notice of motion is required.

Where the meeting is being held via a remote meeting platform, unless there is an agreed electronic voting system in use which allows for a secret ballot, such a ballot may not be feasible, and voting shall be by roll call vote.

- 23.9 All votes on procedure (Standing Orders 21 and 22) shall be taken electronically or by a show of hands.
- 23.10 In the case of an equality of votes, the Provost or Depute Provost or other Councillor presiding, will have a second or casting vote and may exercise it at his/ her discretion (except as otherwise provided by statute and except as detailed in Standing Order 24 – Voting on Appointments).
- 23.11 In all other cases, only those Councillors who have been in attendance during the whole or main part of the discussion on the agenda item giving rise to the vote will be entitled to participate in that vote, with brief periods of absence during consideration of the business under discussion being disregarded for these purposes.

24. Voting on Appointments

- 24.1 **The voting procedure set out in this Standing Order applies to appointments that are normally made at the first meeting of Council after Elections as set out in Standing Order 3.3 and thereafter to any casual vacancy that may arise from time to time.**
- 24.2 In the case of any election or appointment to office where only one vacancy requires to be filled and only two candidates are nominated, a vote shall be taken as between them and the one receiving the majority of votes shall be declared duly elected.
- 24.32 If more than two candidates are nominated, a vote shall first be taken as between all the candidates nominated, each Councillor being entitled to vote for only one candidate. If, after this vote has been taken, any candidate obtains an absolute majority of the votes of the Councillors present and voting, such candidate shall be declared duly elected. If no candidate has such a majority the name of the candidate having the fewest number of votes shall be struck out of the list of candidates.
- 24.43 Further voting shall take place and follow this procedure until one of the candidates obtains an absolute majority of the votes of the Councillors present and voting, when he/ she shall be declared duly elected or appointed, or until the candidates are reduced to two, when a final vote shall be taken and the candidate who receives the majority of votes shall be declared duly elected or appointed.
- 24.54 If there should be an equality of votes for two or more candidates, the candidate to be elected will be decided by lot, which will be conducted by the Clerk.
- 24.65 In the case of appointments where more than one vacancy requires to be filled and the number of candidates nominated exceeds the number of vacancies, voting shall take place as follows: each Councillor shall be entitled to vote for one candidate for each vacancy and the candidates receiving the highest number of votes shall be appointed to the number of vacancies to be filled, provided that in each case the votes cast for the candidate exceeds the total votes cast for the remaining candidates (ie - an absolute majority).

24.76 Where no clear result emerges from the first voting either because one or more of the candidates receiving the highest number of votes has not secured an overall majority or because of an equality of voting for two or more of the candidates, the candidate having the lowest number of votes shall be removed from the list.

24.87 The voting shall be then repeated until the requisite majority is received for the number of candidates corresponding to the number of vacancies. In the event of a final equality of votes the candidates selected by lot shall be declared duly appointed.

25. Third Party Interests – Requirement for Attendance to Voting

25.1 For the purposes of clarification, where voting takes place on an agenda item where third party interests are directly affected - for example, where a planning application is being considered, or where appointments are being made in accordance with Standing Order 24, only those Councillors who have been present during the whole of the discussion will be entitled to participate in the vote.

26. Formal Written Questions

26.1 Except as provided for in Standing Order 20.5, or on a point of order, it shall not be competent for any Councillor to ask a question at any meeting of the Council unless the terms of the question have been intimated in writing and delivered or emailed to the Chief Executive by no later than 12.00 noon on the day three clear days before the date of the meeting.(For example, if the Council meets on Thursday, then any Formal Written Questions for this meeting require to be delivered to the Chief Executive at his/ her office by 12.00 noon on the previous Friday (3 clear days).)

Questions may be directed to the Leader, Portfolio Holder, Panel Chairs, the Chief Executive or Directors. Where addressed to a Portfolio Holder or Panel Chair, any questions shall relate to the functions of that Portfolio or Panel, respectively.

26.2 Written answers to each written question submitted under Standing Order 26.1 will be tabled at the Council meeting. Written questions and answers will be reproduced and numbered in the order in which they have been received and will be made available to the Councillors at question time as specified on the agenda.

26.3 No discussion is competent on questions submitted as aforesaid or answers provided.

26.4 Arising from each answer given, one supplementary question, for clarification of the answer given, may be put by the Councillor who asked the original question and the supplementary question will be answered by the Provost or by such Councillors or such officer as the Provost may direct, provided always that the Councillors or officer to whom the supplementary question is addressed shall be given the opportunity of replying in writing.

26.5 Question time shall be limited to thirty minutes, **including the time taken to read the responses to the questions.**

26.6 Written questions and any written answers will be recorded in the minute.

26.7 In this Standing Order, the expression 'written question' includes a series of written questions asked by the same Councillor all dealing with one subject or with subjects, which, in the opinion of the Provost, are so closely related as to be regarded as one subject.

27. Provision not required.

Standing Orders Relating to Meetings

Section 3

Miscellaneous Matters

28. Provost and Depute Provost

28.1 *Term of Office of Provost*

The duration of the term of office of the Provost and Depute Provost (the Convener and Vice-Convener of the Council) shall extend until the next ordinary election of the Council, except that the Council may remove from office the Provost and/ or Depute Provost by a majority of the Councillors present and voting thereon at any meeting of the Council, providing the item of business is specified in the notice calling the meeting. The Council may proceed immediately to fill the resultant vacancy/ vacancies.

28.2 On a casual vacancy arising in the offices of Provost or Depute Provost, an election to fill the vacancy shall be held as soon as practicable at a meeting of the Council, provided that the notice for the meeting shall specify the filling of the vacancy as an item of business.

28.3 *Term of Office of Leader, Chairs, etc*

The duration of the term of office of the Leader and Depute Leader of the Council and of all Chairs and Vice-Chairs of Panels, other than a lay Chair of the Audit and Governance Panel whose tenure **and removal** shall be governed by specific contractual arrangements, shall extend until the next ordinary election of the Council, except that the Council may remove from office any such post-holder by following the procedure set out in Standing Order 28.1.

28.4 *Chair of Audit and Governance Panel*

The Chair of the Audit and Governance Panel may be (i) a Councillor who is not a member of the current administration party(ies) or (ii) a lay person appointed following a public recruitment exercise as directed by the Council from time to time. A lay chair will hold office for a period to be agreed by the Council **and may not be removed by following the process in Standing Order 28.1 as their tenure is governed by specific contractual conditions**. For the avoidance of doubt, a lay Chair, once appointed, shall have full voting rights as a Panel member and the duties and powers as set out in Standing Order 15 shall apply, including exercising both a deliberative vote and a casting vote.

29. Appointment of Chief Officers

29.1 The appointment of the Chief Executive and Chief Officers of the Council shall be undertaken by the Chief Officers' Appointments/ Appraisal Panel in accordance with current HR policies. All appointments made below Chief Officer level shall be made by the relevant Chief Officers in accordance with the Scheme of Delegation.

29.2 In the case of any appointment to office where only one vacancy requires to be filled and only two candidates are nominated, a vote shall be taken as between them and the one receiving the majority of votes shall be declared duly appointed.

29.3 If more than two candidates are nominated, a vote shall first be taken as between all the candidates nominated, each Councillor being entitled to vote for only one candidate. If, after this vote has been taken, any candidate obtains an absolute majority of the votes of the Councillors present and voting, such candidate shall be declared duly appointed. If no candidate has such a majority the name of the candidate having the fewest number of votes shall be struck out of the list of candidates.

29.4 Further voting shall take place and follow this procedure until one of the candidates obtains an absolute majority of the votes of the Councillors present and voting, when he/ she shall be declared duly appointed, or until the candidates are reduced to two, when a final vote shall be taken and the candidate who receives the majority of votes shall be declared duly appointed.

30. Common Seal

30.1 The Common Seal of the Council shall be kept by the Chief Executive who shall be responsible for its safe custody.

30.2 The Chief Executive may authorise the Head of Legal and Regulatory Services as Proper Officer of the Council to affix the Common Seal to any document which requires to be sealed in order to give effect to a decision of the Council.

31. Petitions

31.1 Petitions from members of the public addressed to the Council shall be considered by the **Service and Partnerships Performance** Panel in accordance with the Council's Petitions Protocol.

31.2 Every application for the reception of a petition must be in writing, and delivered or emailed to the Chief Executive, or submitted online in accordance with the specified procedure, by no later than 12.00 noon on the day twenty clear days before the meeting of the Panel at which it may be considered.

31.3 The Chief Executive, in consultation with the Chair of the **Service and Partnerships Performance** Panel, may allow the late submission of a petition in cases of urgency.

32. Disclosure of Information

32.1 Information, whether contained in a document or otherwise, which is confidential information within the meaning of Section 50A (2) of the 1973 Act, must not be disclosed to the press or any other person by any Councillor or officer.

32.2 The full or any part of a document marked 'Not for Publication by virtue of the appropriate Paragraph of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973' must not be disclosed to the press or any other person unless and until the document has been made available to the public or the press under Section 50B of the 1973 Act.

32.3 No information regarding proceedings of the Council or a Panel from which the public have been excluded shall be disclosed to the press or any other person unless and until such disclosure has been authorised by the Council or Panel or the

information has been made available to the public or the press under Section 50B of the 1973 Act.

- 32.4 The Council (in respect of all matters) or Cabinet (in respect of matters within the remit of the Cabinet only) may authorise disclosure of the whole or part of any document falling under Standing Order 32.2, by a simple majority of the Councillors present and voting at any meeting. Where so determined by the Council or Cabinet as aforesaid, the Head of Legal and Regulatory Services shall arrange to make public a redacted version of any report which has been considered after exclusion of the public in accordance with Standing Order 10.1 (1), so as to provide a fair and coherent record of proceedings without disclosing the exempt information.
- 32.5 Where a decision of Cabinet is 'called in' in accordance with Standing Order 35.4, any decision taken by the Cabinet under Standing Order 32.4 to authorise disclosure of the whole or part of a document to which the 'called in' decision relates shall not take effect until the conclusion of the call-in process.

33. Standing Orders

- 33.1 The ruling of the Provost or other person presiding concerning the interpretation or application of these Standing Orders shall not be challenged at any meeting of the Council.
- 33.2 A meeting of the Council may only consider changes to these Standing Orders if notice of the intention to vary or revise these Standing Orders is included in the Notice for the meeting; subject to such notice being given, these Standing Orders may be varied or revised at a meeting of the Council by a simple majority of the Councillors present and voting.

34. Contract Standing Orders and Financial Regulations

- 34.1 The Council shall make Contract Standing Orders and Financial Regulations for the regulation of the making by it or on its behalf of contracts and for the proper planning, execution and control of its financial affairs and such Standing Orders and Regulations will form part of these Standing Orders and will be read with them and with any Scheme of Delegation made by the Council.
- 34.2 Contract Standing Orders and Financial Regulations made by the Council in terms of this Standing Order will apply to Panels, Councillors, officers and certain agents of the Council as appropriate, (the question of whether any person or body is an 'agent' of the Council being determined by the Head of Legal and Regulatory Services whose ruling will be final).
- 35X With the agreement of the Group Leaders and ~~an~~ Independent Members and if required to enable effective decision making (or otherwise) in an emergency, the Chief Executive has power to amend the Standing Orders Relating to Meetings, the Scheme of Delegation, the Standing Orders Relating to Contracts or the Financial Regulations. Where agreement cannot be reached to do so, then the Chief Executive shall request the Provost to call a Special Meeting in accordance with Standing Order 5.4 to allow the Council to determine the matter in accordance with Standing Order 33.2.

Standing Orders Relating to Meetings

Section 4

Panels

35. Scheme of Delegation and Appointment of Panels, etc

35.1 *General*

- (1) This section of the Standing Orders must be read in conjunction with the Council's Scheme of Delegation.
- (2) The Council will prepare and adopt a Scheme of Delegation providing for (a) the delegation of discharge of its functions to Panels and officers and (b) the allocation of terms of reference to those Panels. For the avoidance of doubt, there will be no delegation of powers to individual Councillors.
- (3) Subject to any legal requirement, the Council can amend its Scheme of Delegation and the constitution, membership and functions of Panels and its delegations to officers, as and when it considers necessary.
- (4) Panels must follow any instructions or decisions the Council makes on matters of policy.
- (5) Standing Orders 3, 18, 21.1 (5), 24, and 26 shall not apply to meetings of Panels. Meetings of Panels will be conducted in accordance with Standing Orders 1, 2, 4 to 17, 19 to 23 (but not 21.1 (5)), 25, 32, 33 and 35, subject to the following amendments:
 - all references to 'Provost' and 'Depute Provost' will be read as 'Chair' and 'Vice-Chair' respectively;
 - the quorum for any meeting will be as set out in Standing Order 12;
 - at any meeting of the Regulatory Panel, the Chair may extend the period for transaction of business if (s)he considers that it will enable the Panel to complete its business; and
 - the time limit for meetings will not apply to the Appeals Panel, the Chief Officers' Appointments/ Appraisal Panel or the Education Appeals Panel.
- (6) The Chair of any of the Scrutiny Panels may, in the interests of securing open debate, dispense in regard to any item on the agenda with the requirements relating to rules of debate, procedural motions and points of order and may announce to the meeting that (s)he is so dispensing, and may recall the dispensation should the requirements of good order and expeditious dispatch of business require it. The aim of the Scrutiny Panels is for the Chair to conduct the meeting in a manner which will encourage interest and participation and without unnecessary formality such as would inhibit or discourage involvement.

- (7) A Councillor may attend any Panel meetings, even when not appointed to them, but cannot participate or vote. Where the Councillor is not a member of the Panel, (s)he should sit in the public gallery so that it is clear to the public that the Councillor is not part of the body taking the decisions. They may attend all parts of the meeting, whether or not the Panel has excluded the press and public, with the following exceptions:
- Councillors who are not appointed as members of the Appeals Panel, Chief Officers' Appointments/ Appraisal Panel or Education Appeals Panel may not attend any part of these meetings; and
 - Councillors who are not appointed as members of the Regulatory Panel (Licensing) may only attend, and be issued with papers in relation to, those parts of the meeting which are open to the public.
- (8) Where a Councillor has a right to attend a Panel under Standing Order 35.1 (7), (s)he may speak at the meeting only if required to do so by the Chair of the Panel in question.

35.2 **Cabinet**

- (1) The Council will establish a Panel to be known as the Cabinet to discharge the functions set out in the Scheme of Delegation.
- (2) The Cabinet may choose not to discharge a particular function, but to make a recommendation on the matter to the Council. The Cabinet may also make recommendations to the Council with regard to functions that the Council has reserved to itself.
- (3) The Cabinet will be appointed by Council and will comprise up to nine Councillors **(excluding the members from the Opposition Party(ies) referred to in Paragraph 5 below)**.
- (4) The Provost will not serve on the Cabinet.
- (5) In appointing Councillors to the Cabinet, the Council will allocate Portfolios as set out in the Scheme of Delegation. In addition to Portfolio Holders, the Council may appoint two members from the Opposition Party(ies) who may attend and take part in and vote at all Cabinet meetings but shall not be allocated a portfolio area of responsibility.
- (6) The Leader of the Council will be the Chair of the Cabinet and the Depute Leader of the Council will be the Vice-Chair of the Cabinet and will chair the Cabinet in the absence of the Chair.
- (7) Subject to sub-paragraph (5), the Council may allocate Cabinet members as it considers appropriate to cover Portfolio responsibilities.
- (8) Political Groups not represented on the Cabinet as Portfolio Holders may nominate Councillors to act as shadow spokespersons in relation to any of the Portfolios referred to in Standing Order 35.2 (5).

- (9) The Cabinet will meet on a four-weekly basis. Agendas for meetings of the Cabinet will be issued to all Councillors.
- (10) At every second meeting of the Cabinet, in addition to discharging ordinary business, the Cabinet will discharge education functions on the Council's behalf, at which point, the membership of the Cabinet will include:
- three representatives of religious bodies appointed under Section 124 of the Local Government (Scotland) Act 1973. These members of the Panel will be counted for the purpose of establishing a quorum and will have the same voting rights as Councillors. They will not be able to appoint substitutes; and
 - one teacher elected by teaching staff employed by the Council, one parent representative elected by Parent Council Chairs across all schools in South Ayrshire and one senior pupil representative elected by Pupil Councils across all schools in South Ayrshire. These members of the Panel will not be entitled to vote or appoint substitutes.
- (11) No business will be carried out at a meeting of the Cabinet unless at least three Portfolio Holders are present excepting that when the Cabinet meets to discharge education functions on the Council's behalf, the quorum will be four (including at least three Portfolio Holders), always provided that at least one-half of the Cabinet's voting membership must comprise Councillors at all times.
- (12) The Chief Executive will issue a decision notice detailing decisions taken by the Cabinet to all Councillors by 5.00 pm on the day on which the **Cabinet Leadership Panel** meets.
- (13) No action will be taken on decisions taken by the **Cabinet Leadership Panel**, until a notice detailing those items:
- called-in;
 - referred to Council; and
 - which can be actioned with immediate effect;

has been issued by the Chief Executive to all Councillors. This notice will be issued by 5.00 pm on the day two days following the day on which the Cabinet meets.

35.3 **Scrutiny Panels - General**

- (1) The Council will establish ~~two~~ **three** Panels to discharge functions relating to governance and scrutiny of decisions, performance and improvement activity, with remits as set out in the Scheme of Delegation. These Panels will be named:
- Audit and Governance Panel (which will operate as the Audit Committee of the Council); **and**

- Service and **Partnerships** Performance Panel; ~~and~~
- **Partnerships Panel.**

These Panels will be collectively referred to as ‘Scrutiny Panels’.

- (2) Each of the Scrutiny Panels shall meet on an 8 weekly cycle in accordance with a timetable for meetings to be set by Council. The Audit and Governance Panel shall meet, in addition, in the week following any meeting of the Cabinet if required for the purposes only of considering a call-in from the Cabinet, if the Panel would not otherwise have been scheduled to meet in that week.
- (3) No member of the Cabinet may be a member of **either any** of the Scrutiny Panels.
- (4) The Council will appoint a Chair and a Vice-chair of each Scrutiny Panel. The Chair of the Audit and Governance Panel may be a lay person appointed following a public recruitment exercise as directed by the Council from time to time.
- (5) No substitution will be permitted.
- (6) Scrutiny Panels may invite individuals and/ or representatives of organisations with expertise or interest in aspects of their remit, either to attend and/ or contribute to meetings, as regular participants or for a specific topic. These individuals/ representatives will not be counted for the purposes of establishing a quorum, will not be entitled to vote and will not be able to appoint substitutes.
- (7) Scrutiny Panels may request Portfolio Holders, other Councillors and members of outside organisations to attend meetings and/ or give evidence and advice.
- (8) Agendas for Scrutiny Panels will be issued to all Councillors.
- (9) The Council may amend the membership and remits of Scrutiny Panels as it sees fit.
- (10) Scrutiny Panels will meet in public on the days, at the times and in the places fixed by the Chair and subject always to Standing Order 10.
- (11) Each Scrutiny Panel shall agree an annual work programme and this shall form the basis for agenda items.
- (12) Each Scrutiny Panel shall operate an action log as a standing agenda item.
- (13) Standing Order 31 shall apply in relation to Public Petitions received.

35.4 **The 'Call-In' Process**

As the Council operates an 'executive model' of decision making, provision is required for decisions of the Cabinet to be 'called in' for further scrutiny except for decisions relating to the Community Asset Transfer process that follow a separate process to comply with Part 5 of the Community Empowerment (Scotland) Act 2015 as detailed in Standing Order 35.10. Call-ins shall be considered and dealt with by the Audit and Governance Panel in accordance with the following provisions:

- (1) Requisitions calling-in decisions of the Cabinet must be signed either (a) by four Councillors or (b) by a majority of the membership of the Audit and Governance Panel and be delivered to the Chief Executive by no later than 4.00 pm on the day two days following the day on which the Cabinet has met.
- (2) A requisition calling in a decision must be in the form contained in [Appendix 3](#). Any alterations must either be initialled by all Councillors who signed the requisition or must be otherwise evidenced in writing. The 'reasons' section should be completed with sufficient detail as to allow members of the Audit and Governance Panel and officers to appreciate the cause for concern prompting the call-in. (This may be by reference to a part or parts of the report or decision, or by describing an issue which may not have been adequately addressed, or by requesting the provision of additional information which should be specified). **The 'outcomes' section should be completed with sufficient detail as to allow the Audit and Governance Panel and officers to appreciate the alternative recommendation(s) that is(are) sought.**
- (3) Where a call-in requisition contains any questions, or requests for further or additional information, officers, in consultation with the relevant Portfolio holder, shall, where possible, provide written responses to be intimated to all Councillors in advance of the Panel meeting. Receipt of responses to questions shall not itself preclude further scrutiny of the item called-in for the reason set out in this form.
- (4) Decisions that are called-in will be placed on the agenda for the next meeting of the Audit and Governance Panel (which will generally be in the week following the Cabinet).
- (5) The Audit and Governance Panel shall invite at least one of the Members who has requested the call-in to attend the Panel to explain the request. The Panel will also invite a representative from the Cabinet to present their views on the call-in request and invite any senior officer to provide information on the report presented to the Cabinet. If none of the Members who have made the request attend the Audit and Governance Panel, the Panel may determine not to scrutinise the decision.
- (6) The relevant Portfolio Holder may also attend or be requested to attend Audit and Governance Panel meetings to answer questions on matters called-in.
- (7) Decisions called-in will be dealt with as follows:

- where the Audit and Governance Panel agrees on a majority vote with the decision of the Cabinet, it can be implemented without further delay;
 - where the Audit and Governance Panel does not agree on a majority vote with the decision of the Cabinet, it will be referred back to the Cabinet with recommendations from the Audit and Governance Panel for alternative action proposed. The Convener or another member of the Audit and Governance Panel nominated by the Convener will have the right to attend the Cabinet and speak in support of its recommendation on that matter;
 - the scrutiny meeting can continue discussion to the next meeting of the Audit and Governance Panel if additional information would assist in the decision-making process. If no decision is taken at that next meeting, the matter will be referred back to the Cabinet; and
 - where there continues to be a failure to agree after a referral back to the Cabinet, the matter will be referred to the Council for determination. The decision of the full Council shall be final and binding.
- (8) For the avoidance of doubt, where any item was considered by the Cabinet with the public excluded (in accordance with Standing Order 10.1 (1) or (2)), then the public shall also be excluded during consideration of the item at the Audit and Governance Panel, and Standing Order 32.5 shall apply.
- (9) Following a meeting of the Audit and Governance Panel at which a call-in has been considered, the Chief Executive will issue a decision notice within two clear days.

35.5 **Scrutiny Reviews**

- (1) The Service and **Partnerships** Performance Panel will have the power to undertake Scrutiny Reviews in accordance with this Standing Order and the Scrutiny Handbook
- (2) The Service and **Partnerships** Performance Panel will prepare an annual programme of up to three scrutiny reviews proposed to be undertaken by the Panel which will be based on performance reports considered by the Panel and shall be undertaken in accordance with the Scrutiny Handbook.
- (3) The Service and **Partnerships** Performance Panel, in determining the scope and remit of a Scrutiny Review, will have regard to the following:
- each Scrutiny Review will require to have a clear scope and remit based on performance and improvement objectives and targets;
 - the Panel may appoint a sub group of their members to undertake a Scrutiny Review and may specify a minimum and a maximum membership of the sub group (and may include co-opted

members of the Cabinet, depending on the nature of the topic to be scrutinised);

- the Panel will have the power to call expert witnesses and/ or call other professionals or representatives of interest groups for advice in respect of any Scrutiny Review undertaken;
- final Scrutiny Review reports will be referred to Cabinet or Council, as appropriate, for consideration of any recommendations and decision if required; and
- any member of a the Panel who wishes to prepare a minority report in relation to a Scrutiny Review must advise the Chief Executive and the Chair of the Panel in writing before the majority report is submitted to Council/ the Cabinet. The Councillor then has until the next available meeting to prepare his/ her report. The Scrutiny Panel report and the Minority report will be included on the agenda for the next appropriate Council/ Cabinet meeting.

35.6 **General Scrutiny Role**

- (1) Each Scrutiny Panel shall exercise a general scrutiny role in relation to matters within its specified remit, to monitor and challenge service performance, promote best value, and support continuous improvement in service delivery, the achievement of value for money and effective resource management.
- (2) Each Scrutiny Panel may present reports to Council/ Cabinet, as appropriate.

35.7 **Ad hoc Scrutiny**

- (1) Both the Council and the Cabinet shall have the power to request any one of the Scrutiny Panels referred to in Standing Order 35.3 (1) to undertake ad hoc scrutiny work in keeping with the remit of the Panel in terms of the Scheme of Delegation.
- (2) In addition to the annual programme of Scrutiny Reviews approved by Council in terms of Standing Order 35.5, the Council will have discretion to set up ad hoc Scrutiny Panels to undertake specific scrutiny reviews. The Cabinet can make recommendations to Council on areas for ad hoc scrutiny. These Panels will be drawn from amongst the membership of the full Council. Final reports will be considered by Council who may also agree arrangements for the consideration of any interim reports.

35.8 **Other Panels**

- (1) The following Committees (known as Panels) and Sub-Committees will also be appointed by the Council with the functions set out in the Council's Scheme of Delegation:
 - Regulatory;
 - Appeals;

- Chief Officers' Appointments/ Appraisal;
 - Education Appeals;
 - Local Review Body;
 - South Ayrshire Integration Joint Board; and
 - Ayrshire Shared Service Joint Committee.
- (2) Without prejudice to these Standing Orders the Council may, where appropriate from time to time, adopt and publish separate procedures applicable to the Panels referred to in Standing Order 35.8 (1).
- (3) The Council may also, subject to statute, from time to time adopt and publish separate procedures applicable to the Licensing Board referred to in Standing Order 3.3 (9).
- (4) Without prejudice to these Standing Orders, the South Ayrshire Integration Joint Board referred to in Standing Order 35.8 (1) above will conduct its business in accordance with the Standing Orders relating to meetings of that Board and the Ayrshire Shared Service Joint Committee referred to in Standing Order 35.8 (1) above will conduct its business in accordance with Standing Orders to be adopted by it in accordance with the Minute of Agreement setting up the Joint Committee.

35.9 ***Councillor/ Officer Working Groups***

- (1) The Council and the Cabinet may establish such Councillor/ Officer Working Groups as it considers appropriate and determine the membership, Convener and quorum. Representatives from community groups/ partner agencies may also be invited to attend meetings of the Working Group but will not be part of the decision making process.
- (2) A working group is not a Committee or Sub-Committee of the Council and will therefore meet in private .They do not have any delegated powers to implement its findings and the provisions of Standing Orders will therefore not apply to these Groups.
- (3) Agendas and reports for consideration at Working Groups will be issued by electronic means to all members no later than two clear days prior to the start of the meeting They will in accordance with their remit prepare a report for consideration by Council or the Cabinet.

35.10 ***Community Asset Transfer Process***

- (1) Decisions referred to the Audit and Governance Panel for review relating to the Community Asset Transfer process shall be dealt with as follows:
- where the Audit and Governance Panel agrees on a majority vote with the decision of the Cabinet, it can be implemented without further delay;
 - where the Audit and Governance Panel does not agree on a majority vote with the decision of the Cabinet, it will be referred

back to the Cabinet with recommendations from the Audit and Governance Panel for alternative action proposed;

- the application can be continued to the next meeting of the Audit and Governance Panel if additional information would assist in the decision-making process. If no decision is taken at that next meeting, the matter will be referred back to the Cabinet; and
 - where there continues to be a failure to agree after a referral back to the Cabinet, the matter will be referred to the Council for determination.
- (2) For the avoidance of doubt, where any item was considered by the Cabinet with the public excluded (in accordance with Standing Order 10.1 (1) or (2)), then the public shall also be excluded during consideration of the item at the Audit and Governance Panel and/ or Council (where appropriate), and Standing Order 32.5 shall apply.
- (3) The applicant will be advised of the outcome of the review by the Audit and Governance Panel within two days of the matter being determined in accordance with the procedure set down in this paragraph.
- (4) Decisions referred to the Audit and Governance Panel or the Cabinet and/ or the Council for review relating to the Community Asset Transfer will follow the process set out in the Community Asset Transfer Procedure Notice.

REQUEST TO PROVOST TO CALL A SPECIAL MEETING OF THE COUNCIL
(under Standing Order No. 5.1)

Please state the reasons for requesting a Special Meeting of the Council including the business proposed to be transacted

Please indicate whether this matter is reserved to the Council under the Scheme of Delegation

If not, please outline why the matter is not being submitted to the relevant Panel

Please specify any time constraints for the matter to be considered

Please state any special requirements for the meeting

Name:

Designation:

Directorate:

Time Received:	Date Received:	Signed by: Provost
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Standing Order 10
Exempt Information

The agenda will be divided into the following parts:

- Part 1 - Unrestricted Items: permitting full public inspection.
- Part 2 - Exempt Items: see Standing Order 10.1 (1).
- Part 3 - Confidential Items: see Standing Order 10.1 (2).

What is meant by 'exempt information' is set out in Section 50J and Schedule 7A of the 1973 Act. The following categories of information are defined as being 'exempt':

- (1) Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office holder, former office holder or applicant to become an office holder under, the Council;
- (2) Information relating to any particular occupier or former occupier of, or applicant for, accommodation provided by or at the expense of the authority;
- (3) Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the Council;
- (4) Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the Council;
- (5) Information relating to the adoption, care, fostering or education of any particular child or relating to the supervision or residence of any particular child in accordance with a supervision requirement of that child made under the Children Act 1995;
- (6) Information relating to the financial or business affairs of any particular person (other than the Council);
- (7) Information relating to anything done or to be done in respect of any particular person for the purposes of any matter referred to in Section 27 (1) of the Social Work (Scotland) Act 1968 (providing reports on and supervision of certain persons);
- (8) The amount of any expenditure proposed to be incurred by the Council under any particular contract for the acquisition of property or the supply of goods or services;
- (9) Any terms proposed or to be proposed by or to the Council in the course of negotiations for a contract for the acquisition or disposal of any property or the supply of goods or services;
- (10) The identity of the Council (as well as any other person, by virtue of item (vi) above) as the person offering any particular tender for a contract for the supply of goods or services;
- (11) Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising

between the authority or a Minister of the Crown and employees of, or office holders under, the Council;

- (12) Any instructions to Counsel and any opinion of Counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:
- any legal proceedings by or against the Council, or
 - the determination of any matter affecting the Council, (whether, in either case, proceedings have been commenced or are in contemplation);
- (13) Information which, if disclosed to the public, would reveal that the Council proposes:
- to give under any enactment a notice under or by virtue of which requirements are imposed on a person, or
 - to make an order or direction under any enactment;
- (14) Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime; and
- (15) The identity of a protected informant.

What is meant by 'confidential information' is set out in Section 50A (3) of the 1973 Act. The following categories of information are defined as being 'confidential':

- (1) Information furnished to the Council by a Government department upon terms (however expressed) which forbid the disclosure of the information to the public, and
- (2) Information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court.

Every report which includes confidential or exempt information will be marked, respectively:

'Not for publication by virtue of the confidential nature of the information as defined in Section 50A (3) of the Local Government (Scotland) Act 1973',

or

'Not for publication by virtue of the exempt nature of the information as defined in paragraph of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973'.

Audit and Governance Panel Call-In Requisition

We, the undersigned, require that the following decision of the Cabinet be called-in to the next meeting of the Audit and Governance Panel.

Date of Cabinet	
Item No.	
Report Title	

	Signature	Print Name
Councillors responsible for call-in		
Councillors supporting call-in (three required)		
1.		
2.		
3.		

Date: _____

Reasons and Desired Outcome

In order to improve information for Councillors, to assist officers in briefing the Panel and to improve the quality of Scrutiny, we confirm that the item is being called-in for the following reason(s).

Councillors are reminded that the 'reasons' section should be completed with sufficient detail as to allow members of the Audit and Governance Panel and officers to appreciate the cause for concern prompting the call-in. (This may be by reference to a part or parts of the Report or Decision or by describing an issue which may not have been adequately addressed or by requesting the provision of additional information which should be specified). Where a call-in requisition contains any questions, or requests for further or additional information, officers, in consultation with the relevant Portfolio holder, shall, where possible, provide written responses to be intimated to all Councillors in advance of the Panel. Receipt of responses to questions shall not itself preclude further scrutiny of the item called-in for the reason set out in this form. **The 'outcomes' section should also be completed with sufficient detail which allows the Audit and Governance Panel and officers to appreciate the alternative recommendation(s) that is(are) sought.**

Reasons for Call-In
Desired Outcome

Note

Call-ins must be delivered to the Chief Executive no later than 4.00 pm on the day (usually Thursday) two days following the day (usually Tuesday) on which the Cabinet has met.

Time received	Date received	Received by

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	Standing Orders Relating to Meetings
Lead Officer (Name/Position/Email)	Catriona 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)	-	-

Community or Groups of People	Negative Impacts	Positive impacts
Sex – (issues specific to women & men or girls & boys)	-	-
Sexual Orientation – person’s sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	-	-
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

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)
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)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Rationale for decision: This report provides an update on amendments to the Standing Orders Relating to Meetings following further review, and asks Members to approve. Their decision on this has no specific equality implications	
Signed : Catriona Caves Date: 7 November 2022	Head of Service

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](#)

Person to Contact **Catriona Caves, Head of Legal and Regulatory Services**
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612556
E-mail catriona.caves@south-ayrshire.gov.uk

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	

South Ayrshire Council

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

Subject: Representation on Working Groups

1. Purpose

1.1 The purpose of this report is to seek approval to make alterations to the list of Working Groups and representatives thereon.

2. Recommendation

2.1 It is recommended that the Council:

2.1.1 agrees that membership of the Planning Liaison Group be increased to 8 members and appoints Councillor Kenneth Bell as the additional member;

2.1.2 agrees that membership of the Equality and Diversity Forum be increased to 5 members and appoints Councillor Cameron Ramsay as the additional member;

2.1.3 agrees that Councillor Craig Mackay replaces Councillor Ian Cochrane on the Sustainability Development and Climate Change Member/ Officer Working Group; and

2.1.4 agrees that the Budget Working Group be removed from the list of approved working groups

3. Background

3.1 The Council is currently represented on a number of external Working Groups and has previously agreed to the formation of a number of internal Member/ Officer Working Groups.

3.2 At its meeting on 19 May 2022, the Council approved changes to the list of Working Groups and requested that appointments be presented to a special meeting on 26 May 2022.

3.3 The SNP and Labour Groups have advised that they no longer wish to be represented on the Budget Working Group established in May 2022.

4/

4. Proposals

4.1 It is proposed that the Council:

- 4.1.1 agrees that membership of the Planning Liaison Group be increased to 8 members and appoints Councillor Kenneth Bell as the additional member;
- 4.1.2 agrees that membership of the Equality and Diversity Forum be increased to 5 members and appoints Councillor Cameron Ramsay as the additional member;
- 4.1.3 agrees that Councillor Craig Mackay replaces Councillor Ian Cochrane on the Sustainability Development and Climate Change Member/ Officer Working Group; and
- 4.1.4 agrees that the Budget Working Group be removed from the list of approved working groups.

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 If the recommendations are rejected, then there is a risk that conflicts of interest will arise, or be perceived to be likely to arise, which carries reputational risk for the Council.

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](#).

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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 Dowey, Portfolio Holder for Corporate and Strategic, and the contents of this report reflect any feedback provided.

14. Next Steps for Decision Tracking

- 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
Publish updated details of representation on Working Groups	23 December 2022	Service Lead – Democratic Governance

Background Papers **Report to South Ayrshire Council of 19 May 2022 – [Representation on Working Groups, Etc](#)**

Report to South Ayrshire Council (Special) of 26 May 2022 – [Representation on Working Groups, Etc](#)

Person to Contact **Catriona Caves, Head of Legal and Regulatory Services
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612556
E-mail catriona.caves@south-ayrshire.gov.uk**

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 Working Groups
Lead Officer (Name/Position/Email)	Catriona 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 make alterations to the list of Working Groups. Their decision on this has no specific equality implications	
Signed : Catriona Caves	Head of Service
Date: 21 November 2022	

South Ayrshire Council

**Report by Head of Finance, ICT and Procurement
to South Ayrshire Council
of 15 December 2022**

Subject: Financial Regulations Review

1. Purpose

1.1 The purpose of this report is to seek endorsement of the current Financial Regulations following review.

2. Recommendation

2.1 It is recommended that the Council endorses the [Financial Regulations](#).

3. Background

3.1 It is a requirement of corporate governance that the Council's Financial Regulations be kept under review. The last report was approved by the Council on 9 December 2021.

4. Proposals

4.1 The Financial Regulations have been reviewed with no matters identified as requiring the document to be updated (other than relevant job titles having been amended to reflect the changes implemented as part of the recent Council restructure approved in September 2022).

4.2 Subject to approval, it is proposed that the Financial Regulations are re-adopted with effect from 16 December 2022.

4.3 Subject to approval, the Financial Regulations will be republished on The Core and the Council's website, and will also be notified to employees by way of the SAC Staff Community Hub.

4.4 The Financial Regulations will continue to be reviewed on an annual basis in accordance with best practice, and any further proposed revisions, following consultation and review, will be reported to a future meeting of the Council.

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 Not applicable.

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 The risks associated with rejecting the recommendations are that the Financial Regulations do not correctly reflect current responsibilities.

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 Dowey, Portfolio Holder for Corporate and Strategic, and Councillor Ian Davis, Portfolio Holder for Finance, Human Resources and ICT, and the contents of this report reflect any feedback provided.

14. Next Steps for Decision Tracking

- 14.1 If the recommendations above are approved by Members, the Head of Finance, ICT and Procurement 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 Leadership Panel in the 'Council and Leadership Panel Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Financial Regulations to be republished and notified to employees	23 December 2022	Head of Finance, ICT and Procurement

Background Papers [Financial Regulations](#)

Person to Contact **Tim Baulk, Head of Finance, ICT and Procurement**
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612620
E-mail tim.baulk@south-ayrshire.gov.uk

Date: 5 December 2022

South Ayrshire Council Equality Impact Assessment Scoping Template

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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	Financial Regulations Review
Lead Officer (Name/Position/Email)	Tim Baulk, Head of Finance, ICT and Procurement – tim.baulk@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 advises of the outcome of a further review of the Financial Regulations, and asks Members to approve. Their decision on this has no specific equality implications	
Signed : Tim Baulk	Head of Service
Date: 24 November 2022	

South Ayrshire Council

**Report by Head of Finance, ICT and Procurement
to South Ayrshire Council
of 15 December 2022**

Subject: Non-Domestic Rates Reliefs

1. Purpose

1.1 The purpose of this report is to seek approval for the Non-Domestic Rates, (Business Rates) Empty Property Relief and Discretionary Relief policies.

2. Recommendation

2.1 It is recommended that the Council:

2.1.1 approves the Non-Domestic Rates Empty Property Relief Policy with effect from 1 April 2023, as detailed in Appendix 1, and

2.1.2 approves the Non-Domestic Rates Discretionary Relief Policy with effect from 1 April 2023, as detailed in Appendix 2

3. Background

3.1 *Empty Property Rating and Reliefs*

3.1.1 With effect from 1 April 2023 local authorities in Scotland will require to create their own policy for Non-Domestic Rates, (commonly known as Business Rates), charged for unoccupied or empty properties. Empty property rating (EPR) and relief will no longer be mandatory as the existing EPR legislation will be repealed, and will be replaced with a local rates relief scheme in accordance with the Community Empowerment (Scotland) Act 2015, although unlike other reliefs available under the Community Empowerment act the Scottish Government has committed to funding local EPR schemes in the first instance.

3.1.2 The level and value of EPR awarded is currently restricted to specific time limits; unoccupied industrial property is eligible for 100% relief for the first six months from becoming unoccupied and thereafter 10% relief indefinitely. Other (non-industrial) unoccupied property is eligible for 50% relief for the first three months from becoming unoccupied and thereafter 10% relief indefinitely. A change of ratepayer does not affect the qualifying time period.

3.1.3 Certain categories of unoccupied properties are not liable for rates, i.e. they are exempt from the empty property rates charges detailed in

paragraph 3.1.2, e.g. listed buildings, property with a rateable value (RV) under £1,700 and properties prohibited by law from occupation. Full details of all exempt categories is listed in Appendix 1.

- 3.1.4 Under the current system of local government finance income recovered from Non-Domestic Rates (NDR) is paid to the Scottish Government who then redistribute the appropriate sums to local authorities based on returns submitted by the Council. These arrangements are commonly known as the 'rates pooling' arrangements. The Scottish Government has committed to funding local EPR schemes based on an average of two previous years EPR awarded (specific years yet to be decided) however no exact details have been provided at this date.

3.2 ***Discretionary Rates Relief***

- 3.2.1 There are a number of types of reliefs that can be claimed by Non-Domestic Rates payers and they fall into two main categories. Mandatory Relief where the criteria are set nationally and there is no cost to the authority; and Discretionary Relief that can also only be awarded where certain criteria are met but the Council has the discretion to determine additional criteria and limits to the relief. In these cases only a percentage (typically 75%) of the relief granted is met by the government. The balance of the relief granted (typically 25%) must be met by the Council, i.e. the Council Tax Payers.

- 3.2.2 The current discretionary relief policy has been in place since 2008 and remains largely unchanged from the various discretionary relief policies approved by the former Strathclyde Regional Council and subsequently adopted by South Ayrshire Council. A range of legislation enables the Council to consider discretionary relief of rates for businesses meeting the following criteria:

- Charitable and non-profit making organisations;
- Recreational and sports clubs;
- Charity shops;
- Hardship cases;
- Businesses located in defined rural settlements; and
- Other local reliefs and reductions.

- 3.2.3 Local authorities in Scotland are required to award mandatory relief of rates to registered Scottish charities amounting to a maximum of 80%, provided that the property is occupied by the charity in furtherance of its charitable aims. Authorities also have the discretion to grant relief of up to 100% to ratepayers who qualify for mandatory relief. The Council meets 25% of the cost of any top-up award. Discretionary relief currently awarded to charities accounts for over 94% of the costs to the Council of all discretionary reliefs awarded, as detailed in paragraph 6.2.1 below.

- 3.2.4 Non-profit making organisations that are not registered charities are not entitled to mandatory relief and so 25% of any discretionary relief awarded by the Council must be funded locally. Existing policy does not allow any discretionary relief to be awarded where the non for profit organisation

has a licence to sell alcohol. This is currently different to reliefs awarded to licensed sports clubs who are entitled to relief (dependent on the level of sporting activity versus bar/catering turnover). Reliefs for licensed sports clubs is fully funded by the Rates pool.

- 3.2.5 It should be noted that some organisations entitled to claim discretionary rates relief may also be entitled to other types of mandatory rates relief, such as small business relief, where this is the case the mandatory reliefs will be considered in the first instance.

4. Proposals

- 4.1 Full details of the EPR policy is attached at Appendix 1. As these are newly devolved powers and in line with the majority of other Councils the intention of the proposed EPR policy is to ensure the reliefs and charges applied are the same as those currently allowed under the current statutory powers as follows:

4.1.1 Unoccupied industrial property will be eligible for 100% relief for the first six months since becoming unoccupied and thereafter 10% indefinitely;

4.1.2 Non-industrial unoccupied property will be eligible for 50% relief for the first three months since becoming unoccupied and thereafter 10% indefinitely;

4.1.3 A change of ratepayer does not affect the qualifying time period; and

4.1.4 Unoccupied property that meet certain criteria (as detailed in Para 2.3 of Appendix 1) is exempt from paying the empty property rate.

- 4.2 Full details of the Discretionary Reliefs policy are attached at Appendix 2. The policy now brings together all current discretionary reliefs available into one document. The intention is to retain all existing discretionary relief arrangements and to agree a new relief to be available to not for profit organisations as follows:

4.2.1 Discretionary relief may be awarded to not for profit organisations who hold a licence to sell alcohol, and who currently do not qualify for relief under any existing policy, where the sale of alcohol is incidental to the main purposes for which a property is occupied. The organisation must not be a national body and its aims and objectives must be to benefit South Ayrshire Council residents. Relief will be limited to properties with an Rateable Value of £51,000 or under as 25% of any reliefs awarded will be met directly by the Council.

- 4.3 These policies will be subject to review within two years should funding arrangements from the Scottish Government change, and to accommodate any further changes in legislation or to meet any other local requirements.

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/

6. Financial Implications

6.1 The Scottish Government has committed to meet the funding of locally approved Empty Property relief (EPR) schemes in the first instance based on a 'quantum' of £105M nationally and allocated to each council based on the average of two previous years costs with full details of each year and the percentage allocated to the Council still to be confirmed.

6.1.1 The actual costs of EPR awarded in South Ayrshire in the last three years were as follows:

Year	Value of Relief (£m)
2018/19	1.35
2019/20	1.46
2020/21	1.66

6.2 Funding for Discretionary Reliefs will continue to be met from existing budgets.

6.2.1 The actual costs to the Council in awarding Discretionary Reliefs in the last three years were as follows:

Year	Cost to council (£m)
2018/19	0.102
2019/20	0.103
2020/21	0.102

7. Human Resources Implications

7.1 Not applicable.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

8.1.1 The risk associated with adopting the recommendations is that Scottish Government funding arrangements do not fully cover reliefs awarded and this may increase the financial burden on the Council. This will be monitored and if required a review of the policies will be undertaken which should ensure this risk is mitigated

8.2 *Risk Implications of Rejecting the Recommendations*

8.2.1 The risk associated with rejecting the recommendations is that the Council does not meet its legal requirements.

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 3.

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 Ian Davis, Portfolio Holder for Finance, Human Resources and ICT, 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 Finance, ICT and Procurement 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
Implement new Empty Relief Policy	1 April 2023	Service Lead - Revenues and Benefits
Implement new Discretionary Relief Policy	1 April 2023	Service Lead - Revenues and Benefits

Background Papers Not applicable

Person to Contact Tim Baulk, Head of Finance, ICT and Procurement
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Date: 5 December 2022

South Ayrshire Council

Non-Domestic (Business) Rates Empty Property Rating & Relief Policy

1. Background

- 1.1 With effect from 1 April 2023 local authorities in Scotland will require to set their own policy for the rating of unoccupied properties. Empty property rating and relief will no longer be a mandatory relief of rates as the current regulations will no longer apply from that date but will move to being a discretionary rates relief scheme with reliefs awarded under the Community Empowerment (Scotland) Act 2015. (It is anticipated that the current legislation S24-25 of the Local Government (Scotland) Act 1966, the Non-Domestic Rating (Unoccupied Property) (Scotland) Regulations 1994, and the Non-Domestic Rating (Unoccupied Property) (Scotland) Regulations 2018 will be amended or repealed by the Scottish Government).
- 1.2 The Council policy will in the first instance replicate the existing legislative arrangements and will be subject to review should funding arrangements change or to take account of any other local arrangements.

2. Relief Policy

2.1 The following reliefs will apply;

- 2.1.1 Unoccupied industrial property is eligible for 100% relief for the first six months since becoming unoccupied and thereafter 10% indefinitely.
- 2.1.2 Non-industrial unoccupied property is eligible for 50% relief for the first three months since becoming unoccupied and thereafter 10% indefinitely

2.2 The following criteria should be also be noted;

- 2.2.1 A change of ratepayer does not affect the qualifying time period
- 2.2.2 Plant and machinery can be kept on property without that being classed as occupation
- 2.2.3 Shooting rights may be considered unoccupied if no commercial shooting/stalking takes place. If there are no buildings on the land this relief is 100%.

2.2.4 From 1 April 2020 and for the purpose of determining eligibility, a property is treated as if it had been unoccupied during any period of occupation that ended within six months of when it started

2.3 Unoccupied property meeting any of the criteria below is not liable for rates (i.e., they are exempt from the empty property rate):

- property not comprising one or more buildings or a part of a building (e.g., ground or land, etc. that contains no buildings);
- listed buildings;
- subject of a building preservation order;
- rateable value (RV) under £1,700;
- owner in administration (or subject to an administration order);
- owner is a company or limited liability partnership subject to a winding-up order made under the Insolvency Act 1986 or being wound up voluntarily under that Act;
- occupation prohibited by law;
- action taken by or on behalf of the Crown or any public authority with a view to prohibiting occupation or to acquisition (e.g., compulsory purchase order);
- person entitled to possession only so entitled as a liquidator, as the trustee under a trust deed for creditors or an award of sequestration, or as the executor of a deceased person's estate.

2.4 Empty relief may be considered and awarded where part of a property is not being used and is completely unoccupied for a short time. This will apply to former industrial premises only, where the value of the unoccupied part is greater than 5% of the total rateable value, and for a maximum period of 3 months per financial year.

3. Subsidy Control

3.1 Empty Property Relief can be regarded as a general measure and is therefore unlikely to require to be awarded as Trade & Cooperation Agreement (TCA) Minimum Financial Assistance (MFA).

However where commercial activity applies, the Council will have to consider whether this must be awarded with respect to the TCA minimum financial assistance (MFA) criteria. It is therefore important that applicants are made aware of this and that this is reflected within the application and award processes.

4. Application Process

4.1 In order to make an application for Empty Property Relief an application form must be fully completed and submitted with relevant supporting evidence. Application forms are available on the Councils website [Empty property relief - South Ayrshire Council \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk)

4.2 Empty Property Relief will be awarded in accordance with this policy, subject to verification by Senior Revenues Advisor/Revenues Co-ordinator if required, e.g. where supporting evidence may be limited

5. Backdating

5.1 An application for relief can be backdated to the start of the financial year in which the application is made provided the organisation satisfied the requirements at that time. Any applications for the previous financial year can be considered provided sufficient evidence is submitted in support of the application. Consideration should also be given where an organisation has been rated retrospectively either through the actions of the Council or the Assessor.

6. Appeals

6.1 In cases where applications for rates relief have been rejected the rate payer may request an appeal be heard by the Council's Appeals Panel. The decision of the Appeals Panel will be final.

South Ayrshire Council

Non-Domestic Rates Discretionary Relief Policy

1. Background

- 1.1 Prior to the creation of South Ayrshire Council, the predecessor authority, Strathclyde Regional Council, had a range of policies and guidance on the application of discretionary rates relief. This had developed over a number of years to such an extent that the policy was spread across numerous documents and was no longer contained within a single document. South Ayrshire Council adopted these policies at its inception, as well as amending and adding to them over time.
- 1.2 This policy now consolidates the various discretionary rates policies into a single document, with some minor amendments aimed at reflecting changes in the way that charities and non-profit making organisations now conduct their business.
- 1.3 It should be noted that some organisations entitled to claim discretionary rates relief may also be entitled to other types of mandatory rates relief, such as small business relief, where this is the case mandatory reliefs will be considered in the first instance.

2. Relief Policy

- 2.1 The following reliefs will apply where the property is occupied in furtherance of the aims of the charity or non-profit making organisation:
 - Registered Scottish Charities are eligible for 20% relief as a top up to any 80% mandatory relief awarded
 - Other charitable and non-profit making organisations are eligible for up to 100% discretionary relief
 - Recreational and sports clubs are eligible for up to 100% discretionary relief, depending on their alcohol licence status
 - Charity Shops are eligible for 20% relief as a top up to any 80% mandatory relief awarded due to being a registered Scottish charity, or 100% relief for any other non-profit making organisation
 - Local authority schools located in defined rural settlements, with a rateable value (RV) of £17,000 or less are eligible for 100% discretionary relief
- 2.2 There is currently no provision to award discretionary relief for Hardship cases or Local Reliefs (other than Empty Relief) in terms of the Community Empowerment (Scotland) Act 2015 as additional costs would require to be met by the Council.

3. Categories and value of Relief

3.1 ***Relief for Charities and Other Non-profit Making Organisations - Up to 100% mandatory and discretionary relief. (Mandatory relief fully funded by the Rating Pool with no cost to the Council with 25% of any discretionary relief funded by the Council)***

The Council has discretion to grant up to 100% rate relief to non-profit making organisations, whether they are registered charities or not. The main provision conferring the current discretionary power on billing authorities to grant rate relief is Section 4 of the Local Government (Financial Provisions etc) (Scotland) Act 1962.

To qualify, an organisation must either be:

- charitable,
- religious, or
- concerned with education,
- social welfare,
- science,
- literature or the fine arts.

3.1.1 Registered Scottish charities, who are entitled to 80% mandatory relief, are eligible for a 20% discretionary relief top up.

3.1.2 Other charitable or non-profit making organisations not in receipt of mandatory relief, and that fall within one of the categories noted above, are eligible for discretionary relief up to 100%. These may include community interest companies, companies limited by guarantee, and voluntary organisations.

3.1.3 Non-profit making organisations that have a license to sell alcohol may only be considered for discretionary relief where the sale of alcohol is incidental to the main purposes for which a property is occupied. For example, a licensed restaurant, café, or other community facility that mainly serves food but provides alcohol along with this may be considered for relief, whereas a community pub would not. The organisation must not be a national body and its aims and objectives must be to benefit South Ayrshire Council residents. Relief will be limited to properties with a Rateable Value of £51,000 or under as 25% of any reliefs awarded will be met directly by the Council.

3.1.5 Registered Scottish Charities that are licensed to sell alcohol, such as Royal British Legion clubs, are eligible for discretionary relief subject to the calculation method used for Licensed Sports Clubs as noted at Para. 2.3.2 below. Where the notional RV exceeds 60%, the occupation of the property will be considered charitable, and the organisation awarded 80% mandatory relief. Where the notional RV exceeds 80%, the organisation will be eligible for a discretionary relief top up to the value of the excess percentage.

3.1.6 The following organisations etc. are not eligible for discretionary rates relief:

- Local authority occupied premises
- private or fee-paying schools
- colleges and universities
- premises occupied by MPs, MSPs or Councillors
- Masonic halls may only be considered if they are the only community facility within a neighbourhood and are available for public use by local organisations.

3.2 ***Recreational Organisations or Sports Clubs up to 100% discretionary relief (see funding arrangements below)***

The Council has discretion to grant up to 100% rate relief to non-profit making organisations occupying property that is used wholly or mainly for the purpose of recreation (sport). As part of this policy the Council will require to ascertain whether a club is licensed to sell alcohol or not, and whether it is registered with His Majesty's Revenues and Customs (HMRC) as a Community Amateur Sports Club (CASC). The Council requires that organisations and clubs demonstrate, through the inclusion of an equalities statement within their constitution and rules, a strong commitment to equal opportunities for all sectors of the community, ensuring that all participants, volunteers, coaches or parents receive equal treatment regardless of age, gender, marital status, employment status, social class, colour, race, ethnic or national origin, religious belief or disability.

3.2.1 ***Unlicensed Sports Clubs (100% relief funded by Rating Pool – no costs to Council)*** Where a sports or recreational club meets the qualifying criteria and is not licensed to sell alcohol, it will be eligible for 100% discretionary rates relief. Occasional licences granted to voluntary organisations in accordance with the Council's licensing policy who are sports clubs will be disregarded when deciding whether a club is licensed or not.

3.2.2 ***Licensed Sports Clubs (100% relief funded by Rating Pool – no costs to Council)*** Where a sports or recreational club meets the qualifying criteria and is licensed to sell alcohol, it will be eligible for discretionary rates relief at a level that reflects its sporting activities as opposed to its non-sporting activities such as alcohol, food, tobacco, and gambling sales. This means that the amount of relief awarded will reduce proportionally with respect to bar turnover as well as catering sales, tobacco sales and slot machine income. See Appendix 2A below (application template) for details of how the bar turnover and other non-sporting income is analysed in order to arrive at the discretionary relief awarded.

3.2.3 ***Community Amateur Sports Clubs (25% of any discretionary relief funded by the Council)*** The Council will encourage all sports clubs to attain Community Amateur Sports Club (CASC) status and thereby secure themselves 80% mandatory relief. A key part of the CASC registration process ensures that sports clubs must be open to the community as a whole and have affordable membership fees. CASC status also allows clubs to receive 'charity type' tax reliefs provided the club meets certain qualifying conditions. Where a sports or recreational CASC meets the qualifying criteria and is not licensed to sell alcohol, it will be eligible for 20% discretionary rates

relief top-up to the 80% mandatory relief already awarded. Licensed CASCs will be eligible for a top up for any amount of discretionary relief that may have been due above 80% had the relief been calculated in the same way as a Licensed Sports Club.

3.3 ***Charity Shops - up to 100% mandatory and discretionary relief (25% of any discretionary relief funded by the Council)***

Charity shops qualify for 80% mandatory relief provided that they:

- Are only occupied by a registered Scottish charity.
- The charity utilises the profits from sales for the purpose of that charity.
- The charity sells primarily donated goods, equating to a minimum of 60% of the turnover.

Qualifying charity shops will be eligible for a 20% discretionary relief top up, or 100% discretionary relief if not a registered Scottish charity.

3.4 ***Rural Rate Relief Up to 100% Relief (25% of any discretionary relief funded by the Council)***

Certain types of businesses located within a rural settlement with a population below 3,000, and in an area designated as rural by the Scottish Government, may be eligible for the following mandatory relief of rates.

- the only general store or post office with a rateable value of £8,500 or less;
- a food shop with a rateable value of £8,500 or less;
- the only public house/small hotel (with appropriate license), with a rateable value of £12,750 or less;
- a petrol filling station with a rateable value of £12,750 or less.

From 1 April 2017 Qualifying general stores, post offices, small food shops, petrol filling stations, public houses and small hotels will be entitled to 100% mandatory rate relief therefore discretionary relief does not apply in these cases.

Councils also have discretionary powers to grant up to 100% rate relief to properties within a rural settlement with a rateable value of £17,000 or less, used for purposes that are beneficial to the local community. Discretionary relief will be awarded in the following circumstances;

3.4.1 Rural schools with a rateable value of £17,000 or less will be eligible for 100% discretionary rates relief.

4. **Subsidy Control**

4.1 Any discretionary relief applying to activity not economic in nature is unlikely to be considered as a subsidy and therefore subject to the provisions on subsidy control set out in the Trade and Cooperation Agreement (TCA) agreed between the UK and European Union, effective from 1 January 2021.

However, for charity shops and other commercial activity, the Council will have to consider whether this must be awarded with respect to the TCA minimum financial assistance (MFA) criteria. It is therefore important that applicants are made aware of this and that this is reflected within the application and award processes.

5. Application Process

- 5.1 In order to make an application for Discretionary Relief an application form must be fully completed and submitted with relevant supporting evidence. Application forms are available on the Councils website [Business rates reductions - South Ayrshire Council \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk/business-rates-reductions)
- 5.2 Not for profit organisations, CASC's and other sports clubs are required to provide evidence of their constitution and rules to ensure they meet the qualifying criteria.
- 5.3 Discretionary relief will be awarded in accordance with this policy, subject to verification by Senior Revenues Advisor/Revenues Co-ordinator if required, e.g. where supporting evidence may be limited.

6. Backdating

- 6.1 Backdating an award of discretionary relief made under Section 4 of the Local Government (Financial Provisions etc) (Scotland) Act 1962 is generally restricted to the beginning of the year in which application is first made. However, consideration must be given where an organisation has been rated retrospectively either through the actions of the Council or the Assessor.

7. Appeals

- 7.1 In cases where applications for rates relief have been rejected the rate payer may request an appeal be heard by the Council's Appeals Panel. The decision of the Appeals Panel will be final.

8. Removal of Relief

- 8.1 The removal of a discretionary relief award previously made under Section 4 of the Local Government (Financial Provisions etc) (Scotland) Act 1962 can only be affected following notice of a full financial year from the end of the current financial year. This is to ensure that non-profit making organisations have time to make appropriate arrangements for the loss of relief that may have resulted from either a change in legislation or Council policy.

9. Funding

- 9.1 Funding arrangements for reliefs between local authorities and the Scottish Government are set out in The Non-Domestic Rating Contributions (Scotland) Regulations 1996. The cost of discretionary reliefs is generally 75% funded by the Scottish Government, and 25% funded by the awarding Council, except for 100%

discretionary sports clubs relief, which is fully funded by the Scottish Government. The discretionary reliefs are:

- Discretionary Relief ‘top-up’ of up to 20% for OSCR-registered charities;
- Discretionary Relief of up to 100% for certain other not-for-profit organisations;
- Sports Club Relief ‘top-up’ of up to 80% for HMRC-registered Community Amateur
- Sports Clubs (CASCs);
- Sports Club Relief of up to 100% for certain other not-for-profit organisations;
- Discretionary Rural Relief;
- Hardship Relief;
- Stud Farms Relief

Local Reliefs awarded under the Community Empowerment (Scotland) Act 2015 require to be fully funded by the Council.

10. Legislation

10.1 The relevant legislation is listed below for information purposes:

- Section 4(5) of the Local Government (Financial Provisions etc.) (Scotland) Act 1962, as amended
- Section 25A of the Local government (Scotland) Act 1966
- The Non-Domestic Rating Contributions (Scotland) Regulations 1996
- Schedule 2 to the Local Government and Rating Act 1997
- Non-Domestic Rating (Rural Areas and Rateable Value Limits) (Scotland) Order 2005
- Non-Domestic Rates (Rural Areas) (Scotland) Regulations 2017
- Section 140 of the Community Empowerment (Scotland) Act 2015 – this inserts sections 3A into the Local Government (Financial Provisions etc.) (Scotland) Act 1962

10.2 The Scottish Government provides further information on NDR reliefs which can be found on the website [Non-domestic rates guidance - mygov.scot](https://www.mygov.scot/non-domestic-rates-guidance)

**Revenues and Benefits Service
November 2022**

SOUTH AYRSHIRE COUNCIL**DISCRETIONARY RELIEF OF RATES - LICENSED SPORTS CLUBS ETC
CALCULATION**

Ratepayer Name	
Rates Reference	
Rateable Value (RV)	

Turnover

Alcohol, gaming (slot machines etc), catering, and tobacco sales will be supplied by the club using the audited accounts from the Revaluation reference year, or the first set of accounts if a new club (estimates are acceptable in the interim). These will then be adjusted using the percentages set out below to provide the turnover figure required for relief calculation purposes.

Per Accounts	Actual £	Percentage %	Adjusted £
Bar		100%	
Gaming		100%	
Food		50%	
Tobacco		25%	
Total			

Non-Sporting Turnover

The total adjusted turnover figure requires to be factored to arrive at the Notional (i.e., non-sporting) rateable value (RV) using the following percentage bands.

Adjusted Turnover Range		(c)	(d)	(e) = (c x d)
Greater than	Up to or equal to	Adjusted Turnover	Percentage %	Notional RV £
£0.00	£30,000		5.5%	
£30,000	£50,000		6.0%	
£50,000	£75,000		7.0%	
£75,000	£100,000		8.5%	
£100,000			9.0%	

Relief Calculation

The "Sporting" RV used for calculating the relief due is arrived up by subtracting the "Non-Sporting" RV from the actual RV and then multiplying by the appropriate poundage rate. Relief is calculated on a daily basis therefore may need re-calculated for part year charges.

(a)	(b)	(c) = (a - b)		(d)	(e) = (c x d)
Actual RV £	Notional (Non-Sporting) RV £	Amended (Sporting) RV £	Year	Rate Poundage £	Relief Amount (FYr) £

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	Non Domestic Rates Reliefs
Lead Officer (Name/Position/Email)	Tim Baulk, Head of Finance, ICT and Procurement, tim.baulk@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 and 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 and men or girls and 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 and 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 asks members to approve Non Domestic Rates reliefs. The policies have no specific equality implications	
Signed : Nicola Gemmell Date: 10 November 2022	Service Lead

South Ayrshire Council

**Report by Head of Finance, ICT and Procurement
to South Ayrshire Council
of 15 December 2022**

Subject: PPP Service Concession Arrangement Flexibilities

1. Purpose

- 1.1 The purpose of this report is to consider the impact for the Council of changing the statutory accounting treatment for Service Concession Arrangements (SCAs) as set out in FC 10/2022 – finance leases and service concession arrangements.

2. Recommendation

2.1 It is recommended that the Council:

- 2.1.1 applies, as per section 2.2 of FC 10/2022, the permitted PPP Concession flexibility in financial year 2022/23 on a retrospective basis using an annuity basis with a useful life of 40 years;**
- 2.1.2 notes that the flexibility being applied is consistent with current Council Loans Fund arrangements and is considered prudent, sustainable, and affordable over the life of the asset;**
- 2.1.3 notes that, by applying the flexibility, a one off retrospective saving of £21.718m will be achieved followed by a reduction in the annual charges for a further 18 years (commencing in FY 2022/23) and the continuation of the statutory charges after the SCA contracts have been repaid; and**
- 2.1.4 agrees to earmark the £21.718m retrospective saving as follows:**
- £14.000m towards supporting the revenue budget over the four year period 2023/24 to 2026/27 as detailed in 4.13;**
 - £5.000m allocated to the Workforce change Fund as detailed in 4.14; and**
 - retain the balance of £2.718m in uncommitted reserves.**

3. Background

- 3.1 The Scottish Government's 2022 Resource Spending Review, contained details of a Service Concession Arrangement flexibility that relates to the Council's PPP schools. The flexibility permits councils to undertake internal accounting changes that extend the period over which the principal repayment of the unitary charge can

be made which results in a one-off credit to the Council and ongoing annual savings for a period of time. In the remaining years following the end of the SCAs, the rescheduled debt repayments continue until the debt liability has been extinguished.

3.2 The Statutory Regulation in relation to this matter, Local Government Finance Circular 10/2022 (FC 10/2022), was published and issued to councils in September 2022.

3.3 FC 10/2022 permits the option for Scottish Councils to apply additional flexibility to the accounting treatment for Service Concession Arrangements (SCA) in place before 1st April 2022. The statutory guidance applies from the financial year 2022 to 2023 but permits retrospective application as an option.

3.4 If this approach is adopted, it must be applied to all service concession arrangements, leases, and similar arrangements with the exception of such arrangements where the contract will expire within five years, where it may be applied. The Council has three such arrangements in place at present:

- The original PPP scheme (3 secondary schools, 2 primary schools and 1 annex);
- Ayr Academy; and
- Queen Margaret Academy

3.5 In terms of the requirements of FC 10/2022 the Council will need to show that the financial implications of the change are prudent, sustainable, and affordable over the life of the asset and explain the basis for the accounting policy change. The reason for the change should be disclosed, along with an explanation of the movement in both the Balance Sheet and the General Fund. Where the annuity method has been applied, narrative should explain how this method links to the flow of benefits from the asset.

3.6 Advice and support has been sourced from Link Asset Services, the Council's treasury management consultant.

4. Proposals

4.1 Finance Circular 10/2022 (FC 10/2022) replaces the 2010 version that covered this area and permits the authority to apply a temporary flexibility for service concession arrangements entered prior to April 2022. The Circular sets out the accounting requirements and the options permitted for the recognition of repayments of the principal element of the lease component or the lease liability for the year and the temporary flexibility for SCAs entered prior to 1 April 2022.

4.2 [Appendix 1](#) provides an analysis of the options contained in FC 10/2022 along with various prudence and consistency aspects that must be assessed when considering the application of the options contained in the statutory guidance.

4.3 Authorities have the flexibility to apply the change in the calculation of the statutory charge in either 2022/23 or 2023/24. This approach will apply to all credit arrangements going forward. The adopted approach must be applied across all such arrangements in line with the key accounting principle of consistency. There is an exception for schemes that have less than 5 years remaining; however this is not applicable in this case. The details of the permitted approach are contained in [Appendix 2](#).

- 4.4 The annual unitary charge will continue to be paid to the contractor over the contract period. The guidance applies to principal and not to interest, service charge costs or grant. These will continue to be accounted for over the contract period.
- 4.5 In determining whether to apply the flexibility to the accounting policy for SCAs, the Council needs to ensure it maintains a prudent approach and any changes are sustainable in terms of the Council's revenue budget.
- 4.6 When determining 'a prudent policy' for SCAs the Council needs to consider the financial implications in the context of the financial forecast of the Council's Long / Medium Term Financial Plan. The latest iteration of the Medium Term Financial Plan presented to Cabinet on 29 November 2022 projected a mid-case budget gap of £37.8m over the three year period 2023/24 to 2025/26.
- 4.7 Based on the analysis contained in [Appendix 2](#), it is recommended that Option 2.2 of FC 10/2022 be applied in 2022/23 for the SCA's currently held by the Council.as it is considered to be prudent and consistent when assessed against the various considerations.

Summary Impact of Applying Section 2.2 of FC 10/2022

- 4.8 The current repayment charges for each SCA have been compared against an annuity repayment profile based on the estimated useful asset lives for the each of the three SCA arrangements. The most appropriate asset life is considered to be 40 years which replicates the useful asset life of other similar type assets held on the Council's balance sheet i.e. schools. The calculation of the repayment charges of each SCAs or Public Private Partnership (PPP) scheme using the asset life annuity basis is compared to the current charges which are made over the contract period. Further detail is provided in [Appendix 3](#) for each of the three SCAs held and is summarised as follows:

	Total of PPP schemes			
	Current position	Principle repayments based on a simple 40 year annuity		
PPP principle repayments	Current repayment £000	Revised repayments £000	(Reduction)/cost £000	NPV 3.5% £000
Pre 2022-23	34,341	12,622	(21,718)	(21,718)
2022-23	3,685	1,614	(2,071)	(2,001)
Yrs 2 to 5	15,409	7,418	(7,991)	(7,098)
Yrs 6 to 10	19,679	11,879	(7,800)	(5,948)
Yrs 11 to 25	54,255	63,210	8,955	1,664
Yrs 26 to 40		30,627	30,627	10,714
Total	127,369	127,369	-	(24,388)

- 4.9 The total cumulative statutory adjustment up to the 31st March 2022 which would result from changing the calculation of the repayment of debt liability on the three SCAs using a 40-year annuity period is £21.718m. This is a one off in year reduction, compared to the current schedule of repayments.

- 4.10 In the financial years up to the expiry date of each contract there would be further reductions. In the remaining years following the end of the SCAs, the rescheduled debt repayments continue until the debt liability has been extinguished. The full repayment profiles are provided in detail for each SCA in [Appendix 3](#).
- 4.11 Over the full life of the SCAs the total repayment for the debt liability remains the same. However, when a Net Present Value (NPV) is applied the reprofiled charges would result in a total reduction in NPV terms of £24.388m.
- 4.12 The reprofiling of the debt liability repayments would increase the Capital Financing Requirement (CFR) by £21.718m as at 1 April 2022, if the Council made the adjustment in the current financial year 2022/23. The increase in the CFR will continue to be reduced by the revised repayments after each SCA contract has expired until the end of the revised period.
- 4.13 Changing the repayments of the SCA debt liability using Option 2.2 produces significant retrospective one off savings of £21.718m and ongoing revenue savings in the near to mid-term (as detailed in 4.8 above). Given the projected budget gaps contained in the MTFP, as noted in 4.6, decisions will need to be taken to achieve the level of savings required. To achieve a prudent managed approach for the release of these savings and to align with the medium-term financial plan, it is proposed to budget for setting aside (earmarking) a proportion of the retrospective savings created from the statutory one-off adjustment to “smooth” the identified budget gap over the next four years as follows to allow more time to achieve the permanent savings required:

2023-24 £m	2024-25 £m	2025-26 £m	2026-27 £m	Total £m
5.000	4.000	3.000	2.000	14.000

- 4.14 Furthermore, given the significant budget gaps projected it is inevitable that service reductions will be required in the short to medium term and, noting that 49% of Council annual spend is on employee costs, it is likely that less staff will be required to operate the reduced levels of service being provided. It is therefore proposed to earmark a further £5.000m of the identified retrospective saving as a contribution to the Councils Workforce Change Fund with the purpose of providing funding to meet any severance and other employee-related costs arising from any service reduction measures undertaken.
- 4.15 The remaining balance of the identified retrospective saving of £2.718m would remain as uncommitted reserves, increasing the uncommitted balance held to circa £8.3m or 3.88 per cent of planned spend. This remains in line with Council policy of maintaining reserves of between 2 and 4 per cent of planned spend.
- 4.16 In addition to the one off retrospective element, an in year saving would occur in scheduled debt repayments in 2022/23, if applied from 1 April 2022, of £2.071m. This would be followed by a reduction in the annual charges for further 17 years and then the continuation of the statutory charges after the SCA contracts have been repaid. Details of the profile of debt rescheduling is outlined in [Appendix 3](#). This annual saving will initially reduce cost in the 2022/23 financial year and will be a recurring base budget saving in future annual budgets.

5. Legal and Procurement Implications

- 5.1 There are no legal implications arising from this report as Finance Circular 10/2022 provides the required Statutory Regulation in relation to this matter.
- 5.2 There are no procurement implications arising from this report as the original contract arrangement for each of the three SCAs will remain in place. The unitary charge will continue to be paid to the contractor over the original contract period.

6. Financial Implications

- 6.1 On applying Section 2.2 of FC 10/2022 to the Council's SCAs on an annuity basis with a useful life of 40 years, a one off retrospective saving of £21.718m will occur together with ongoing revenue savings in the short to medium term. The main impact of the reprofiling of the charges will be a reduction in the annual charges for 18 years (commencing in FY 2022/23) and the continuation of the statutory charges after the SCA contracts have been repaid.

7. Human Resources Implications

- 7.1 Not applicable.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

- 8.1.1 There is a risk that on extending the debt repayment period that appropriate funds will not be in place to meet the cost incurred for the period of the extension. This risk is mitigated by ensuring that on completion of the original contract arrangements an appropriate element of the available unitary charge budget is retained for the required period of time to meet the remaining costs.

8.2 *Risk Implications of Rejecting the Recommendations*

- 8.2.1 There is a risks that the opportunity to achieve potential savings in a prudent manner in the short to medium term to assist in managing the projected medium term budget gaps will be missed.

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 4](#).

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 Ian Davis, Portfolio Holder for Finance, Human Resources and ICT, 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 Finance, ICT and Procurement 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
Apply the permitted PPP Concession flexibility as per section 2.2 of FC 10/2022 in financial year 2022/23	31 March 2023	Head of Finance, ICT and Procurement
Update the applicable Councils Accounting Policies from financial year 2022/23 onwards	30 June 2023	Service Lead – Corporate Accounting

Background Papers **Finance Circular 10/2022**

Person to Contact **Tim Baulk, Head of Finance, ICT and Procurement**
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Phone 01292 612620
E-mail tim.baulk@south-ayrshire.gov.uk

Date: 5 December 2022

Finance Circular 10/2022

- 1.1 Finance Circular 10/2022 (FC 10/2022) replaces the 2010 version that covered this area and permits the authority to apply a temporary flexibility for service concession arrangements entered prior to April 2022. The Circular sets out the accounting requirements and the options permitted for the recognition of repayments of the principal element of the lease component or the lease liability for the year and the temporary flexibility for SCAs entered prior to 1 April 2022. The options contained in FC 10/2022 are:
- 1.1.1 Section 1: applying the Accounting Code with the reversal (i.e. elimination) of all statutory adjustments;
 - 1.1.2 Section 2.1: continuation of existing statutory accounting for all relevant SCAs, leases and similar arrangements, as originally set out in finance circular 4/2010;
 - 1.1.3 Section 2.2: SCAs only – this section permits an additional flexibility for SCAs recognised within an authority's Annual Accounts prior to 1 April 2022. The new flexibility aligns the statutory adjustments to the asset life. With a choice of retrospective or prospective application. Section 2.1 continues to apply to leases and similar arrangements
- 1.2 The impact of applying Section 2.2 to the Council's SCAs is the subject of this report. This option applies the usual principles that depreciation and impairment will not be a charge to the General Fund. The charge to the General Fund will be a sum which recognises the repayment of the principal element of the finance lease component of the PFI liability, plus life cycle replacement capital expenditure. The Section 2.2 option permits the additional flexibility to calculate the statutory charge over the useful life of the asset which has been financed by the SCA rather than over the contract period, applying proper accounting practices.
- 1.3 Authorities have the flexibility to apply the change in the calculation of the statutory charge in either 2022/23 or 2023/24. This approach will apply to all credit arrangements going forward. The adopted approach must be applied across all such arrangements in line with the key accounting principle of consistency. There is an exception for schemes that have less than 5 years remaining; however this is not applicable in this case. The details of the permitted approach are contained in [Appendix 2](#).
- 1.4 The unitary charge will continue to be paid to the contractor over the contract period. The guidance applies to principal and not to interest, service charge costs or grant. These will continue to be accounted for over the contract period.
- 1.5 If the 3rd option detailed in 1.1.3 above, applying Section 2.2 of FC 10/2022, is used and costs are reprofiled over the asset life, then there is a further choice on how to reprofile the principal elements:
- Equal Instalment of Principal, or
 - Annuity method

A decision is required on which of these two options to apply and this is informed by the overall view on prudence.

Annuity Method - Consideration

- 1.6 In determining whether to apply the flexibility to the accounting policy for SCAs, the Council needs to ensure it maintains a prudent approach and any changes are sustainable in terms of the Council's revenue budget.
- 1.7 The calculation of the repayment of the debt liability charges in this report have used the annuity method to calculate the revised repayments. This method best represents the consumption of the assets over their useful lives. The annuity method is used as standard practice in most PPP arrangements.
- 1.8 It is common practice for Scottish Authorities to use the annuity method for writing down the debt liability for borrowing to support capital expenditure. This methodology is currently applied within the Councils current Loans Fund repayment policy. The use of an annuity method for the writing down of the PPP debt liability therefore ensures a consistent approach for the writing down of all debt which is financing capital expenditure.
- 1.9 CIPFA supports the use of the annuity method for calculating charges for the repayment of the debt liability and states:
- The annuity method provides a fairer charge than equal instalments as it takes account of the time value of money, whereby paying £100 in 10 years' time is less of a burden than paying £100 now.
 - The schedule of charges produced by the annuity method thus results in a consistent charge over an asset's life, considering the real value of the amounts when they fall due.
 - The annuity method would then be a prudent basis for providing for assets that provided a steady flow of benefits over their useful life.'

CIPFA Practitioners' Guide to Capital Finance in Local Government 2019.

- 1.10 The following table shows how the annuity method results in a consistent charge over the asset's life. When comparing the net present values of each payment it results in the same payment and shows that the annuity method produces a consistent and even charge in today's terms based on an example £1m Capital Financing Requirement over 10 years when compared to the alternative Equal Instalment Plan methodology.

Year	Debt repayment – EIP basis £	NPV @3.5% £
1	100,000	96,618
2	100,000	93,351
3	100,000	90,194
4	100,000	87,144
5	100,000	84,197
6	100,000	81,350
7	100,000	78,599
8	100,000	75,941
9	100,000	73,373
10	100,000	70,892
	1,000,000	831,661

Year	Debt repayment – annuity basis £	NPV @3.5% £
1	85,241	82,359
2	88,225	82,359
3	91,313	82,359
4	94,509	82,359
5	97,816	82,359
6	101,240	82,359
7	104,783	82,359
8	108,451	82,359
9	112,247	82,359
10	116,175	82,359
	1,000,000	823,588

- 1.11 Calculation of the debt liability repayments using the annuity method is considered a prudent approach as it reflects the time value of money (i.e. the impact of inflation) as well as providing a charge that is better matched to how the benefits of the asset financed by borrowing are consumed over its useful life. That is, a method that reflects the fact that asset deterioration is slower in the early years of an asset and accelerates towards the latter years.
- 1.12 It is likely that the asset will continue to be used and consumed after the end of the period. This shows the benefit of an asset is not straight line as the council may continue to use and access the asset after the original asset life period.

Useful Economic Life – Consideration

- 1.13 The most appropriate asset life is considered to be 40 years which replicates the useful asset life of other similar type assets held on the Council's balance sheet i.e. schools. The Council's Loans Fund methodology use a Useful Economic Life (UEL) of 40 years when calculating the repayment of debt liability for borrowing to support capital expenditure for similar types of assets. The proposed application a UEL of 40 years for the three SCAs arrangements is therefore considered consistent with current council methodology.

Revenue Budget Implications - Consideration

- 1.14 When determining 'a prudent policy' for SCAs the Council needs to consider the financial implications in the context of the financial forecast of the Council's Long / Medium Term Financial Plan. The latest iteration of the Medium Term Financial Plan presented to Cabinet on 29 November 2022 projected a mid-case budget gap of £37.8m over the three year period 2023/24 to 2025/26.
- 1.15 Changing the repayments of the SCA debt liability produces significant retrospective savings and ongoing revenue savings in the near to mid-term. To achieve a prudent managed approach for the release of these savings and to align with the medium-term financial plan, it is appropriate to budget for setting aside (earmarking) a proportion of the retrospective savings created from the statutory one-off adjustment to "smooth" the identified budget gap over the short to medium term.
- 1.16 Furthermore, given the significant budget gaps projected it is inevitable that service reductions will be required in the short to medium term and, noting that 49% of Council annual spend is on employee costs, it is likely that less staff will be required to operate the reduced levels of service being provided. It is therefore appropriate to consider earmarking a proportion of the retrospective savings identified as a contribution to the Councils Workforce Change Fund with the purpose of providing funding to meet any severance and other employee-related costs arising from any service reduction measures undertaken.
- 1.17 After applying a proportion of the retrospective saving to support the revenue budget in the short to medium term and contributing a proportion to the Workforce Change Fund any remaining balance of the identified retrospective saving would remain as uncommitted reserves, increasing the uncommitted balance held.

Impact of Applying Section 2.2 of FC 10/2022

- 1.19 The calculation of the repayment charges of each SCAs or Public Private Partnership (PPP) scheme applying Section 2.2 of FC 10/2022, using the asset life

annuity basis, compared to the current charges which are made over the contract period is shown in [Appendix 3](#). The current repayment charges for each SCA have been compared against an annuity repayment profile based on the estimated useful asset lives for the each of the three SCA arrangements. The most appropriate asset life is considered to be 40 years which replicates the useful asset life of other similar type assets held on the Council's balance sheet i.e. schools. A one off retrospective saving of £21.718m would be achieved using this methodology.

- 1.20 In addition to the one off retrospective element, an in year saving would occur in scheduled debt repayments in 2022/23, if applied from 1 April 2022, of £2.071m followed by a reduction in the annual charges for further 17 years and then the continuation of the statutory charges after the SCA contracts have been repaid. Details of the profile of debt rescheduling is outlined in [Appendix 3](#).

Accounting Treatment

- 1.21 The statutory adjustment can be made as at 1 April in the year the revised repayments are applied. This option can be exercised only in 2022/23 or 2023/24 and can be applied retrospectively. Being a cumulative statutory adjustment there is no prior year restatement of statutory adjustments in the Annual Accounts. The statutory adjustment up to 31 March 2022 would require the following entries to be made:

- Debit Capital Adjustment Account; and
- Credit General Fund balance.

- 1.22 Thereafter the statutory debt repayment in subsequent financial years will require the following entries to be made:

- Debit General Fund balance; and
- Credit Capital Adjustment Account

- 1.23 These adjustments would be reported through the Movement in Reserves Statement. The main impact of the reprofiling of the charges will be a reduction in the annual charges for 18 years and the continuation of the statutory charges after the SCA contracts have been repaid. The revised charges will represent the proper charge for the consumption of the assets over their useful lives.

Section 2.2	Permitted approach
Options	To calculate the annual charge for the principal repayments of the debt liability: <ul style="list-style-type: none"> • the equal instalments of principal (EIP) • or the annuity method can be used.
Discount rate	The discount rate to be applied should follow the requirements of the Accounting Code. The principal repayments should be discounted using the interest rate implicit in the contract if that rate can be readily determined. If that rate cannot be readily determined, the incremental borrowing rate of the local authority should be used.
Applicable years	Applied in 2022/23 or 2023/24 only. Can be either prospective or retrospective application.
Cumulative statutory adjustment	The cumulative statutory adjustment is from the Capital Adjustment Account to the General Fund and is made as at 1 April in (depending on the year applied) either 2022 or 2023. There is no prior year restatement of statutory adjustments. The SCA liability will continue to be written down by the contractual principal repayments.
Applicable arrangements	The flexibility must be applied consistently to all SCAs entered prior to 1 April 2022 except for contracts with less than 5 years until completion provided the annual charge is not materially different. A body should separately identify the value of each SCA. If not, the asset and liability must be restated at market values. The flexibility does not apply to leases or any similar arrangement.
Governance	The decision to apply the flexibility must be approved by the Full Council.
Prepayments	Where a prepayment was originally funded from a revenue or capital source, the body may revisit that decision and choose to fund the prepayment from borrowing. Borrowing should be recognised by a loans fund advance.

Original PPP – 3 Secondary Schools, 2 Primary Schools and 1 School annex

The summary position for the PPP scheme below shows the repayments of the £76.282m debt liability for the current 33-year contract period compared to the calculation based on a 40-year annuity and highlights the following:

	Original PPP (2007/8, £76.282m, 33 years)			
	Current position	Principle repayments based on a simple 40 year annuity @ 5.627%		
PPP principle repayments	Current repayment £000	Revised repayments £000	(Reduction)/cost £000	NPV 3.5% £000
Pre 2022-23	29,360	11,078	(18,282)	(18,282)
2022-23	2,112	1,614	(947)	(915)
Yrs 2 to 5	9,049	5,351	(3,698)	(3,383)
Yrs 6 to 10	11,133	8,567	(2,566)	(1,981)
Yrs 11 to 25	24,629	45,546	20,917	9,004
Yrs 26 to 40		4,576	4,576	1,871
Total	76,282	76,282	-	(13,585)

- the statutory adjustment for the cumulative repayment of debt liability up to 31 March 2022 is a £18.282m reduction.
- further annual reductions totalling £13.220m from 2022/23 to 2038/39 the year before the contract expires.
- in the financial years 2039/40 to 2047/48 the revised charges will result in a total of £31.501m higher costs than the current repayment profile (ranging from £1.039m in 2039/40 to £4.576m in 2047/48).
- the rescheduling of all the charges gives a NPV saving of £13.585m.

Ayr Academy

The summary position for the Ayr Academy scheme shows repayments of the £24.877m debt liability for the current 26-year contract period, compared to the calculation based on a 40-year annuity and highlights the following:

Ayr Academy (2017/18, £24.877m, 26 years)				
	Current position	Principle repayments based on a simple 40 year annuity @ 5.960%		
PPP principle repayments	Current £000	Revised repayments £000	(Reduction)/cost £000	NPV 3.5% £000
Pre 2022-23	3,200	914	(2,285)	(2,285)
2022-23	764	217	(548)	(529)
Yrs 2 to 5	3,268	1,005	(2,263)	(2,009)
Yrs 6 to 10	4,461	1,632	(2,829)	(2,147)
Yrs 11 to 25	13,184	8,979	(4,205)	(2,882)
Yrs 26 to 40	-	12,131	12,131	4,200
Total	24,877	24,877	-	(5,653)

- the statutory adjustment for the cumulative repayment of debt liability up to 31 March 2022 is a £2.285m reduction.
- further annual reductions totalling £13.155m from 2022/23 to 2041/42 the year before the contract expires.
- in the financial years 2042/43 to 2056/57 the revised charges will result in a total of £15.440m higher costs than the current repayment profile (ranging from £0.111m in 2042/43 to £1.553m in 2056/57).
- the rescheduling of all the charges gives a NPV saving of £5.653m.

Queen Margaret Academy

The summary position for the Queen Margaret Academy scheme shows repayments of the £26.210m debt liability for the current 26-year contract period, compared to the calculation based on a 40-year annuity and highlights the following:

Queen Margaret Academy (2019/20, £26.210m, 26 years)				
	Current position	Principle repayments based on a simple 40 year annuity @ 5.353%		
PPP principle repayments	Current repayment £000	Revised repayments £000	(Reduction)/cost £000	NPV 3.5% £000
Pre 2022-23	1,781	629	(1,152)	(1,152)
2022-23	809	233	(576)	(557)
Yrs 2 to 5	3,091	1,062	(2,029)	(1,807)
Yrs 6 to 10	4,086	1,680	(2,405)	(1,819)
Yrs 11 to 25	16,442	8,685	(7,757)	(4,458)
Yrs 26 to 40	-	13,920	13,920	4,643
Total	26,210	26,210	-	(5,150)

- the statutory adjustment for the cumulative repayment of debt liability up to 31 March 2022 is a £1.152m reduction.
- further annual reductions totalling £14.353m from 2022/23 to 2044/45 the year before the contract expires.
- in the financial years 2045/46 to 2058/59 the revised charges will result in a total of £15.505m higher costs than the current repayment profile (ranging from £0.772m in 2045/46 to £1.521m in 2058/59).
- the rescheduling of all the charges gives a NPV saving of £5.150m.

Total proposed rescheduling model

Year	PPP principle repayments	Original PPP (2007/8, £76.282m, 33 years)				Ayr Academy (2017/18, £24.877m, 26 years)				Queen Margaret Academy (2019/20, £26.210m, 26 years)				Total-(reduction)/cost £000	Total NPV £000
		Current position	Principle repayments based on a simple 40 year annuity @ 5.627%			Current position	Principle repayments based on a simple 40 year annuity @ 5.960%			Current position	Principle repayments based on a simple 40 year annuity @ 5.353%				
		Current repayment £000	Revised repayments £000	(Reduction)/cost £000	NPV 3.5% £000	Current repayment £000	Revised repayments £000	(Reduction)/cost £000	NPV 3.5% £000	Current repayment £000	Revised repayments £000	(Reduction)/cost £000	NPV 3.5% £000		
0	Pre 2022/23	29,360	11,078	(18,282)	(18,282)	3,200	914	(2,285)	(2,285)	1,781	629	(1,152)	(1,152)	(21,718)	(21,718)
1	22/23	2,112	1,164	(947)	(915)	764	217	(548)	(529)	809	233	(576)	(557)	(2,071)	(2,001)
2	23/24	2,176	1,2309	(946)	(883)	790	230	(560)	((523)	816	245	(571)	(533)	(2,077)	(1,939)
3	24/25	2,218	1,299	(919)	(829)	825	243	(581)	(524)	784	258	(525)	(474)	(2,026)	(1,827)
4	25/26	2,290	1,372	(917)	(799)	839	258	(581)	(506)	767	272	(495)	(432)	(1,994)	(1,737)
5	26/27	2,365	1,450	(916)	(771)	814	273	(541)	(455)	724	287	(438)	(268)	(1,894)	(1,595)
6	27/28	2,446	1,531	(915)	(744)	820	290	(531)	(432)	712	302	(410)	(334)	(1,856)	(1,510)
7	28/29	2,071	1,617	(453)	(356)	866	307	(559)	(439)	757	318	(439)	(345)	(1,451)	(1,141)
8	29/30	2,135	1,708	(427)	(324)	893	325	(568)	(432)	816	335	(481)	(365)	(1,476)	(1,121)
9	30/31	2,204	1,804	(400)	(293)	929	345	(584)	(429)	880	353	(527)	(387)	(1,511)	(1,109)
10	31/32	2,277	1,906	(371)	(263)	953	365	(587)	(416)	920	372	(548)	(388)	(1,506)	(1,068)
11	32/33	2,354	2,013	(341)	(234)	984	387	(597)	(409)	945	392	(553)	(379)	(1,491)	(1,022)
12	33/34	2,934	2,126	(808)	(535)	1,031	410	(621)	(411)	979	413	(566)	(375)	(1,995)	(1,320)
13	34/35	3,049	2,246	(803)	(514)	1,078	434	(643)	(411)	1,101	435	(575)	(367)	(2,021)	(1,292)
14	35/36	3,171	2,372	(799)	(493)	1,138	460	(678)	(419)	1,032	458	(573)	(354)	(2,049)	(1,266)
15	36/37	3,300	2,506	(794)	(474)	1,199	488	(711)	(424)	1,085	483	(602)	(360)	(2,107)	(1,258)
16	37/38	3,436	2,647	(790)	(455)	1,211	517	(694)	(400)	1,152	509	(643)	(371)	(2,217)	(1,227)
17	38/39	4,470	2,796	(1,675)	(933)	1,303	548	(756)	(421)	1,207	536	(671)	(374)	(3,101)	(1,728)
18	39/40	1,914	2,953	1,039	559	1,465	580	(884)	(476)	1,323	565	(758)	(408)	(604)	(325)
19	40/41		3,119	3,119	1,623	1,558	615	(943)	(491)	1,481	595	(886)	(461)	1,290	671
20	41/42		3,295	3,295	1,656	1,638	651	(987)	(496)	1,592	627	(966)	(485)	1,342	675
21	42/43		3,480	3,480	1,690	579	690	111	54	1,695	660	(1,035)	(502)	2,557	1,241
22	43/44		3,676	3,676	1,725		731	731	343	1,837	696	(1,142)	(536)	3,266	1,532
23	44/45		3,883	3,883	1,760		775	775	351	1,104	733	(372)	(168)	4,286	1,943
24	45/46		4,101	4,101	1,796		821	821	360		772	772	338	5,695	2,494
25	46/47		4,332	4,332	1,833		870	870	368		813	813	344	6,016	2,545
26	47/48		4,576	4,576	1,871		922	922	377		857	857	350	6,355	2,598
27	48/49						977	977	386		903	903	357	1,880	743
28	49/50						1,035	1,035	395		951	951	363	1,986	758
29	50/51						1,097	1,097	405		1,002	1,002	369	2,099	774
30	51/52						1,162	1,162	414		1,056	1,056	376	2,218	790
31	52/53						1,232	1,232	424		1,112	1,112	383	2,344	807
32	53/54						1,305	1,305	434		1,172	1,172	390	2,477	824
33	54/55						1,383	1,383	444		1,234	1,234	397	2,617	841
34	55/56						1,465	1,465	465		1,300	1,300	404	2,766	859
35	56/57						1,553	1,553	466		1,370	1,370	411	2,922	877
36	57/58										1,443	1,443	418	1,443	418
37	58/59										1,521	1,521	426	1,521	426
Total		76,282	76282	-	(13,585)	24,877	24,877	-	(5,653)	26,210	26,210	-	(5,150)	-	(24,388)

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	PPP Concession Flexibilities
Lead Officer (Name/Position/Email)	Tim Baulk, Head of Finance, ICT and Procurement – tim.baulk@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 advises the Panel of #####. Members' decision on this has no specific equality implications	
Signed : Tim Baulk	Head of Service
Date: 30 September 2022	

South Ayrshire Council

**Report by Depute Chief Executive and Director
of Housing, Operations and Development
to South Ayrshire Council
of 15 December 2022**

**Subject: Development Plan Scheme: Local Development Plan 2
 and 3**

1. Purpose

1.1 The purpose of this report is to seek approval to publish a Development Plan Scheme and submit this to Scottish Ministers.

2. Recommendation

2.1 It is recommended that the Council approves the Development Plan Scheme contained in Appendix 1 for publication and submission to Scottish Ministers.

3. Background

3.1 The Planning etc (Scotland) Act 2006 requires all planning authorities to prepare a Development Plan Scheme (DPS). This is a document that sets out the expected timescales and stages for preparing and reviewing development plans and the Council's proposals for engagement and consultation. The Development Plan Scheme is normally reviewed at least once every year.

3.2 The South Ayrshire Local Development Plan 2 (LDP2) was adopted in August 2022 and replaces the 2014 LDP as the Council's adopted development plan. The DPS sets out the remaining post-adoption tasks to be undertaken for LDP2. It also sets out indicative stages for the next Local Development Plan (LDP3).

3.3 Procedures for the preparation of the next generation of Local Development Plans have recently been altered by the Scottish Government in the Town and Country Planning (Scotland) Act 2019. The purpose of the LDP will remain the same, but the way it is created and presented, the consultation and involvement of local communities will be different. The Regulations and guidance setting out details of the process for new Local Development Plans have not yet been published by Scottish Government. The proposed DPS therefore sets out expected timescales and stages for LDP3 based on the draft guidance that is available at present.

4. Proposals

4.1 While LDP2 was adopted in August 2022, there remains a large number of ancillary documents called Supplementary Guidance which require to be prepared and adopted to complete the entire LDP2 process. These remaining tasks are set out in the Development Plan Scheme (DPS) (Appendix 1). They include the preparation

or revision of a wide range of Supplementary Guidance (SG) documents that set out the detail of how LDP policies will be implemented. When adopted, this Supplementary Guidance will form part of the development plan. The subjects covered by the SG include Rural Housing, Historic Environment and Housing Site Design Briefs.

4.2 The DPS also sets out the expected key stages for LDP3 under the new development planning system, which is in the final stages of being finalised by Scottish Government. The new system includes an Evidence Report and Gate Check verification process as a major early piece of work in the process.

4.3 A Participation Statement for LDP3 is also included, which explains which public and private sector agencies, groups and organisations we will consult and engage with through the plan making process. It also sets out which types of consultation and communication we will use to involve local communities, including residents, community councils, locality planning partnerships, community representatives, and community organisations as fully as possible.

5. Legal and Procurement Implications

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

5.2 There are no procurement implications arising from this report.

6. Financial Implications

6.1 There will be no direct financial implications for the Council in relation to this report. Resources to undertake the future Local Development Plan process (LDP3) will be the subject of further reports to Cabinet.

7. Human Resources Implications

7.1 There are no human resources implications.

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 There is a risk that if the recommendations are rejected that the transparency and efficiency of the Local Development Plan process will be negatively impacted.

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 2.

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 Commitments 4 of the Council Plan: South Ayrshire Works/ Make the most of the local economy; and A Better Place to Live/ Enhanced environment through social, cultural and economic activities.

13. Results of Consultation

- 13.1 Consultation has taken place with Councillor Bob Pollock, Portfolio Holder for Economic Development, 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 Depute Chief Executive and Director of Housing, Operations and Development 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
The DPS will be published on the Council's website and made available to view at Council offices and libraries. A notice will be placed in local newspapers. Copies will also be sent to Scottish Ministers	Commence immediately in line with the timescales set out in the Development Plan Scheme in Appendix 1	Service Lead- Planning and Building Standards

Background Papers [Report to South Ayrshire Council \(Special\) of 10 March 2022 - Proposed South Ayrshire Local Development Plan 2 Modification and Adoption](#)

[Adopted Local Development Plan 2](#)

Person to Contact **Craig Iles, Service Lead – Planning and Building Standards**
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 616 417

Email craig.iles@south-ayrshire.gov.uk

Date: 5 December 2022



Development Plan Scheme Local Development Plan 2 and 3

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- [What is the Development Plan Scheme?](#)
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- [LDP2 work ongoing](#)
- [LDP3](#)
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Introduction

What is a Local Development Plan?

Local Development Plans (LDP) are spatial land use documents which guide the future use of land in our cities, towns and rural areas. They consider and address land use issues arising from the implications of economic, social, and environmental change. In doing so, they provide an overall, joined up approach to managing development that can set out ambitious but realistic long-term visions for the area they cover. They indicate where development should and should not happen and provide the policy framework against which all planning applications must be assessed, thereby providing confidence for investors and communities alike.

Recent Changes to the LDP Process

The process for preparing local development plans has recently changed and the plans themselves will be more illustrative rather than text based, focusing on what we want to see happen locally, rather than being an extensive set of policies against which proposed development would be assessed and considered.

New stages in the plan making process have been introduced, and some old ones have been removed. The changes are intended to encourage more consultation and collaboration with the public and other stakeholders early on in the process. The Scottish Government has issued Regulations to help guide the new plan preparation process, but full details and practicalities of that process are yet to be established.

We have recently adopted our second Local Development Plan for South Ayrshire, but we must now also start to prepare the subsequent third one. The process is ongoing and evolving.

Why should I get involved in the preparation of the next local Development Plan 'LDP3'?

The new local development plan will have an impact upon many people's lives within South Ayrshire. It is the principal document that guides where development should and should not take place, and will promote and facilitate developments that support and enhance the communities, economy and environment of South Ayrshire.

Participating in the preparation of the LDP is a chance to help shape your future surroundings. It is important therefore that everyone who wants to engage in the Plan process is able to do so. If you want to have a say in how the area develops over the next 5-10 years then the review of the current local plan is your opportunity to do so. In order to ensure we have heard from the widest range of people, and to ensure that the Plan reflects their input, the LDP process seeks to 'front-load' its engagement.

To help us manage the process, we prepare a project management document called **A Development Plan Scheme**.

What is the Development Plan Scheme?

The Development Plan Scheme (DPS) is an important communications tool. It is key to supporting deliverable and people-focussed plans by letting stakeholders know when and how they can get involved in the plan, it also helps to keep people informed of what has been happening, and what will happen next in the process.

In effect, the DPS provides commentary of what is involved at each stage in the preparation of a new LDP, and when the opportunities for engagement and consultation will happen. It is part of the wider project management of the development planning process, and is especially important for achieving collaboration, and can help stakeholders manage their own involvement and input. We will prepare a DPS update at least annually and will make it available on the Council's website,

in local libraries and to view at certain Council offices. We will also publish a notice in a local newspaper to let people know about it and have an opportunity to view it – and to become involved in preparing the next LDP.

In addition to the public notice and web page announcements, we will also directly contact people and organisations we think might want to be involved, or who tell us that they do.

So, how can you get involved?

How will we involve people at each stage of the LDP?

There are three main ways in which we will seek to involve stakeholders and the public in the preparation of the next Plan:

- **Inform** – Throughout the process, we provide information on the progress made and make people aware of the next stages in the process, and how and when they can be involved.
- **Engage** – In the early stages of the process, we engaged with a wide range of stakeholders, communities and the general public in order to identify the main issues to be addressed in the next Plan. This is the principle opportunity to influence the shape and direction of the Plan.
- **Consult** – We will consult all stakeholders and the public on the policies, strategies and proposals set out in the published Proposed Plan. At other points in the process, we also will seek stakeholders' views on specific issues and options which have been identified for discussion or consultation.

The above-mentioned types of involvement reflect the main stages of the plan. As the Plan progresses and ideas and principles become established, different levels of involvement become more appropriate. To help stakeholders get involved in the most appropriate ways, at the most appropriate stages, we prepare a '**Participation Statement**'.

What is a Participation Statement?

In very simple terms, a participation statement sets out how, and when people can expect to be involved in the preparation of the New Local Development Plan, and how we will undertake community and stakeholder engagement.



Local Plan Preparation

Procedures for the preparation of Local Development Plans have recently been altered by the Scottish Government [in the Town and Country Planning (Scotland) Act 2019]. The purpose of the LDP will remain the same, but the way its created, the consultation and involvement of local communities and the way it will be presented will be different.

Because it's a new process, the Scottish Government has prepared initial guidance and 'Regulations' to help councils and communities understand those new procedures. However, details about how all of the different stages will be reached in practical terms as we work together, are still to be fully established.

The main stages in the preparation are clear though, as is our commitment to working collaboratively.

What are the main stages in preparing the new Local Development Plan?

There is still some post-adoption work for the Local Development Plan [LDP2], but that doesn't mean that we can't, or shouldn't also be starting to work on the next Plan too.

LDP2 (What's left to be done)

LDP2 has now been adopted and replaces the 2014 LDP as the Council's development plan. The Plan refers to a number of 'Supplementary Guidance' documents that will provide more detailed policy advice. These will be prepared over the next two years, and we will consult on those documents individually as they are being prepared.

Table 1:**LDP2 Development Plan Scheme**

Stage	Purpose	Public Participation?	Timescale
Development Plan Scheme and participation statement	Sets out stages and timetable for preparing the next LDP and provides information on how you can get involved	Sept 2016-Dec 2016. Call for sites Dec 2016-Jan 2017	July 2015 (Achieved)
Monitoring and Early Engagement	Reviews the current plan's policies and starts to identify issues and ideas for the next plan to address.	2015-2017	July 2015- Oct 2017 (Achieved)
Main Issues Report	Identifies the main planning issues, with alternative (and preferred) options to address them	Nov 2017-Jan 2018	Nov 2017 (Achieved)
Proposed Plan	Presents the 'settled view' of what the Council believes the final plan should be. A draft action programme to implement the plan is also to be published at this stage	Sept 2019 – Nov 2019	Sept 2019 (Achieved)
Modifications to Proposed Plan	Any necessary alterations to the plan can be made to take on board agreed changes to its content	July 2020 – August 2020	March 2020 (Achieved)
Submission to Scottish Ministers for Examination	After public consultation, the plan is submitted to the Scottish Ministers. The Ministers consider any unresolved disagreements to the content of the plan and decide if the plan should be changed.	N/A	Dec 2020 (Achieved)
Adoption	Any modification recommended by the Scottish Ministers are incorporated into the plan, and the amended document is then sent back to the Ministers for a final check before it can be adopted	N/A	August 2022 (Achieved)

Table 2: After LDP2 Adoption

SEA Post Adoption statement	Publish Post-Adoption SEA Statement and submit to SEA Gateway.	N/A	December 2022
Publish Action Programme	Lists the actions required to implement the Plan, and who will be responsible for them	Consultation with individuals/ organisations identified in the document	December 2022
Preparation of Supplementary Guidance	Sets out how to use and implement some of policies in more detail.	Consultation with public and individuals/ organisations likely to have an interest in the guidance.	Autumn 2024

Table 3: LDP2 Supplementary Guidance timescales for preparation

SG Title	Purpose	Public participation	Timescale
Rural Housing	To provide guidance on the operation of LDP policy Rural Housing, the definition of a housing cluster, the conversion of countryside buildings to residential use and the provision of essential worker housing.	Autumn 2023	Winter 2023
Housing Site Design Briefs Part 1	To provide guidance on the layout and infrastructure requirements of housing sites identified in LDP2	Completed 2019*	Achieved 2022
Housing Site Design Briefs Part 2 (South East Ayr)	To provide guidance on the layout and infrastructure requirements of the South East Ayr housing site	December 2022	March 2023
Historic Environment	The provide guidance on the operation of LDP Policy: Historic Environment	Spring 2023	Summer 2023
Maintaining an Effective Housing Land Supply.	To provide guidance and formalise procedures to identify additional housing land in the event of shortfall being acknowledged by the Council.	Completed 2019	Achieved 2022
Householder Development	To provide detailed guidance on proposals to alter domestic'	Summer 2023	Autumn 2023
Wind Energy	To provide guidance on the operation of LDP policy: wind energy, and criteria to help assess new wind energy proposals	Summer 2023	Autumn 2023
Dark Sky Lighting	To provide guidance on the operation of LDP policy: Dark Sky lighting.	Spring 2023	Summer 2023
Developer Contributions and Affordable Housing	To provide guidance on the operation of LDP policy: Developer Contributions and LDP policy Affordable Housing. Provides circumstances and formulae where developers will be expected to provide specific infrastructure and community facilities, or to make a contribution to their provision.	Summer 2023	Autumn 2023
Ayr Town Centre Guidance	To Provide guidance on LDP policy Ayr Town Centre	Summer 2023	Autumn 2023
Open Space and design of new residential Development	To provide guidance on the layout of new residential developments	Summer 2023	Autumn 2023
Green Networks	To provide guidance on LDP Policy Green Networks	Summer 2023	Winter 2023

Table 4: LDP3 Projects

The Requirements of the Town and Country Planning (Scotland) Act 2019, set out the stages of plan preparation for a new generation of Local Development Plans. However the exact requirements and timescales will be specified in future Regulations to be published by the Scottish Government.

The timelines we have set out below are indicative, but rest within the ambitious initial targets indicated by the Scottish Government.

Stage	Purpose	Public Participation?	Timescale
Publish DPS	Sets out stages and timetable for preparing the next LDP and provides information on how you can get involved	Yes, limited. Achieved Summer 2022	Achieved December 2022
Evidence Report	Gathers evidence, data and opinions from stakeholders to enable the Council to understand issues and opportunities prior to preparation of the local Development plan. Will require consultation/engagement with stakeholders and then submission for a Gate Check process by a Scottish Government Reporter.	Yes, see participation statement for detail	Winter 2023/24
Proposed LDP, Proposed Delivery Plan and Environmental Report	Presents the 'settled view' of what the Council believes the final plan should be.	Yes, see participation statement for detail	2024
Modify Proposed LDP, Delivery Programme and prepare Report of conformity	To consider representations made on the Plan and make any modifications considered prudent. Preparation of information on how the contents of the plan will be implemented (and by whom) in practical terms.	Yes, subject to extent of modifications. See participation statement	2024
Submission for examination	After public consultation, the plan is submitted to the Scottish Ministers. The Ministers consider any unresolved disagreements to the content of the plan and decide if the plan should be changed.	No, see participation statement	2025
Publish Delivery Programme	Sets out timescales and actions required to undertake and implements the proposals contained in the local Development Plan.	No, see participation statement	2025
Adopt LDP, Delivery programme and SEA post adoption statement	Any modification recommended by the Scottish Ministers are incorporated into the plan, and the amended document is then sent back to the Ministers for a final check before it can be adopted	No, see participation statement	2025

Implement, Monitor and review	Plan in operation for a 10-year period. Monitoring and auditing process during this period and commencement of work for its review and replacement.	Yes. TBC	Post adoption
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How will we assess the impacts of the local Development Plan?

To ensure that any significant impacts are identified and addressed during the preparation of LDP3, we will carry out the following four assessments at key stages in the process:

- **Strategic Environmental Assessment** – this seeks to identify and address any significant environmental effects which might happen as a result of what the Plan aims to do.
- **Habitats Regulations Appraisal** – this seeks to identify and address any significant effects on European designated habitats and species that might happen as a result of what the plan aims to do.
- **Public Sector Equality Duty Assessment** – this seeks to ensure that the LDP promotes equality and human rights, and does not result in discrimination.
- **Fairer Scotland Duty Assessment** – this seeks to ensure that the LDP pays regard to reducing socio-economic inequalities

The Participation Statement

We have prepared our Participation Statement to reflect the fact that both this, and the DPS are to be published at a time when the full details and implications of the 2019 Act and its associated new Regulations are still being clarified and confirmed. For this reason, we intend to expand on the details of consultation on later stages of plan preparation as expectations of the Regulations become clearer.

There is a requirement to update the DPS annually, and we will use those annual updates to flesh out our intent on consultation and engagement in this participation statement at the same time – all the while seeking to ensure appropriate and meaningful engagement, and making sure that people who want to be involved, have the opportunities to be involved.

How will we consult?

South Ayrshire Council is committed to encouraging participation from as wide a range of stakeholders as possible in all Local Development Plan related activities, such as masterplans, development briefs and other guidance published throughout the lifetime of the Plan. This Participation Statement outlines in general terms how communities and stakeholders will be engaged and have the opportunity to engage, shape and inform the Local Development Plan and associated documents.

The Council aims to ensure that;

- All engagement events are inclusive, open and transparent, this will be reflected in the venues we use, the documents we produce and our methods of engagement;
- Representations are fully considered and help to shape our approach and that feedback is provided to all representations received;
- We take the extra step to engage with as wide an audience as possible, reflecting the diverse nature of our community.
- Particular steps will be taken by the council including methods on reaching under-represented groups, promote inclusive participation at all stages of LDP process and ensure views effect and influence LDP creation.

Who will we consult?

At various stages of preparing the LDP3 and completing the process of preparing and adopting Supplementary Guidance for LDP2 we will seek to involve the following:

- The Local Community, including residents, community councils, locality planning partnerships, community representatives, community organisations and other interested bodies.
- Young people, local schools, youth and community groups
- The private sector, including businesses, land and property owners and developers.
- The public sector, including key Government agencies, community planning partners, neighbouring local authorities, statutory bodies and other non-governmental organisations.

Interest groups and organisations that we will be contacting include the following:

Key agencies and groups:

- Transport authorities (including Transport Scotland, Network Rail, Strathclyde Partnership for Transport, Stagecoach, Ayrshire Roads Alliance);
- Neighbouring Councils (Dumfries and Galloway, East Ayrshire and North Ayrshire);
- Scottish Enterprise;
- Scottish Natural Heritage;
- Scottish Environmental Protection Agency (SEPA);
- Historic Environment Scotland;
- Scottish Water.
- The Scottish Government.
- NHS Ayrshire and Arran.
- Prestwick Airport.

Private sector (and other groups with an interest in planning):

- The development industry, including organisations that represent them, such as Homes for Scotland and Chambers of Commerce;
- Landowners;
- Housing associations active in South Ayrshire;
- Homes for Scotland
- Environmental groups e.g. Friends of the Earth, Royal Society for the Protection of Birds;
- Farmers Community groups;
- Community councils;
- Ayr Chamber of Commerce; and
- Kyle and Carrick Civic Society.

If you are a member of a group or organisation that would like to be added to the list, please let us know (contact info at end of document)

What sort of consultation methods will we use?

- Work with Community Planning Partners to widen the consultation base and unify consultation strategies;
- Refresh membership of the Planning Forum (the list of people who have told us that they want to be involved and kept informed), to increase membership;
- Holding facilitated consultation events where appropriate i.e. in relation to specific issues which might be raised in preparing the Evidence Report. Any relevant issues raised at these sessions will be given consideration in progressing the plan;
- Use online consultation for specific focus groups, based on the particular interests of Forum members;
- Increase use of social media to publicise and engage interest;
- Publish relevant reports and feedback outcomes of public consultation and engagement events on the Council's website;
- Publish a notice/article in a local newspaper stating that the documents are available to view at certain locations and that comments on their content are welcomed and encouraged;
- Making documents available to view at Council offices and public libraries;
- Sending letters or emails to people, organisations and businesses who have registered their details asking to be kept informed of relevant consultation events;
- Meeting with community groups and other interested parties as appropriate; and

Are there better ways for us to consult and engage with you? What time of day is best? Should it be in person or online – or both? What locations are the most convenient, who else should we contact for information, comment and opinion?

You can suggest some ideas for different types of consultation. We might get back in touch with you to discuss your ideas, if that's ok with you too?

One of the most important stages in preparing our next Development Plan will be gathering of relevant and useful evidence and opinion about the types of development we want to see, and the most appropriate places for it. We will have to compile this information into an 'Evidence Report' and submit this to the Scottish Government for assessment before we can progress any further.

Government guidance on what this evidence report must contain is not comprehensive and it's the first time the Planning Authorities have been asked to do it. We will use the consultation methods mentioned above to gather information, but as this is the first stage of a new way of working, we'd really like you to get involved right from the start.

Register your Interest

We'd like you to get involved right from the start.

Register your interest in helping to shape the next Local Development Plan
Contact us to register you interest, and we'll keep you informed about how and when you can get involved.

Name	
Organisation	
Email address	
Address	
Telephone	

Ideas on consultation

We want to tailor consultation and engagement events to suit circumstances, and learn from experience and best practice, and hear some new ways of doing this if you think the ways we've suggested might not work well. Please tell us if you have some ideas.

Ideas for consultation

Return to:
Planning Strategy, County Buildings, Wellington Square, Ayr, Ka7 1DR
localdevelopmentplans@south-ayrshire.gov.uk

Contact Details

South Ayrshire Council, Planning Service, County Buildings, Wellington Square,
Ayr, KA7 1DR

T: (01292) 616 107

E: planning.development@south-ayrshire.gov.uk **W:** www.south-ayrshire.gov.uk



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	Development Plan Scheme: Local Development Plan 2 and 3
Lead Officer (Name/Position/Email)	Craig Iles Service Lead Planning & Building Standards craig.iles@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	N/A	N/A
Disability	N/A	N/A
Gender Reassignment (Trans/Transgender Identity)	N/A	N/A
Marriage or Civil Partnership	N/A	N/A
Pregnancy and Maternity	N/A	N/A
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	N/A	N/A
Religion or Belief (including lack of belief)	N/A	N/A
Sex – (issues specific to women & men or girls & boys)	N/A	N/A
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	N/A	N/A

Community or Groups of People	Negative Impacts	Positive impacts
Thematic Groups: Health, Human Rights & Children's Rights	N/A	N/A

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	N/A	N/A
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	N/A	N/A
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	N/A	N/A
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	N/A	N/A
Socio-economic Background – social class i.e. parent's education, employment and income	N/A	N/A

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 Positive
Advance equality of opportunity between people who share a protected characteristic and those who do not	Low Positive
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 Positive
Increase participation of particular communities or groups in public life	Low Positive
Improve the health and wellbeing of particular communities or groups	Low Positive
Promote the human rights of particular communities or groups	Low Positive
Tackle deprivation faced by particular communities or groups	Low Positive

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)	No
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Rationale for decision:

Not required as there is no specific impact on communities, groups of people, employees or thematic groups.

Signed : Craig Iles **Service Lead -Planning & Building Standards**

Date: 9 November 2022

South Ayrshire Council

**Report by Depute Chief Executive and Director
of Housing, Operations and Development
to South Ayrshire Council
of 15 December 2022**

**Subject: LDP2 Supplementary Guidance Site Design Brief:
South East Ayr**

1. Purpose

- 1.1 The purpose of this report is to seek approval to publish the draft Local Development Plan 2 Supplementary Guidance Site Design Brief for South East Ayr for public consultation.

2. Recommendation

- 2.1 **It is recommended that the Council approves the draft Site Design Brief for South East Ayr for public consultation.**

3. Background

- 3.1 The Local Development Plan 2 (LDP2) and Supplementary Guidance (SG) documents including Design Briefs and Housing Land supply were submitted to Scottish Government in April for their consideration before final adoption by South Ayrshire Council. However, following a complaint by a landowner relating to the preparation and consultation for the South East Ayr Design Brief, Council took the decision in June 2022 to withdraw the Design Briefs Supplementary Guidance for consideration by Scottish Government and to resubmit the SG to Government excluding the South East Ayr section. Council further agreed to the preparation of a new Supplementary Guidance Design Brief specifically for South East Ayr, working with relevant landowners and stakeholders.
- 3.2 Planning officers have been working since June to redraft the Design Brief for South East Ayr. Given the scale and complexities of the South East Ayr site and its significant infrastructure requirements, it has been important to ensure close collaboration and engagement with all of the landowners, agents, key agencies and other stakeholders involved in the delivery of this major site.

4. Proposals

- 4.1 The purpose of the design brief is to provide guidance on, and the requirements associated with the urban expansion allocation of South East Ayr (referred to as 'AYR4' in LDP2). It is intended as the second constituent part of Supplementary Guidance Housing Site Design Briefs, and as such, it will form part of the Development Plan once adopted. Therefore, once adopted, all planning

applications for the South East Ayr area will be considered against this Supplementary Guidance.

- 4.2 The vision for South East Ayr, and the aim of the Brief, is to ensure that South East Ayr is developed so as to provide a distinctive new urban area, set within a comprehensive and appropriately generous green and blue network of bio-diverse recreational, amenity and functional open space, together with community facilities and essential infrastructure for day to day needs. It will also ensure that there are effective physical connections to Ayr and the communities beyond and which will in time be a community able to adapt to changing patterns of living, working, travelling and communication.
- 4.3 The Design Guide sets out what the main land uses, physical elements and common infrastructure on the site should be, including a neighbourhood centre, primary school, two footbridges across the A77, road infrastructure and active travel routes across the site. The design guidance sets out that, given the settlement extension relates to in excess of 2,700 houses, a primary school will be needed once the 400th house threshold is reached. It is intended that the Council will front fund the delivery of the School with the costs being recouped from developers via a roof tax on completed houses. Provision is also made for open spaces and a landscape framework to provide a high quality setting and recreational opportunities within this new urban area.
- 4.4 Maximum housing capacities are also indicated for each parcel/phase of development, as well as the sequencing of delivery of common infrastructure, and a mechanism for the apportionment of costs to ensure that all necessary elements of the site can be delivered and funded properly.
- 4.5 If the draft Design Brief is approved, a full public consultation will commence to gather the views of local communities and all stakeholders and inform a finalised version of the Design Brief.
- 4.6 The landowners/agents associated with each phase/area of the site were informally consulted in September/October 2022 on an initial draft of the Design Brief. The feedback received has been considered and has informed the revised draft Design Brief, which is attached as Appendix 1.

5. Legal and Procurement Implications

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

6. Financial Implications

- 6.1 There are financial implications relating to the requirement to deliver the primary school. The Supplementary Guidance expects the Council to finance the provision of the Primary school, and thereafter recoup its expenditure from the Housing Developers in the form of a roof tax upon the completion of each dwelling house over the lifetime of the South East Ayr development. It is anticipated that the primary school would require to be provided approximately in line with the construction of the 400th house at South East Ayr.

7. Human Resources Implications

7.1 There are no human resources implications.

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 There is a risk that if the recommendations are rejected that there will not be an agreed and consistent basis for determining future planning applications for the South East Ayr site, or securing the necessary infrastructure and financial contributions required to deliver a successful development.

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 2.

10. Sustainable Development Implications

10.1 ***Considering Strategic Environmental Assessment (SEA)*** – SEA has previously been undertaken in relation to this designated housing site as part of the Local Development Plan process and the previous version of the South East Ayr Design Brief.

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 Commitments 4 of the Council Plan: South Ayrshire Works/ Make the most of the local economy; and A Better Place to Live/ Enhanced environment through social, cultural and economic activities.

13. Results of Consultation

13.1 Consultation has taken place with Councillor Bob Pollock, Portfolio Holder for Economic Development, and the contents of this report reflect any feedback provided.

13.2 The landowners and agents for all of the land parcels with the SE Ayr site have been informally consulted on an initial draft version of the document.

14. Next Steps for Decision Tracking Purposes

- 14.1 If the recommendations above are approved by Members, the Depute Chief Executive and Director of Housing, Operations and Development 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
Consultation on the draft document will be held from December 2022. The results of this and a finalised version of the Design Brief Supplementary Guidance will be taken back to Council in Spring 2023	Spring 2023	Service Lead - Planning and Building Standards

Background Papers **Report to South Ayrshire Council (Special) of 10 March 2022 - [Proposed South Ayrshire Local Development Plan 2 Modification and Adoption](#)**

Report to South Ayrshire Council of 29 June 2022 - [Local Development Plan 2, Supplementary Guidance Design Brief](#)

Person to Contact **Craig Iles, Service Lead – Planning and Building Standards
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Phone 01292 616 417
Email craig.iles@south-ayrshire.gov.uk**

Date: 5 December 2022

**Draft Supplementary Guidance:
Housing Site Design Briefs (Part 2): South East Ayr**

Appendix 1



November 2022

SOUTH EAST AYR – Site Design Brief.

Introduction

Fundamental principles

The purpose of this design brief is to provide guidance on, and the requirements associated with the urban expansion allocation of South East Ayr. This document is intended as the second constituent part of Supplementary Guidance Housing Site Design Briefs, and as such, it will form part of the Development Plan once adopted. Its content focusses on matters concerning land within, and associated with the South East Ayr land allocation referred to as 'AYR4' in LDP2. The vision for SEAYr and the aim of the Brief is to ensure that South East Ayr is developed so as to provide a distinctive new urban area, set within a comprehensive and appropriately generous green and blue network of bio-diverse recreational, amenity and functional open space, together with community facilities and essential infrastructure for day to day needs. It will also ensure that there are effective physical connections to Ayr and the communities beyond and which will in time be a community able to adapt to changing patterns of living, working, travelling and communication.

As the most significant urban expansion of Ayr for many generations, the Council expects a degree of urban design and foresight for, and the consideration of future residents which reflects this status, and will work with respective land owners, developers and stakeholders to ensure this comes to fruition.

This draft brief takes cognisance of, and has been influenced by the original expectations for the site as contained in the South Ayrshire Local Plan 2007, the 2014 South Ayrshire Local Development Plan, the 2019 Draft SG Housing Site Design Briefs, the Report of Examination into representations made on LDP2 (2022), comments submitted to the draft SG (2019), comments made on the Council's 2022 Notice of Intention to Adopt SG Housing Site Design Briefs, ongoing discussions with prospective developers / interested parties and stakeholders, and a consideration of pre-existing PPP, detailed consents and minded to grant consent for land parcels within the wider SEAYr allocation (as at August 2022).

This SG refers to 'land parcels.' These parcels comprise areas of land within the SEAYr allocation that are further defined as (in alphabetical order): Alton, Anderson, Cockhill, Corton, Dawn/Springfield, Glenparks and Trillium. The land parcels are illustrated in Appendix B.

This Supplementary Guidance, once adopted, shall form an integral element of the Adopted Local Development Plan 2. As such, planning applications shall be made in accordance with this SG (as forming part of the South Ayrshire Local Development Plan 2) unless material considerations indicate otherwise.

Note: Planning Circular 3/2022 'Development Management procedures' clarifies the definition of what may constitute 'Material Considerations' .

NB: With regard to the above, it is anticipated that the developments with consent as of August 2022 will progress as per those consents, but any amendments, alterations and new applications will be expected to conform to the principles and guidance contained within this SG.

A **Design Framework for SE Ayr** (comprising land parcel identification diagram, Strategic Green Corridor & active travel routes, and Strategic Traffic Routes) is provided as Appendix A to this Brief.

The Land Parcels referred to in Appendix B comprise (in Alphabetical order) Alton, Anderson, Cockhill, Corton (including Dawn/Springfield parcel Glenparks, and Trillium.

Part 1: Substantive Themes:

➤ Transport and connections

All parcels of the greater SEAYr allocation will require to comply with the basic principles of the Design Framework diagram, creating a new urban expansion for Ayr with at least two active travel connections to Ayr, comprehensive and logical active and vehicular routes through development parcels, with active travel connections across the entire SEAYr allocation across / beneath the Railway line at points including Glengall Bridge (underpass), High Glengall overbridge (directly linking Corton and Alton) and Corton Bridge overbridge (directly linking the Corton and Cockhill) on the Framework. Provision for the future establishment of a railway station/interchange with park and ride facilities (approx. 1 hectare) shall be safeguarded with land set aside for parking, bus shelters, cycle (and 'wheeler') storage on land adjacent to the railway within the Corton land parcel. Access shall also be safeguarded on the opposite side of the railway line within the 'Alton' land parcel. Access and accessibility statements shall be expected to accompany each application(s) for development of each land parcel to ensure comprehensive network connections across the SEAYr allocation.

Further information and expectations are included in Part 2, below.

➤ Open space, green (and blue) networks

The SEAYr allocation shall realise a vision to create a new urban area that is set within a strong and comprehensively generous open space framework. The residential density of the SEAYr allocation has therefore been estimated (the LDP sets an indicative capacity of 2700 units) in such a way as to reflect the expectation and requirements of achieving this balance of development within substantial green and blue networks of landscaped, shelterbelt, woodland, screening, amenity, natural and recreational (both informal and formal) open spaces. Each phase / development parcel will be required to demonstrate this commitment to such a philosophy in its design statement, development plot layout and specific open space strategy in documentation submitted in support of planning application(s).

The Council considers that 'open space' in its many forms and with its many formal and informal functions will be a fundamentally important component in creating a new urban area, and will embrace the principles of placemaking, the 6 qualities of place. The LDP requires that development should provide services, facilities and infrastructure, that it should respect the character of the landscape and setting of settlements, and that, where possible, it should contribute to the Central Scotland Green Network. The Council considers that open spaces and a comprehensive, integrated and connected landscape framework should be regarded as being amongst the highest-level considerations in the design and layout of this major urban expansion. Strategic Policy 2 of the LDP states that the council will ensure that development proposals "include open space and landscaping that is appropriate for the location and use of the proposed development". This SG has been written to provide guidance as to how such a layout can be established and the consequential expectations of the Council.

Note: The first consent(s) for SEAYr have been for the 'Corton' land parcel, with open space provision in the order of some 15 Hectares (as indicated within the application(s) supporting documentation). The diagrams associated with the application(s) showed that the overall open space provision would include land for structural landscaping, infrastructure corridors, safety

zone standoff corridors, riparian networks, the setting of the new settlement, nature conservation (and biodiversity enhancements), and provisions for sustainable urban drainage. The Council is supportive of such an approach, particularly where the open spaces are linked and form significant open space networks.

➤ **Neighbourhood Centre and Education Facilities**

The main commercial and community focus of the SEAYr allocation will be within the 'Corton' land parcel, and shall comprise of a Neighbourhood Centre that will enable opportunities for the provision of a small range of shops, offices, healthcare facilities and other amenities of a scale and range that is appropriate to serve the local community. A Primary School and Early Years facility, together with sporting facilities (including a floodlit full-size community football pitch) shall also be located within the Corton land parcel.

Additional facilities and commercial floorspace may be appropriate in other locations and land parcels, but proposals for such will require to be justified and be in accordance with the general principles and specific policies of LDP2.

Active travel routes shall be created to ensure that the neighbourhood centre and Education facilities are easily accessible by appropriate Active and public transport networks.

[Further information and expectations are included in Part 2, below](#)

➤ **Common infrastructure commitments**

Common infrastructure is that which is determined to be essential for the integrating of all land parcels within the SEAYr allocation, those which are required for the integration of the SEAYr allocation with Ayr, and those which are required as a consequence of the development of 2700 new homes at SEAYr. Specific elements of the common infrastructure will therefore be required to be made available for use at certain key 'milestones' in the development process, irrespective of which land parcel is being developed at a specific point in time. No development shall commence until these facilities are proven implementable prior to/ by the point of any agreed thresholds/ timescales associated with their delivery.

[Further information and expectations are included in Part 3, below](#)

➤ **Design code:**

Each application for a phase of development / land parcel, must be accompanied by a design code, submitted by the applicant as supporting documentation for that application. The code shall take account of the Scottish Government's Creating Places: A Policy Statement on Architecture and Place for Scotland or subsequent guidance, the SEAYr Framework and any pre-existing approved design code for other part(s) of SEAYr to ensure SEAYr has local distinctive character. The Code shall be submitted with each application(s) to consider land parcels. Substantial / significant alterations to any pre-existing consents shall also require revisions to any associated design code(s) where the Council considers that such revisions are necessary for it to provide an appropriate level of design guidance

➤ **Design and Access Statement**

Each application for a phase of development / land parcel, must be accompanied by a Design and Access Statement, submitted by the applicant as supporting documentation for that application. This statement shall set out design principles that determine the design, layout, open space / green landscape framework, and transport/active travel hierarchy as it relates to that particular development parcel, and its inter-relationship with other land parcels, extant consents and any relevant pre-existing approved Design Code(s).

The Statement shall be a document for consideration and determination as part of the associated planning application (or subsequent satisfaction of condition).

Part 2: Key elements to be included in the development:

1. Residential Development

- The SEAyr allocation shall provide an indicative number of 2700 new homes including 25% affordable housing, which will provide housing for approximately 5,700 residents (see table 1, below)
- Excluding the Hospital sites (Ayr General, Ailsa and Carrick Glen) the site allocation extends to approx. 171 hectares, divided into distinct land parcels/areas.

Table 1: Maximum Housing Numbers and resultant population(s)*

Site Area (approx. Hectares)	Anticipated residential units as a Gross density (at approx. 16 per Hectare)	Anticipated population**
Alton (25)	400	852
Anderson (16)	256	545
Cockhill (48)	768	1635
Corton (63ha – figure as per application)	1008	2147
(Dawn/Springfield parcel) (2)	32	68
Glenparks Neil (9.5)	250 (based on 'minded to grant' consent)	532
Trillium (8)	128	272
Hospitals (46 +7 Carrick Glen)	N/A	
Total	2842	6051

*the anticipated population levels are increased from the original 5700 estimate by reason of the higher number of residential units within the Glenparks land parcel.

**Based on Gov.Scot Household statistics 2020: 52,571 households, 112,140 population = average household size of 2.13

Note: The Council anticipates that whilst the number of residential units has been estimated at approx. 16 units per hectare gross, it would not be possible to develop all of the land due to site specific requirements and constraints. Residential densities within net developable areas (referred to as 'Development Pods' within this SG) are however anticipated to be greater than 16 units per hectare. Notwithstanding, suitable arrangements must be put in place for the long-term management and maintenance of all other land within each parcel which does not comprise a Development Pod. There is an expectation that such areas will likely fall under the broad definition(s) of open space, as described within the Substantive Theme section of this SG.

Due to the expectations associated with realising the vision for the overall development of the SEAYr allocation, the Council will not be supportive of proposals for development within any land parcel unless and until a strategic landscape framework has been designed and approved [likely to be by the assessment and determination of a planning application or legal agreement] and a mechanism is in place to ensure its delivery and long-term management and maintenance.

2. Neighbourhood Centre

- Neighbourhood Centre: acceptable uses include restaurant, hotel, offices, local shops and commercial uses of a scale commensurate with the local SEAYr community.
- Total gross internal floorspace of retail / commercial units within the Neighbourhood Centre shall be no more than 2,500 sqm. The mix of acceptable uses shall comprise Class 1 retail (convenience and comparison), Class 2 office, Class 4 business use, class 11 assembly and leisure use, class 3 restaurant, Sui Generis hot food takeaway. Healthcare facilities will also be considered compatible within any unit. No unit shall be greater than 2000 sqm (Gross internal) and at least 5 units shall be provided, each of a minimum of 50sq metres.
- Public realm of the neighbourhood centre shall create focal point of the SEAYr development which reflects the 6 principles of design (as defined in 2014 SPP)
- Small convenience shops within other phases may be appropriate providing they are compliant with retail policies within the Local Development Plan.
- Recycling facilities shall be provided at the neighbourhood centre (bottle/glass bank, Cans/metal bank, Clothes/fabric bank, plastic and card). An area of 300 sq metres hard standing with LGV service access is required.
- Provision for electric charging points / or ducting for future provision.
- Serviced land of approximately 1 hectare for the provision of approx. 2,300 sq metres (Class 2 and 4 uses) shall be safeguarded, grassed and retained for future development adjacent to the Neighbourhood Centre. Alternative uses for this land may be considered acceptable after completion of the Corton Phase / land parcel, subject to the provisions of LDP2.

3. Education Campus

- Serviced land for a 3- stream primary school within the 'Corton' land parcel including nursery (early years) provision, associated playground space, playing fields (including a floodlit full size football pitch), community changing facilities, school hall suitable for Community Use, active travel and vehicular access and car/ cycle/ wheel parking.
- The Council must approve the location, layout and access of the primary school, method and financing of its delivery prior to any residential development commencing.
- Provision of proportionate educational contributions towards the provision of new combined nursery (early years) and primary school with site, associated facilities and costs associated with school site purchase.
- No more than 400 residential units may be occupied (anywhere throughout the SEAYr allocation) until the school is complete and ready for occupation/use.

4. Active Travel

- Leisure peripheral active travel path with outward links to existing networks.
- Active travel routes – Within all phases but key link connections to Neighbourhood Centre, A77 overbridges and railway overbridges and rail underpass within site. Must be of a suitable gradient for all abilities, should be separated from vehicles and have the appropriate lighting. The primary emphasis should be on creating high quality active travel connections across the site that have primacy over other modes of transport and link to the existing settlement of Ayr, NHS Ayr and Ailsa hospital campus and the wider countryside to promote transportation behavioural shift for climate change, health and wellbeing benefits.
- Two active travel bridge linkages to Ayr and associated connections at either side:
 - a) Near Maybole Road – Equestrian and active travel bridge- Prior to occupation of any development at Corton.
 - b) Near Bankfield Roundabout – active travel only – Prior to occupation of any development at Alton or Glenparks/ Cockhill
- Pedestrian and Vehicular access to the rail station with an associated maintenance area shall be provided within the Alton land parcel.
- Within Corton land parcel, Serviced land of 1 hectare for Travel/ mobility hub: Inter modal travel hub, which enable users to switch between active travel, public transport and private vehicle modes, suitable secure storage/parking facilities for wheeler/cycle, parking bays for buses with waiting shelters, car parking for 178 vehicles and electric charging point for all types of vehicles. This should be easily accessible from rail station area to encourage onward travel by rail as well as bus. The travel hub may be established in advance of the Rail station and its use thereafter continued alongside and as an integral element of this combined travel interchange area.
- Active travel links between different land parcels of development are required. The linkages across (over and under) railways shall be established in principle, incorporated into the framework to be retained / provided and thereafter maintained (mechanism to be agreed by negotiation prior to commencement of development, and secured in agreement with Network Rail).
 - a) Slapburn underpass- Prior to occupation of any development on any land parcel
 - b) High Glengall Overbridge – Prior to occupation of any development in Corton or Alton
 - c) High Corton Bridge – Prior to occupation of any development in Glenparks/ Trillium / Cockhill

5. Open Space and Landscape Framework

As indicated within the Substantive Themes section of this SG, the Council expects that SEAYr will be set within a landscape framework that will assimilate the development into its surrounding natural and woodland landscape context and which will provide opportunities for the enhancement of biodiversity.

Within this section, the term 'open space' does not imply that this shall all be 'active use' open space. Whilst it may include active / formal open spaces, other types of open space such as structural landscape frameworks, infrastructure standoff areas, woodland and nature conservation areas and riparian corridors also fall within this description. Mechanisms and responsibility for the long- term management of all types of open space will however require to be established as part of the planning application and consent process relating to each of the land parcels within the SEAYr allocation. Examples of planning consent condition relative to these matters, are listed at the foot of this section.

The overall Open Space and Landscape Framework is not being strictly defined in this SG. Instead, the Framework(s) shall be established by planning applications, through which the Council will consider whether proposals meet aspirations relative to the vision for the development of the SEAYr allocation and provide an appropriate setting and network of integrated green and blue networks.

Notwithstanding the above, and as discussed in the 'note' to Table 2, development is expected to be focussed within 'development pods' rather than across the entire SEAYr allocation uniformly. Within these pods, development would likely be at a density of some 32 residential units per hectare. This density figure has been suggested by landowner / agent(s) during preparation of this SG. Whilst the figure of 32 units per hectare has not been suggested as either a maximum or minimum figure, it provides a useful indicator from the development industry.

The Council is minded to agree that the above stated set of circumstances is a reasonable scenario. Additional information and illustrative material have been provided by landowners /Agents on this matter. This has been useful to further aid an understanding into the implications and opportunities regarding the amount of land that will not comprise a 'development pod'. Whilst some of that land may be required for infrastructure such as distributor roads to connect development pods and land parcels, it gives an insight into the potential that the SEAYr allocation has to address the SG's stated fundamental principles and substantive themes relative to the open space and landscape framework.

As referenced elsewhere, due to the expectations associated with realising the vision for the overall development of the SEAYr allocation, the Council will not be supportive of proposals for development within any land parcel unless and until a strategic landscape framework has been designed and approved [likely to be by the assessment and determination of a planning application or legal agreement] and a mechanism is in place to ensure its delivery and long-term management and maintenance.

Table 2 below does not imply an assumed requirement for open space, but is given as an aid to understanding the limitations and opportunities associated with net developable areas when compared with the extent of SEAYr allocation as a whole.

Table 2*

Land Parcel est. hectares	Estimated net development area	Land for other requirements
Alton 25 ha	13 ha	12ha
Anderson 16 ha	8 ha	8ha
Cockhill 48	22.5 ha	25.5ha
Corton 63 ha**	48 ha	15 ha
Glenparks 9.5	7.5	2 ha
Trillium 8ha	5.5	2.5 ha

*Table 2 is based on estimated net indicative development area (development pods) through consultation with landowners/ agents.

**Corton Land Parcel includes sites for the provision of a neighbourhood centre primary school and park and Ride facility (with an estimated combined size of some 6-7hectares)

The Council anticipates that the Open Space and Landscape Framework shall result in a development that is set within a landscape framework which will assimilate that new development into its surrounding agricultural and woodland context, and which provides opportunities for enhancement of biodiversity. It is also expected to incorporate the following elements:

- Open spaces throughout the development land parcels and across the SEA allocation, as linked green and blue open space corridors.
- The creation of green corridors between land parcels, development pods and to the Neighbourhood Centre and Primary School.
- The retention and integration of riparian corridors, water features, pre-existing established woodland, shelterbelt and naturalised areas as elements of the inter-connected green (and blue) landscape and open space framework.
- Safeguarding and management of existing woodlands and areas of nature conservation interest.
- Sustainable urban drainage systems (SuDS) for each land parcel which take into consideration areas of flood storage and a nature-based water management solution that will improve water quality, reduce flood risk within the development, adjacent hospital site and downstream. Links to the Green and Blue networks should be integral in SuDS schemes.
- Landscape plans and associated schedules shall include species types that support and encourage wildlife and facilitate connected green and blue habitat corridors throughout the SEAYr allocation. Management and maintenance schedules for communal green spaces shall be provided by the applicant/ developer for each phase of development.
- Landscape maintenance schedule; to incorporate the potential for future allotment provision and /or Land for community food growing spaces in each phase, subject to community request and capacity to manage facility. Discussion on provision at each planning application for land parcel / area.
- Green and Blue networks shall be designed and managed to increase biodiversity. (subject to consultation with the CAA concerning bird strike and aviation risk)

- The development standoff from the high gas pipeline shall be integrated into the wider green network with an appropriate landscaping / planting scheme
- The Council also anticipates that informal recreational and sports / games opportunities (such as levelled areas for kickabouts, or contoured areas for mountain biking, no dig and informal paths) will be provided within the open space /landscape frameworks. These spaces should encourage rather than discourage public access, with recognisable entrance points if fenced, or preferably, no barriers to entrance.
- That a MUGA should be provided within the Cockhill land parcel / area.

In addition to the above, the Council is mindful that the SEAYr allocation does not benefit from the pre-existence of established large-scale public open space/parkland provision that is more readily available within urban areas to the west of the A77 Ayr bypass. The Council considers that such provision may reasonably be regarded as a public facility, and one that would also reasonably be expected to be available (or within a short active travel distance) for a community with an expected population of some 5700 residents. For this reason, and in taking cognisance of the diagrammatic information associated with the pre-existing planning consent for Corton, and schematic diagrams presented to the Council for consideration in the compilation of this SG, the Council notes and advocates for the identification of some 2 hectares of land for use as an informal neighbourhood park, linked to active travel routes and connected to the wider green landscape networks. The Council further considers that the Corton land parcel would be the most suitable location for such provision as it will be where most community uses are to be established, and it would therefore strengthen and compliment this focus of community activity.

Open Space provision associated with the residential Development Pods

Open space provision within, and associated with the development pods shall be in full compliance with the terms stipulated within the LDP and information contained with the Council's Guidance document 'Open Space and designing new residential developments', and shall include provision of formal equipped play areas, village greens and areas of amenity open space. For ease of reference, using the anticipated distribution of residential development across the SEAYr allocation, the anticipated population levels within each land parcel are detailed in Table 2.

Example of conditions which may be applied to the granting of consents within the SE Ayr allocation:

That the first application for Approval of Matters Specified in Conditions shall provide a phasing plan and programming for the provision of structural landscaping, provision of strategic active travel networks, provision all village greens, provision of the Sustainable Urban Drainage system in the form of detention ponds and a detailed programme of works for each phase of development including landscaping and play provision to be agreed with the planning Authority. The phasing plan shall be adhered to unless otherwise agreed with the Planning Authority.

Full details of the structural landscaping and wildlife corridors within each land parcel shall be submitted. A landscape play provision bond(s) shall be implemented within each land parcel prior to the occupation of the last house in that parcel

Each phase of the housing development [a development pod] shall comply with the Council's guidance 'Open Space and Designing new residential developments'.

6. Road Infrastructure

- Vehicular links / through routes shall be created within the Corton area. Potential vehicular links from Alton to the Ailsa site shall be established and safeguarded. Links and through-routes shall be created within and between the Glenparks area to and through Cockhill and Anderson areas, with a safeguarded link to the Ailsa area from Glenparks.
- Provide contributions for strategic road upgrades required to accommodate the development, and additional proportionate contributions relative to the A77 traffic Corridor Improvements [to be stipulated by and in association with Transport Scotland].* Improvements are likely to include matters relating to:
 - a) Modification of Bankfield Roundabout junction
 - b) Modification of Whitletts Roundabout junction
 - c) Modification of Holmston Roundabout junction
 - d) Modification to Sandyford Roundabout
 - e) Modification to Dutch House roundabout
 - f) Creation of Maybole Road RoundaboutAnd
 - g) A77 Dualling between Whitletts and Holmston.

* Research work with Transport Scotland is ongoing to establish the implications of development and the requirements for A77 transport corridor improvements. These requirements shall be proportionate to the impacts of individual development proposals but would not be applied retrospectively as an additional requirement for any pre-existing or minded to grant consent which does not reference or include condition or [require a] legal agreement for such provision.

7. Public Transport

- Regular and frequent public transport service to all phases of development to ensure all homes are within 400 metres of a bus stop for a scheduled bus route.

8. Site re-grading

- Any regrading proposals of any land to accommodate development should respect and reflect natural topography of the local area.

9. Miscellaneous Infrastructure

- High speed digital connection to service all homes and businesses.
- Provisions for a Community Heat network shall be considered for and within each phase of development. Viability statements shall be provided for the consideration of the Council where the applicant/ developer asserts that feasibility, delivery and viability are not justifiable.
- Provisions for the reduction of CO2 by provision and facilitation of renewable energy shall be considered for, and within each phase of development. Viability statements shall be provided for the consideration of the council where the applicant/ developer asserts that feasibility, delivery and viability are not justifiable.
- All required services including water (foul and surface water) and high-speed digital connections to service all homes and businesses.
- Lighting strategy for masterplan which minimises impact on wildlife, and encourages active travel though illumination of main / strategic active travel pathways.

General Infrastructure Delivery: with each application for land parcel / development area, the applicant shall provide information on the infrastructure on and off site that will be delivered as part of each stage, together with an anticipated timescale for its delivery.

10. Sequencing of Development.

- **As referenced elsewhere in this SG, due to the expectations associated with realising the vision for the overall development of the SEAYr allocation, the Council will not be supportive of proposals for development within any land parcel unless and until a strategic landscape framework has been designed and approved [likely to be by the assessment and determination of a planning application or legal agreement] and a mechanism is in place to ensure its delivery and long-term management and maintenance.**
- Sequencing plan(s) for the provision of all infrastructure and landscaping (transportation, SUDS, serviced site for school campus [transferred to Council for subsequent delivery]**, school construction** community facilities*, access to travel hub site and transfer of associated land for its provision*, landscaping and open space) shall be provided with each planning application for land parcel / phase of development to ensure residents have access to the necessary facilities at the earliest appropriate stage of development.
- It is anticipated that Corton will be the initial land parcel that is developed. Notwithstanding, providing infrastructure / common infrastructure is provided, the Council considers that flexibility in the development of land parcels/ areas may facilitate the development of the wider locality and assist in funding streams.
- A Sequencing Plan will be required for each land parcel / area of SEAYr as supporting documentation associated with pertinent planning application(s)
- Key infrastructure and community facilities shall be provided in accordance with Table 3, at key stages (and or 'trigger points') of the overall SEAYr development

*Sequencing of infrastructure and community facilities associated with the Corton Land Parcel.

**the sequencing and availability of the school will be a significant material consideration in the sequencing of all land parcels, although its location will be within the Corton Land Parcel.

Part 3: Common Infrastructure

The costs for the strategic (common) infrastructure, including land (on-site and off-site) are extensive and will need to be proportionately divided between all land parcels. Unless otherwise agreed, this shall be based on the capacity of each land parcel, using the averaged 16 residential unit per hectare as the definitive mechanism for apportioning a share of costs. All financial developer contributions will be indexed linked.

Anticipated Common infrastructure is indicated in Table 3 below:

Table 3: Common Infrastructure

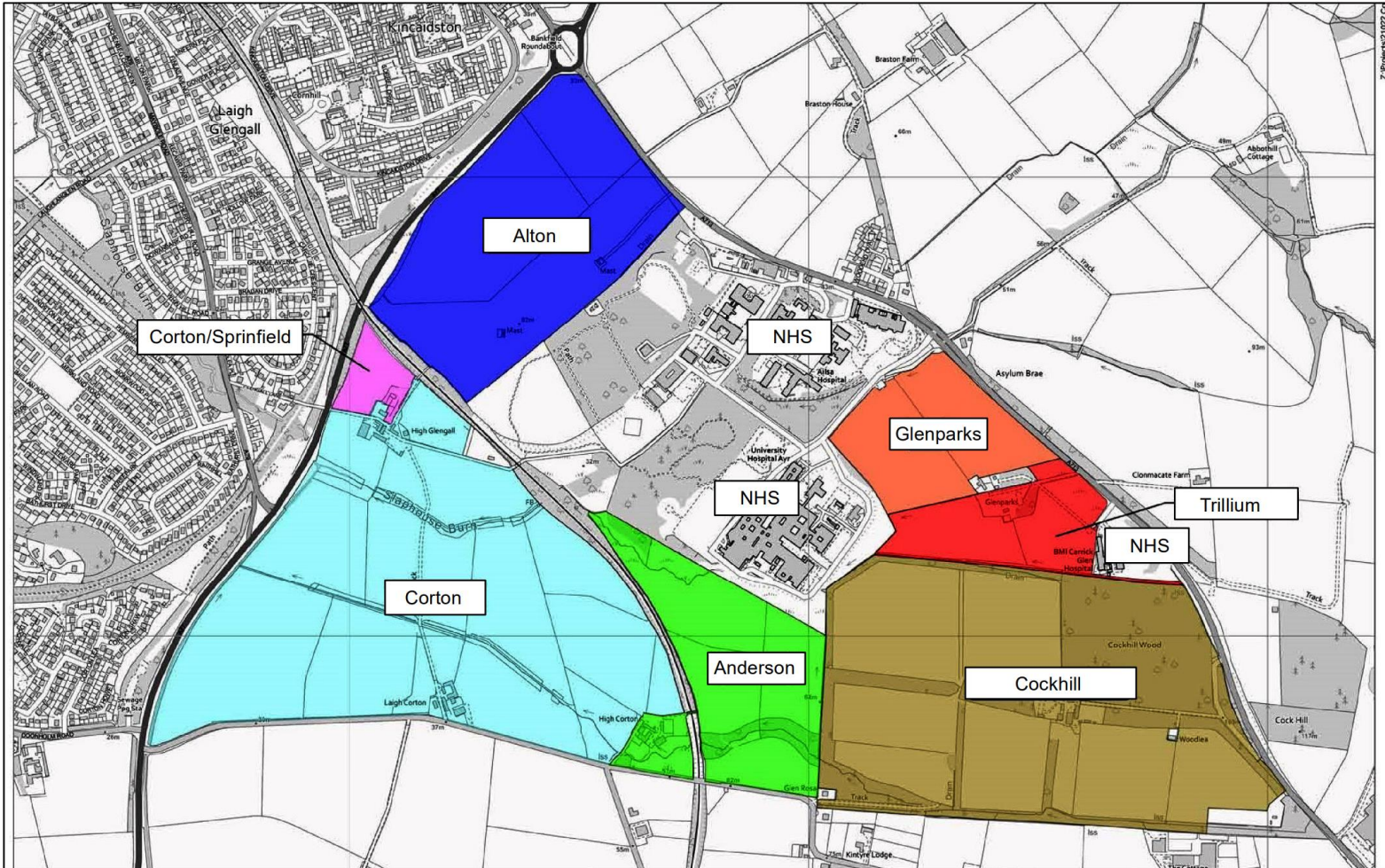
Common Infrastructure / facility	Point in development process by which time the infrastructure [or facility] shall be available and /or the point at which development may not progress unless infrastructure [or facility] is available.
Adoptable access to, and serviced land for Primary and Early years campus (Minimum 3.5 hectares)	Prior to any house being constructed.
Primary School / Early year Campus Building, floodlit Community Sports Pitch / changing facilities and hall suitable for community use.	No more than 400 residential units shall be occupied before completion and ready for use
Land for Community facilities including Railway Station, park and ride (transport interchange hub) at Corton. Circa 1-hectare land to provide for 176 cars (with access and circulation for cars and buses) bus shelters, cycle storage racks and provision / ducting for electric vehicle charging points.	Prior to any house being constructed within the Corton land parcel
Provision of Railway Station	Not to be funded by proportional cost distribution. Future provision dependent on STPR2
Provision of park and ride (transport interchange hub) at Corton. Minimum 1 hectare and to provide for 178 cars (with access and circulation for cars and buses) bus shelters, cycle storage racks and provision / ducting for electric vehicle charging points.	Not to be funded by proportional cost distribution. Future provision dependent on STPR2
Land for access to, and maintenance of potential Railway station platform at Alton circa 0.25 hectares.	Prior to the occupation of any residential unit in the Alton Land Parcel.

Railway crossing High Glengall overbridge with servitude right of access, any necessary physical improvement measures and footpath connections.	To be available prior to the occupation of any residential unit in Alton land parcel
Railway crossing Corton Bridge overbridge with servitude right of access, any necessary physical improvement measures and footpath connections.	To be available prior to the occupation of any residential unit in Glenparks, Trillium or Cockhill land parcel.
Railway crossing Glengall Bridge underpass with servitude right of access, any necessary physical improvement measures and footpath connections.	To be available prior to the occupation of any development in any land parcel
A77 overbridge for active travel and equestrian use (near Maybole Road).	To be available for use by the time any development within Corton land parcel is occupied.
A77 overbridge for active travel use (near Bankfield Roundabout).	To be available for use by the time any development within the Alton land parcel is occupied.
A77 Road Corridor Improvements (list and caveats as per table 1. Item 6)	Specific requirements and delivery to be determined in association and agreement with transport Scotland through planning application and consent process

Appendix A: Strategic Green Corridors, Active Travel Routes and Strategic Travel Routes



Appendix B: South East Ayr Land Parcels



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	South East Ayr Design Brief
Lead Officer (Name/Position/Email)	Craig Iles Service Lead Planning & Building Standards craig.iles@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	N/A	N/A
Disability	N/A	N/A
Gender Reassignment (Trans/Transgender Identity)	N/A	N/A
Marriage or Civil Partnership	N/A	N/A
Pregnancy and Maternity	N/A	N/A
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	N/A	N/A
Religion or Belief (including lack of belief)	N/A	N/A
Sex – (issues specific to women & men or girls & boys)	N/A	N/A
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	N/A	N/A

Community or Groups of People	Negative Impacts	Positive impacts
Thematic Groups: Health, Human Rights & Children's Rights	N/A	N/A

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	N/A	N/A
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	N/A	N/A
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	N/A	N/A
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	N/A	N/A
Socio-economic Background – social class i.e. parent's education, employment and income	N/A	N/A

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 Positive
Advance equality of opportunity between people who share a protected characteristic and those who do not	Low Positive
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 Positive
Increase participation of particular communities or groups in public life	Low Positive
Improve the health and wellbeing of particular communities or groups	Low Positive
Promote the human rights of particular communities or groups	Low Positive
Tackle deprivation faced by particular communities or groups	Low Positive

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)	No
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Rationale for decision:

Not required as there is no specific impact on communities, groups of people, employees or thematic groups.

Signed : Craig Iles **Service Lead -Planning & Building Standards**

Date: 10 November 2022

South Ayrshire Council

**Report by Depute Chief Executive and Director
of Housing, Operations and Development
to South Ayrshire Council
of 15 December 2022**

Subject: Local Development Plan 2 Action Programme

1. Purpose

- 1.1 The purpose of this report is to seek approval to publish the Action Programme for Local Development Plan 2 for publication and submission to Scottish Ministers.

2. Recommendation

- 2.1 It is recommended that the Council approves the Action Programme for Local Development Plan 2 (attached as Appendix 1) for publication and submission to Scottish Ministers**

3. Background

- 3.1 The preparation of an action programme is a requirement under Section 21 of the Town and Country Planning (Scotland) Act 1997, as amended. An action programme is a document setting out how the Council proposes to implement its adopted Local Development Plan. It highlights the actions, including key infrastructure and other projects that will be required to deliver each of the policies and proposals contained in the Local Development Plan. The programme must also identify who/which organisation is to carry out each action and the timescale for the conclusion of each action.

- 3.2 The South Ayrshire Local Development Plan 2 (LDP2) was adopted in August 2022 and the Action Programme sets out how the key policies, sites and priorities of LDP2 are expected to be delivered. An updated Action Programme will be published every 2 years.

4. Proposals

- 4.1 It is the intention of the Council to be proactive and work in partnership with other organisations in seeking to attract and facilitate appropriate development for the benefit of South Ayrshire. The Action Programme (attached as Appendix 1) highlights a range of key partners who are to be involved in the various proposals and projects.

- 4.2 The Action Programme contains a number of sections relating to different parts of the LDP. It firstly sets out Strategic priorities arising from the Core Principles and Strategic Policies of the LDP. The Programme then details how the actions identified in individual policies will be implemented – from town centres to business

and industry to supporting environmental measures. Finally it covers how any allocated housing sites will be delivered.

5. Legal and Procurement Implications

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

5.2 There are no procurement implications arising from this report.

6. Financial Implications

6.1 There will be no direct financial implications for the Council in relation to this report. Funding for undertaking the future Local Development Plan process will come from existing Planning budgets.

7. Human Resources Implications

7.1 There are no human resources implications.

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 There is a risk that if the recommendations are rejected that the transparency and efficiency of how the Local Development Plan will be implemented will be negatively impacted.

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 2.

10. Sustainable Development Implications

10.1 ***Considering Strategic Environmental Assessment (SEA)*** – The actions and proposals contained in the Action Programme have been assessed as part of the Local Development Plan SEA process.

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 Commitments 4 of the Council Plan: South Ayrshire Works/ Make the most of the local economy; and A Better

Place to Live/ Enhanced environment through social, cultural and economic activities.

13. Results of Consultation

- 13.1 Consultation has taken place with Councillor Bob Pollock, Portfolio Holder for Economic Development, 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 Depute Chief Executive and Director of Housing, Operations and Development 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
The Action Programme will be published on the Council's website and made available to view at Council offices and libraries. A notice will be placed in local newspapers. Copies will also be sent to Scottish Ministers	Commence immediately in line with the timescales set out in the Action Programme in Appendix 1	Service Lead – Planning and Building Standards

Background Papers [Adopted Local Development Plan 2](#)

Person to Contact **Craig Iles, Service Lead – Planning and Building Standards**
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 616 417
Email craig.iles@south-ayrshire.gov.uk

Date: 5 December 2022

Local Development Plan 2 Action Programme

November 2022



Local Development Plan 2 Action Programme

Introduction

The preparation of an Action Programme is a requirement under Section 21 of the Town and Country Planning (Scotland) Act 1997, as amended. This Action Programme shows how the adopted Local Development Plan (LDP2) will be implemented to ensure its vision and spatial strategy are realised. It sets out a list of actions required to deliver each of the Plan's policies and proposals; the name of the person or body who/which is to carry out the action; and the timescale for carrying out each action.

This Action Programme has evolved from the draft which was submitted with the Modified Proposed Local Development Plan 2 (MPLDP2) to the Scottish Ministers for examination. Preparation of LDP2, and the Action Programme, has involved significant consultation with other Council services (including Housing, Education, Ayrshire Roads Alliance and Economic Development), Government key agencies (including Transport Scotland, Scottish Environmental Protection Agency, Historic Environment Scotland (HES), Scottish Water and Scottish Natural Heritage) and prospective developers/landowners.

The document will be reviewed and updated on a regular basis. An updated Action Programme will be published every 2 years.

It is the intention of the Council to be proactive and work in partnership with other organisations in both the public and private sectors in seeking to attract and facilitate appropriate development for the benefit of the South Ayrshire.

There are three parts to the LDP2 Action Programme. Details of the content of each section are set out below:

Part 1: Spatial Strategy Priorities and LDP Policies

LDP2 aims to translate the principles of Scottish Planning Policy into something that helps deliver the Council's vision and Council Plan for South Ayrshire. As such it sets out 3 overarching Strategic priority themes, which are shown below:

A Our Location
How we will be more connected within and beyond South Ayrshire and how we can work more closely with our neighbouring local authorities to make the most of our combined strengths

B Our Communities
How we will reflect and promote the aspirations and requirements of South Ayrshire's communities.

C Our Environmental Responsibilities
How we will be mindful of our responsibilities for the protection of our natural, built and cultural heritage resources.

A set of Core Principles within each theme guide how investment decisions will be made. Table 1 shows the actions needed to support each Core Principle, which LDP policy/supplementary guidance relates to it, the actions necessary to deliver them, who will be involved and timescales.

Table 2 sets out the LDP2 policies, including the 2 strategic, overarching LDP policies, which represent the Council and LDP vision spatially- Sustainable Development and Development Management.

All other LDP policies and allocations are related to, and flow from, the Spatial Strategy. Table 2 includes a brief description and purpose for each policy, what actions will be taken towards implementing them, the timescales and the parties and stakeholders primarily involved in implementation.

Part 2: Supplementary Guidance Programme

This section of the Action Programme contains reference to the ongoing revision of existing, and development of new, supplementary guidance (SG) and other non-statutory guidance, procedure notes and masterplans.

Part 3: Economic Development Projects and Sites

Part 3 of the Action Programme focusses on the key economic development and business sites identified in the LDP and actions required to deliver the Ayrshire Growth Deal, in particular the National Aerospace and Space Centre. Policy guidelines for each site are set out along with any infrastructure requirements/site constraints, actions, responsible parties and timescales.

Part 4: LDP Housing Site Allocations

Part 4 contains actions for each LDP2 housing site. This section is fronted by a map showing the geographical spread of housing sites. The section is divided into two parts: A. for existing housing site allocations carried over from the previous LDP and B. the new housing sites allocated within LDP2.

For each site any significant site constraints & infrastructure requirements, anticipated programming for each site and any required actions, with responsible parties identified. Many sites have no specific action, other than delivery of housing on site. These actions have, therefore, been left without fixed completion dates, as it is largely within the control of the developer as to when a site is delivered.

Timescales indicate delivery within 10 years from LDP adoption. The Council is confident any site identified in the Programme will assist in maintaining an effective 5-year supply of housing land. Site constraints have been programmed into the timing, with actions directly related to overcoming constraints.

The housing land supply is monitored and updated annually through the Housing Land Audit, with input from the Council's Housing Service, Homes for Scotland and local builders. This monitoring suggests the sites identified in the Action Programme Schedule will be effective, but, as time progresses, if there are no signs of development occurring, it will be prudent to contact prospective developers and site owners to ascertain whether there are specific issues preventing development taking place and whether mechanisms are available to help facilitate progress, when appropriate.

PART 1: LDP2 STRATEGY AND POLICIES

Table 1: LDP STRATEGIC PRORITIES

A. Our Location - How we will be more connected within and beyond South Ayrshire and how we can work more closely with our neighbouring local authorities to make the most of our combined strengths						
	Core Principle A1	We will support the aims of the Ayrshire Growth Deal				
		How	Policies	Who	Action	Position
		Establish strategic transport infrastructure implications, any mitigation measures required (and identify funding and delivery mechanisms and responsibilities)	LDP Policy: Strategic Road Development, LDP Policy: Public Transport	SAC/ARA/ Transport Scotland	Undertake a Strategic Transportation Assessment of A77 in South Ayrshire which includes scenarios of impacts of AGD development.	Ongoing
		Support projects included in the Airport/Spaceport Masterplan	LDP Policy: Glasgow Prestwick Airport & LDP Policy: National Aerospace and Space Centre	SAC/ Scottish Enterprise/ Scot. Govt.	Implementation of LDP policies	AGD signed November 2020
		Support the establishment of the Ayrshire Manufacturing Investment Corridor	Designation of Land under LDP Policy: National Aerospace and Space Centre	SAC Economic Development & SAC Planning Service		Ongoing
		Support the delivery of infrastructure to develop the marine tourism sector, and	LDP Policy: Ports, LDP Policy Tourism	SAC Planning Service		Ongoing
		Support and advocate for improvements to the A77 corridor and other to help improve conductivity of the area	Transportation Section policies	ARA/ Council		Ongoing
	Core Principle A2	We will promote projects and connections with neighbouring authorities				
		How	Policies	Who	Action	Position
		Establish strategic transport infrastructure implications, any mitigation measures required (and identify funding and delivery mechanisms and responsibilities)	LDP Policy Land Use & Transport	SAC/ARA/ Transport Scotland	Undertake a Strategic Transportation Assessment of A77(T) which includes scenarios of impacts of AGD development and strategic housing sites.	Ongoing
		Advocate for the A77/A78 Trunk Road Improvements,	LDP Policy : Strategic Roads	ARA/ Council	Implementation of LDP policies. Supplementary Guidance timetable as set out in SG section	Ongoing
		Advocate for improvements to the A70 – M74 road link,	LDP Policy : Strategic Roads	ARA/ Council		Ongoing
		Seek road, rail and port infrastructure improvements	LDP Transport Policies	Council		Ongoing
		Support long distance cycle and footpath improvements and marine tourism	LDP Policy: Outdoor Public Access and Core Paths & LDP Policy: Tourism	SAC Planning Service/ ARA		Ongoing

		Support the Biosphere, Dark Sky Park, and the potential establishment of a National Park	LDP Policy: Dark Skies, LDP Policy Biosphere, LDP Policy: Landscape Quality	Council		Ongoing
	Core Principle A3	We will facilitate improvements to infrastructure and community facilities				
		How	Policies	Who	Action	Position
		This means we will establish strategic transport infrastructure implications, any mitigation measures required (and identify funding and delivery mechanisms and responsibilities,)	LDP Policy: Land Use and Transport & LDP Policy: Delivering Infrastructure	SAC/ARA/Transport Scotland	Undertake a Strategic Transportation Assessment of A77 (T) which includes scenarios of impacts of AGD development and strategic housing sites.	Ongoing
		Ensure development contributes to an efficient use of public services, facilities and infrastructure,	LDP Strategic Policy DM Policy, LDP Policy: Delivering Infrastructure	SAC/developers	Implementation of LDP policies	Ongoing
		Seek appropriate levels of developer contribution for the provision of infrastructure and facilities/services where necessary and justified,	LDP Policy: Delivering Infrastructure	SAC/developers		Ongoing
		Advocate improvements to the rail network and facilities for freight handling.	LDP Policy: Rail Investment & LDP Policy Freight Transport	SAC/Network Rail		Ongoing
		Facilitate the development of interconnected active travel routes	LDP Policy: Land Use and Transport & LDP Policy: Outdoor Public Access and Core Paths	SAC		Ongoing
		Detail infrastructure / community facility requirements associated with development plan allocations in the Action Programme (AP) and update the AP biannually	Action Programmes for LDP2	SAC		As required
B. Our Communities - How we will reflect and promote the aspirations and requirements of South Ayrshire's communities.						
	Core Principle B1	We will support the principles of sustainable economic development				
		How	Policies	Who	Action	Position
		Support community-based projects emerging from Local Place Plans and Locality Planning projects, including the asset transfer of community facilities, provided they have no significant adverse environmental impact,	Strategic Policy: Sustainable Development	SAC Community Planning	Implementation of LDP policies	When required
		Facilitate the development of sports and leisure facilities, and	LDP Policy: Craigie Estate & LDP Policy: Community Facilities	SAC Planning and Leisure Services		Ongoing
		Safeguard existing community facilities wherever practicable.	LDP Policy: Community Facilities	SAC Planning Service		Ongoing
	Core Principle B2	We will support for community focussed development				
		How	Policies	Who	Action	Position

		Support community-based projects emerging from Local Place Plans and Locality Planning projects, including the asset transfer of community facilities, provided they have no significant adverse environmental impact,	Strategic Policy: Sustainable Development & Strategic Policy: Development Management	SAC Community Planning	Implementation of LDP policies	When required
		Facilitate the development of sports and leisure facilities	LDP Policy Craigie Park, LDP Policy: Open Space & LDP Policy: Community Facilities	SAC Leisure, Neighbourhood Services and Planning		Ongoing
		Safeguard existing community facilities wherever practicable.	LDP Policy: Community Facilities & LDP Policy: Belleisle & Rozelle	SAC Planning Service		Ongoing
	Core Principle B3	We will maintain a 5-year effective housing land supply.				
		How	Policies	Who	Action	Position
		Retain LDP1 Maybole housing release sites to support regeneration,	LDP Policy: Maintenance and Protecting land for housing	SAC Planning Service	Implementation of LDP policies	Ongoing
		Retain South East Ayr, as the long term direction for the sustainable urban growth of Ayr	LDP Policy: Maintenance and Protecting land for housing	SAC Planning Service		Ongoing
		Facilitate development of existing residential development sites	LDP Policy: Maintenance and Protecting land for housing	SAC Planning Service		Ongoing
		Use Supplementary Guidance 'Maintaining an Effective Land Supply' to address any agreed shortfalls in supply.	LDP Policy: Maintenance and Protecting land for housing and production of SG: Maintaining an Effective Land Supply.	SAC Planning Service		As required
	Core Principle B4	We will Prioritise the regeneration of Town Centres				
		How	Policies	Who	Action	Position
		Apply a sequential approach for retail, commercial and leisure development,	LDP Policy: Town Centre First Principle, LDP Policy: Network of Centres, LDP Policy: General Retail & LDP Policy: Town Centre (Guiding use)	SAC Planning	Implementation of LDP policies	Ongoing
		Promote town centre living and regeneration with a more flexible approach to the use of buildings and land	LDP Policy: LDP Policy: Town Centre First Principle, LDP Policy: Network of Centres, LDP Policy: General Retail, LDP Policy: Town Centre (Guiding use) & LDP Policy: Ayr Town Centre Guidance	SAC Change and Communities		Ongoing
		Recognise and promote the different functions of the 5 town centres	LDP Policy: Network of Centres	SAC Change and Communities		Ongoing
		Regeneration of Ayr as the county town and heart of South Ayrshire.	LDP Strategic Policy 2: Development Management & LDP Policy: Ayr Town Centre Guidance	SAC Change and Communities		Ongoing
		Promote Maybole's heritage and role as a local service centre.	LDP Policy: Network of Centres, LDP Policy: General Retail	SAC Change and Communities		Ongoing

	Promote Girvan's potential for tourism and as a key rural service centre.	LDP Policy: Network of Centres, LDP Policy: General Retail, LDP Policy: Tourism	SAC Change and Communities		Ongoing
	Recognise Prestwick's strong community focus and its function as a local service centre.	LDP Policy: Network of Centres, LDP Policy: General Retail	SAC Place & People Directorates		Ongoing
	Recognise Troon's potential for tourism and as an artisan and local service centre.	LDP Policy: Network of Centres, LDP Policy: General Retail, LDP Policy: Tourism	SAC Place & People Directorates		Ongoing
Core Principle B5	We will promote the Craigie Estate as a centre of sporting excellence and recreation				
	How	Policies	Who	Action	Position
	We will facilitate the development of new sports facilities and paths along the River Ayr	LDP Policy: Craigie Estate, LDP Policy: Outdoor Access & Core Paths	SAC Planning Service	To be agreed and confirmed when LDP2 Adopted	Ongoing
	Facilitate stronger links to the town centre, Craigie, Dalmling and the countryside beyond.	LDP Policy: Land Use and Transport	Council & ARA		
Core Principle B6	We will prioritise the development of affordable housing.				
	How	Policies	Who	Action	Position
	Facilitate achievement of the Council's targets for affordable housing provision, recognising the priorities within the Council's Strategic Housing Investment Plan.	LDP Policy: Maintenance and Protecting land for housing, LDP Policy: Affordable Housing and SG: Affordable Housing	SAC Planning Service/ SAC Housing Service/ Housing Associations	Implementation of LDP policies	Ongoing
	Seek to address areas of greatest need for affordable housing provision (Ayr, Prestwick and Troon) and local needs elsewhere.	LDP Policy: Maintaining and Protecting land for Housing, LDP Policy: Affordable Housing and SG: Affordable Housing	SAC Planning Service/ SAC Housing Service/ Housing Associations		Ongoing
	Support the development of mixed tenure housing for a diverse range of needs	LDP Policy: Affordable Housing	SAC Planning Service/ SAC Housing Service/ Housing Associations		Ongoing
	Follow the advice of South Ayrshire Council's Housing Services when specifying the type of provision required.	Strategic Policy: Development Management, LDP Policy: Affordable Housing	SAC Planning Service		Ongoing
Core Principle B7	We will support flexible growth at the Carrick Villages and the former mining villages of Kyle				
	How	Policies	Who	Action	Position
	Allow small scale residential and business development on unallocated sites at the edges of the Carrick villages and the former mining communities of Annbank, Tarbolton and Mossblown, provided it has no significant adverse environmental impact and satisfies other LDP2 policies.	LDP Policy: Sustainable Village Growth (Residential Development) & LDP Policy: Business & Industry	SAC Planning Service	To be agreed and confirmed when LDP2 Adopted	Ongoing
Core Principle B8	We will support the development of rural housing business development and diversification in appropriate locations				
	How	Policies	Who	Action	Position

		Support proposals for new housing in the countryside that accord with LDP policy: rural housing and Supplementary Guidance: Rural Housing, and	LDP Policy: Rural Housing, LDP Policy: Sustainable Village Growth (Residential Development) & SG: Rural Housing	SAC Planning Service	Implementation of LDP policies	Ongoing
		Support the development of entrepreneurial small scale and artisan businesses in the countryside, provided they have no significant adverse environmental impact, and satisfy other LDP2 policies.	LDP Policy: Business & Industry, LDP Policy: Sustainable Village Growth & Rural Business Procedure Note	SAC Planning Service		Ongoing

C. Our Environmental Responsibilities

Core Principle C1						
We will promote the sustainable use of natural, built and cultural heritage resources.						
	How	Policies	Who	Action	Position	
	Ensure development proposals safeguard protected natural and built heritage resources,	Strategic Policy: Sustainable Development, Strategic Policy: Development Management, LDP Policy: Landscape Quality, LDP Policy: Natural Heritage, LDP Policy: Historic Environment	SAC Planning Service	Implementation of LDP policies		Ongoing
	Ensure Local landscape Areas , the Coast and culturally sensitive locations are treated with due respect,	LDP Policy : Landscape Quality, LDP Policy: Coast & Strategic Policy: Sustainable Development	SAC Planning Service		Ongoing	
	Follow a precautionary approach where unrecorded natural or archaeological resources may be present,	LDP Policy: Archaeology & LDP Policy: Natural Heritage	SAC Planning Service		Ongoing	
	Maintain commitment to the current Green Belt , and	LDP Policy: The Greenbelt	SAC Planning Service		Ongoing	
	Protect and enhance existing green and blue networks.	LDP Policy: Green Networks	SAC Planning Service		Ongoing	
	Contribute towards delivery of National Marine Plan requirements for the protection and enhancement of the health of the marine and coastal environment.	LDP Policy: The Coast	SAC Planning Service		Ongoing	

Table 2: LPD2 Policies

LDP Policy	Description and Purpose	Actions Towards Implementation	Timescales	Responsible parties & Stakeholders
Strategic Policies				
STRATEGIC POLICY 1: Sustainable Development	We will support the principles of sustainable development by making sure that development meets a range of environmental and place making criteria	Planning Decisions to be taken in line with policy	Ongoing action	SAC Planning
STRATEGIC POLICY 2: Development Management	Ensure that development proposals meet a range of development management criteria to help deliver the aims of the LDP	Planning Decisions to be taken in line with policy	Ongoing action	SAC Planning
Business & Industry	Support business and industrial development at the sites and locations (including expanding those sites) at business and industrial sites shown on the settlement maps and other strategy maps. We will also support business and industrial proposals outwith these areas if policy criteria are met.	Planning decisions to be taken in line with this policy. Prepare & Review Employment and Industrial Land Audit.	Ongoing	South Ayrshire Council
Office Developments	Office development will be directed to the peripheral retail area of town centres, small settlement town centres and local centres as identified on the relevant maps. Support also for Class 2 and Class 4 office uses related to the operation of Glasgow Prestwick Airport, the aerospace industry and the renewables industry if they are in line with the National Aerospace & Space Centre Strategy Map and there is an operational or locational need.	Planning Decisions to be taken in line with policy	Ongoing	South Ayrshire Council
Ports	Support for retaining and continuing the development of port and harbour facilities at Ayr, Troon, Girvan, Ballantrae, Dunure, and Maidens.	Planning Decisions to be taken in line with policy	Ongoing	South Ayrshire Council
Glasgow Prestwick Airport	Protects land for runway-related development and supports proposals which are directly concerned with the operational requirements of the airport or airport related development. Will favourably consider development which would expand the terminus facilities.	Planning decisions to be taken in line with this policy. Preparation of Masterplan covering wider area around the airport.	Ongoing	South Ayrshire Council/ Airport
National Aerospace & Space Centre	Support for development proposals where they are compatible with the preferred uses shown in the National Aerospace & Space Centre Strategy Map.	Planning decisions to be taken in line with this policy. Preparation of Masterplan covering wider area around the airport.	Ongoing	South Ayrshire Council/ Airport
Newton- on-Ayr	A flexible approach to promote the area's potential to adapt to changing business and property needs and will be supportive of development which will maintain and increase business and industrial diversity without adversely affecting the area's existing use and character.	Planning decisions to be taken in line with this policy. Prepare master plan for Newton-on-Ayr. Prepare guidance on Live/work units	Ongoing	South Ayrshire Council
Heathfield	The Heathfield Strategy aims to ensure that there is an appropriate mix of business and industrial uses, and commercial activity which supports Ayr and Prestwick town centres. The Heathfield Strategy incorporates the Heathfield Retail Park, first developed as a 'bulky goods' retail park. The retail park and the adjoining supermarket site (ASDA) and the former Alexanders' Sawmills site have been recognised as a 'commercial centre' in development plans, where there is sequential preference over other out of centre locations for bulky goods retailing, food retailing and some leisure uses.	Planning decisions to be taken in line with this policy.	Ongoing	South Ayrshire Council

Development Opportunities	We will actively encourage development on brownfield ,vacant and derelict sites instead of greenfield sites. To strengthen the vitality and vibrancy of all town centres, we will encourage the redevelopment of town-centre brownfield sites over other potential sites outside of town centres, where the proposed use is in keeping with town centre uses.	Planning decisions to be taken in line with this policy and the LDP Development Opportunity Table	Ongoing	South Ayrshire Council
Delivering Infrastructure	We will expect all new development proposals to include: a. All on site infrastructure which is directly related to the proposed use and is required to allow the effective operation of the proposed use; and b. Measures to ensure the provision of any off-site infrastructure which is necessary to accommodate the development and therefore make the development acceptable in planning terms, without placing an extra burden on the existing community.	Produce SG on Developer Contributions. Planning decisions to be taken in line with this policy.	Ongoing/ draft Developer Contributions SG expected Spring 2023	South Ayrshire Council
Town centre first principle	We will encourage public and private sector development proposals and investment to town centres. We will direct development proposals, to appropriate locations, by use of the sequential approach through a network of centres so as to ensure that all appropriate uses are directed to town centres, before considering other locations.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Network of centres	We will guide major investment to Ayr town centre in line with the town centre first principle and sequential approach, based on our network of centres: i) Ayr Town Centre; ii) Girvan, Maybole, Prestwick and Troon iii) Heathfield commercial centre iv) Small town centre and local/neighbourhood centres	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
General retail	<u>Sequential Approach:</u> uses which generate significant numbers of people will be guided to: a. Town centres identified in the Local Development Plan b. Edge of town centres c. Commercial centre identified at Heathfield. d. Locations outside of town centres that are, or can be accessible by a choice of transport-including small town centres and neighbourhood/local centres.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Town centre (guiding land use).	Planning applications for new development (including change of use) in town centres must accord with the guidance shown in the town centre maps, and the guidance in this policy, indicating Core and Peripheral Town Centre Areas.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Ayr town centre guidance	Proposals for Ayr Town Centre will be considered in terms of the guidance of town centre zones and identified development opportunity sites	Planning decisions to be taken in line with this policy, SG: Ayr Town Centre and Development Opportunities Schedule.	Ongoing	South Ayrshire Council
Heathfield commercial centre	Retail and leisure uses within the Heathfield Commercial Centre will be considered against LDP General Retail Policy, LDP Policy: Leisure Development, and LDP Heathfield Strategy Map and associated Table.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Small town centres and local neighbourhood centres	Within local centres and small settlements, particularly in town centres, we will protect pubs and hotels, shops and Class 2 office developments that serve local communities. We will support proposals for new shops and offices at local centres and small settlement town centres where they provide extra services and amenities for local communities, and otherwise comply with retail policies in this LDP.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Leisure development	We will use the 'sequential approach' when choosing locations for all leisure uses likely to generate significant footfall and where this would direct development to the most appropriate location	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council

Maintaining and protecting land for housing	We will ensure the maintenance of an effective five-year supply of land for housing to meet demand. Where the supply is not maintained we may seek an early review of the local development plan, and will assess any housing proposals on unallocated sites against relevant development plan policies and the criteria set out in supplementary guidance 'Maintaining an Effective Land Supply'. We will encourage housing development on appropriate brownfield sites, rather than greenfield sites. Development on any allocated housing site identified on the Proposals Map must meet the Council's supplementary guidance: Housing Site Design Briefs for all Local Development Plan housing sites.	Prepare revised SG to provide mechanism for releasing further land in event of agreed shortfall in effective 5-year housing land supply. Prepare SG providing design briefs for allocated housing sites.	Ongoing/ draft Developer Contributions SG expected Spring 2023	South Ayrshire Council
Residential policy within settlements, release sites and windfall sites	We will aim to protect the character and amenity of areas that are mainly residential, particularly from non-residential development which could have negative effects on the local amenity	Planning decisions to be taken in line with policy and relevant SG: Alterations and Extensions to Houses and SG: Housing Sites Design Briefs.	Ongoing	South Ayrshire Council
Sustainable village growth (residential development).	To recognise opportunities to add a small number of houses to villages in a way that consolidates the form of settlements, and which provides an opportunity to meet local needs, the Council may accept proposed new housing outwith, but adjacent to existing settlement boundaries, if certain policy criteria are met.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Rural housing	Housing outside existing settlements should generally consist of: > re-using existing buildings; > replacement housing; > infill development within existing clusters or groups of housing; and housing to meet rural business requirements. Where possible, we would prefer to develop brownfield, derelict or degraded land rather than greenfield sites.	Planning decisions to be taken in line with this policy and SG: Rural Housing	Ongoing	South Ayrshire Council
Affordable (including specialist) housing.	In all areas apart from Maybole and Girvan, we will ask for a target contribution of 25% of the total number of units from all new housing developments of 15 units or more, or a site size equal to or more than 0.6 hectares. In Girvan and Maybole we will ask for a target contribution of 15% of the total number of units. We expect affordable (including specialist) housing to be provided on-site where possible, and in the first instance, through social rented housing.	Planning decisions to be taken in line with this policy and SG: Affordable Housing (detail & mechanisms).	Ongoing	South Ayrshire Council
Gypsy and traveller accommodation	We will support proposals for sites for gypsies and travellers, as long as there is no unacceptable negative effect on the local area, particularly residential areas, or on the environment.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Belleisle and Rozelle estates	We will ensure that we keep, maintain, manage and improve Belleisle and Rozelle estates as historical and recreational assets and as important areas of open space.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Craigie estate	We will encourage the integration of existing land uses to protect and improve the estate's resources for the benefit of the wider community. We will support proposals for the use of the estate for education, community, sporting, recreation, tourism and open space uses where it is demonstrated that they will maintain, improve or complement the long term future of the estate as an academic and recreational resource.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Telecommunications	We will allow telecommunication development where the developer can demonstrate that it is the most sensitive solution in terms of minimising visual effect and any contrast between the development and its surroundings. All proposals for telecommunications and other digital infrastructure development should ensure that the stated options are considered when selecting sites and designing base stations.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council

Open space	We will protect all open spaces which are valued and which are used, or could be used, for a particular open space, amenity or recreational purpose, from development.	Planning decisions to be taken in line with this policy and associated guidance "Open Space and Designing New Residential Developments"	Ongoing	South Ayrshire Council
Community facilities	We will support keeping community and educational facilities, as identified on the settlement maps, and will not allow development which has a negative effect on those facilities. We will support re-using sites and buildings which previously accommodated community facilities, particularly where the buildings or site can be re-used for alternative community facilities.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Cemetery sites	Proposals for additional cemetery provision to meet identified needs will be supported where unacceptable environmental and amenity impacts are avoided.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Greenbelt	We will only support development within the green belt if it is of a high design quality and a suitable scale and form, and it: - Contributes to the economic and environmental sustainability of existing green belt uses; - Is associated with agriculture, including the reuse of historic buildings; - Has horticultural (or directly related) uses; - Is a recreational use that needs a green belt setting; - Is required at the proposed location to provide essential infrastructure	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Galloway and Southern Ayrshire Biosphere	We will support development that promotes the goals of the biosphere and shows an innovative approach to sustainable living and the economy, and supports improving, understanding and enjoying the area as a world-class environment. Development must be appropriate to the role of the different zones within the Biosphere		Ongoing	South Ayrshire Council
Dark Skies	We will support and protect the Galloway Forest Dark Sky Park. Development within the Galloway Forest Dark Sky Park, and its surrounding Transition Zone, will have to be in line with the respective provisions of supplementary guidance 'Dark Sky Lighting'.	Planning decisions to be taken in line with this policy & SG: Dark Sky Lighting	Ongoing. Supplementary Guidance: Dark Sky Lighting to be produced 2023	South Ayrshire Council
Landscape quality	Maintain and improve the quality of South Ayrshire's landscape and its distinctive local characteristics.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
The coast	We will support proposals that protect the foreshore from development. Development within the wider coastal area will have to be in line with the LDP Coastal Strategy Diagram and Coastal Development Guidance.	Planning decisions to be taken in line with this policy and Coastal Strategy	Ongoing	South Ayrshire Council
Preserving trees	To protect ancient and veteran trees of high nature conservation and landscape value, and those within a TPO, and to assess impact of any proposed loss of/work to trees.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Woodland and forestry	To support proposals for woodland and forestry that are consistent with the Ayrshire and Arran Woodland Strategy; and are sympathetic to the environmental (including landscape and visual impacts), nature and wildlife interests of the area.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Green networks	Protect and enhance the green network in South Ayrshire and maximise the opportunities to create an enhance linkages to it from new development.	Planning decisions to be taken in line with this policy & SG: Green Networks.	Ongoing. Supplementary Guidance: Green Networks to be produced 2023	South Ayrshire Council
Water environment	Support the objectives of the Water Framework Directive (2000/60/EC) and only allow development that meets these objectives and shows that: it will protect, and where possible, improve the water environment and biodiversity.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council

Flood and development	Ensure development is not at risk from flooding or exacerbating flooding elsewhere.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Agricultural land	We will protect prime agricultural land from irreversible development, unless developers can show that the development is essential to meet established needs or is small scale directly related to a rural business.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Air, noise and light pollution	Prevent development which would expose people to unacceptable levels of air, noise or light pollution.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Minerals and aggregates	Ensure no known mineral deposits are permanently sterilised by development proposals and support the extraction of minerals/extension of existing sites if a range of environmental and amenity criteria are met.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Low and zero carbon buildings	We will expect all new buildings to be designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero-carbon generating technologies. This percentage will increase to at least 20% by the end of 2022	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Renewable energy	Support proposals for generating and using renewable energy in stand-alone locations if policy criteria are met.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Wind energy	Support proposals for wind energy development comprising one or more wind turbine greater than 15 metres to blade tip if compliant against policy criteria and landscape assessment, including reference to South Ayrshire Landscape Wind Capacity Study 2018 (or any subsequent update thereof) and the South Ayrshire Local Landscape Area Review 2018.	Planning decisions to be taken in line with this policy & SG: wind energy.	Ongoing	South Ayrshire Council
Renewable or low carbon heat and heat networks	Supports the development of heat networks and includes supporting the safeguarding of pipe runs within developments. New developments located adjacent to existing or proposed heat networks or significant heat sources should be designed to be capable of connecting to the heat supply.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Historic environment	Protect, preserve and, where appropriate, conserve and / or enhance South Ayrshire's historic environment, including listed buildings, conservation areas, scheduled monuments, Gardens and Designed Landscapes and Non-designated Historic Environment Assets.	Planning decisions to be taken in line with this policy & SG: Historic Environment.	Ongoing	South Ayrshire Council/Historic Environment Scotland
Natural heritage	Protect natural heritage sites within South Ayrshire, including European Sites, National Designations, and local designation sites, including nature conservation sites.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council/Nature Scot
Waste management	Give priority to proposals for waste-management sites in the core investment towns and also accept proposals which show there is a need for the site and which are on existing or allocated industrial land.	Planning decisions to be taken in line with this policy	Ongoing	South Ayrshire Council
Land use and transport	Ensure new development safely integrates with transport networks and encourages active travel. Developments must also align with Regional Transport Strategy and our Local Transport Strategy	Planning decisions to be taken in line with this policy - Council to undertake a 'Proportionate Transport Appraisal' of potential impacts on the strategic transport network previously identified sites (from LDP1), including South East Ayr, together with the new development sites identified in LDP2.	Ongoing	SAC Planning /Transport consultant/ARA and Transport Scotland

Rail investment	Increase the capacity of the rail network in South Ayrshire and encourage greater use of rail services for passengers and freight. Support upgrades for Ayr and Glasgow Prestwick Airports stations, and new station at South East Ayr/Ayr Hospital and rail freight facility at East Sanquhar.	Establish strategic transport infrastructure implications, any mitigation measures required (and identify funding and delivery mechanisms and responsibilities)	Ongoing	SAC/ Network Rail/ Prestwick Airport/Transport Scotland
Strategic road development	Protect and improve the strategic road network in South Ayrshire. The 'Proportionate Transport Appraisal' to inform future mitigation/improvements to road network.	Planning decisions to be taken in line with this policy	Ongoing	ARA/Transport Scotland/ SAC
Public transport	Maintain and improve both rail and road based public transport services and to improve infrastructure such as bus priority measures and interchanges at existing stations.	Planning decisions to be taken in line with this policy	Ongoing	SAC Planning/ SPT/ Transport Scotland/ARA/ Stagecoach
Freight transport	Encourage the transport of freight in ways other than by road, identify preferred routes for heavy goods vehicles, Ensure the movement of freight by road in a way that minimises disruption to local communications and support the development of multi-modal interchange facilities at Ayr, Girvan and Glasgow Prestwick Airport.	Planning decisions to be taken in line with this policy	Ongoing	SAC
Town centre traffic management	Support proposals within and on the edge of town centres which: a. Give priority to Active Travel and public transport; b. Meet maximum parking standards (as established by government policy or the council as roads authority); and c. Protect and improve existing parking provision.	Planning decisions to be taken in line with this policy	Ongoing	SAC
Outdoor public access and core paths	To improve and protect all core paths and other significant access routes -	Planning decisions to be taken in line with this policy	Ongoing	SAC

PART 2: SUPPLEMENTARY GUIDANCE

Table 3: Supplementary Guidance and other planning guidance

LDP2 Supplementary Guidance						
	Relevant LDP2 Policy	Supplementary Guidance action	Priority	Responsible Person(s)	Timescale: Public participation	Timescale: adoption
Economic Development Section						
	LDP Policy: Delivering Infrastructure	Preparation of SG: Developer Contributions & Affordable Housing	High	SAC Planning	Summer 2023	Autumn 2023
Communities Section						
	LDP Policy: Ayr Town Centre Guidance	Preparation of SG: Ayr Town Centre	High	SAC Planning/Economy & Regeneration	Summer 2023	Autumn 2023
	LDP Policy: Maintaining and Protecting Land for Housing	Preparation of revised SG: Maintaining an Effective Housing Land Supply.	High	SAC Planning	Completed 2019	Achieved 2022
	LDP Policy: Maintaining and Protecting Land for Housing	Preparation of SG: Housing Site Design Briefs Part 1	High	SAC Planning	Completed 2019*	Achieved 2022
		Preparation of SG: Housing Site Design Briefs Part 2 (South East Ayr)	High	SAC Planning	December 2022	March 2023
	LDP Policy: Residential Development within Settlements, Release sites and Windfall Sites.	Preparation of revised SG: Householder Development	High	SAC Planning	Summer 2023	Autumn 2023
	LDP Policy: Rural Housing	Preparation of revised SG: Rural Housing	High	SAC Planning	Autumn 2023	Winter 2023
	LDP Policy: Open Space	Prepare SG: Open Space and Designing New Residential Developments	High	SAC Planning/Neighbourhood Services	Summer 2023	Autumn 2023
Environment & Climate Change Section						
	LDP Policy: Green Networks	Prepare SG: Green Networks	Medium	SAC Planning	Summer 2023	Winter 2023
	LDP Policy: Wind Energy	Preparation of revised SG: Wind Energy	High	SAC Planning	Summer 2023	Autumn 2023

	LDP Policy: Historic Environment	Preparation of Revised SG: Historic Environment	High	SAC Change and Communities in consultation with HES	Spring 2023	Summer 2023
	LDP Policy: Dark Skies	Preparation of revised SG: Dark Sky Lighting	High	SAC Planning	Spring 2023	Summer 2023
Non-Statutory Planning Guidance and procedures						
Economic Development Section						
	LDP Policy: Business & Industry	Rural Business Procedure Note	High	SAC Planning/ SAC Change and Communities	Autumn 2023	Winter 2023
	LDP Policy: National Aerospace & Space Centre & LDP Policy: Glasgow Prestwick Airport	National Aerospace and Space Centre Masterplan	High	GPA/ Aerospace businesses/ SAC Planning/ SAC Change and Communities	2023+	2023+
	LDP Policy: Newton	Newton Masterplan	Medium	SAC Planning/ SAC Change and Communities	2023+	2023+
	LDP Policy: Development Opportunities	Development Opportunity Sites Schedule	Medium	SAC Planning	2023+	2023+
Environment & Climate Change Section						
	LDP Policy: Historic Environment	Conservation Area Appraisals	Medium	SAC Planning	2023+	2023+
	LDP Policy: Historic Environment	Conservation Area Management Plans	Medium	SAC Planning	2023+	2023+

PART 3: ECONOMIC DEVELOPMENT

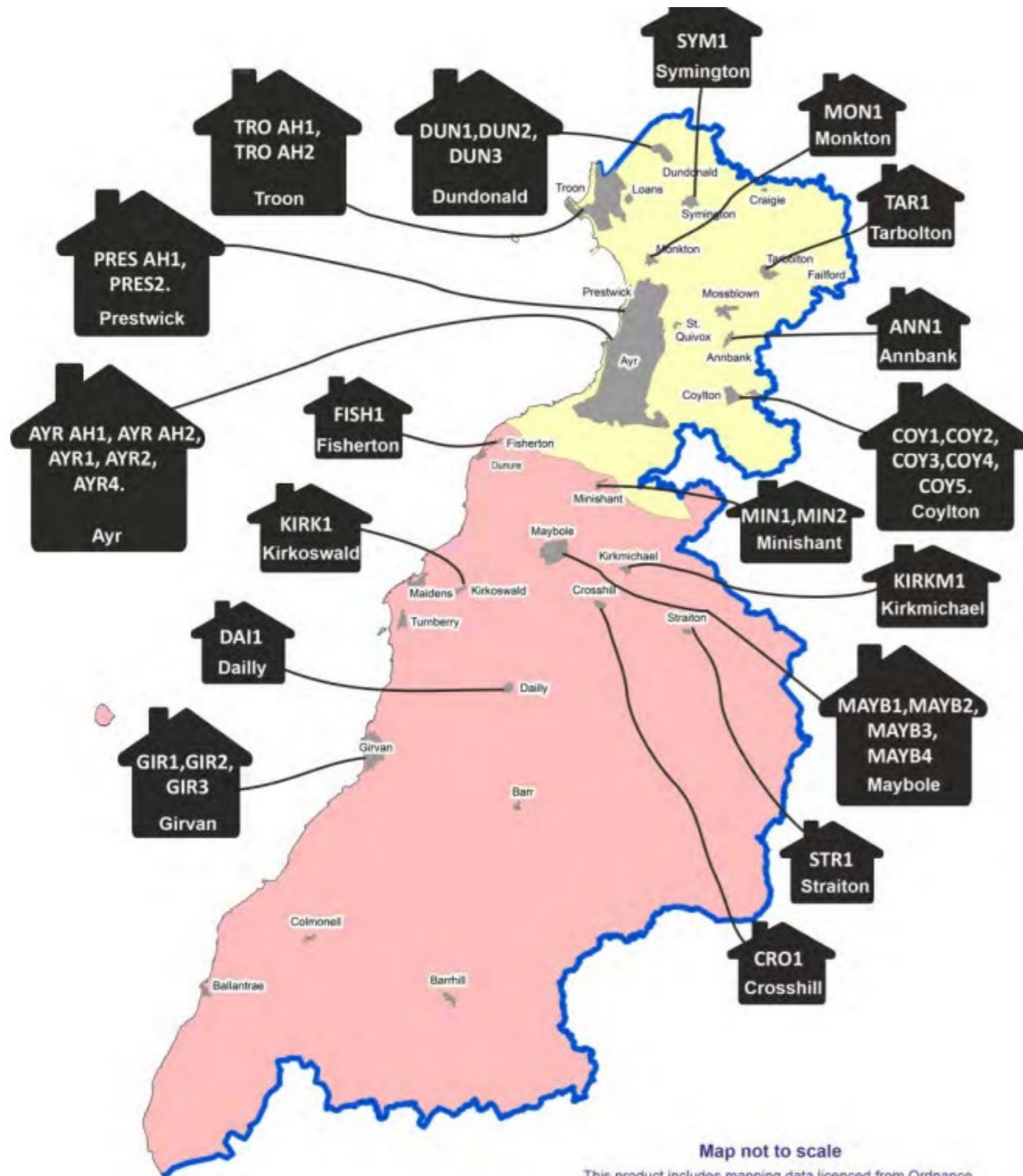
Table 4: Economic Development Projects and Sites

Project name/ Site reference	Site Description/Policy guidance	Overview of Actions & Proposals	Site Constraints & Infrastructure Requirements	Timescales	Responsible parties & Stakeholders	Status (as of November 2022)
Ayrshire Growth Deal (AGD): Aerospace and Space Programme	National Aerospace & Space Centre at Glasgow Prestwick Airport and surrounding land and business estates	<ul style="list-style-type: none"> Prepare Masterplan for land surrounding National Aerospace & Space Centre The development of an in-situ “innovation” centre to enable the delivery and manufacture of new flight products in Scotland. Roads upgrades and new linkages around Prestwick and Monkton to support aerospace facilities 	<ul style="list-style-type: none"> Infrastructure to ensure that GPA is able to operate as a spaceport, including fuel storage, mixing areas, and blast protection. In addition, there will be investment to provide infrastructure for launch service providers (LSP) including a satellite integration facility, payload processing facility, mission control and range management systems. Roads upgrades around Prestwick and Monkton. 	Ongoing	GPA/ Aerospace businesses/ SAC Change and Communities	Ongoing work. AGD signed November 2020
National Aerospace and Space Centre sites						
Monktonhill (A and B)	Reserved for aerospace, space, defence, marine development and digital infrastructure	Development of new businesses associated with AGD	Strategic Road Infrastructure/ Drainage	Ongoing	AGD/ Partners/ Businesses	Some development within site
Orangefield	Safeguarded and promoted for runway/ runway freight use.	Development of new businesses associated with AGD	Strategic Road Infrastructure/ Drainage	Ongoing	AGD/ Partners/ Businesses	Some development within site
Monkton runway	Safeguarded and promoted for runway/ runway freight use.	Development of new businesses associated with AGD		Ongoing	AGD/ Partners/ Businesses	
Monkton	Aerospace, space and runway related industries are preferred although some light industry, storage and distribution or businesses uses may also be acceptable where linked to these activities.	Development of new businesses associated with AGD	Strategic Road Infrastructure/ Drainage	Ongoing	AGD/ Partners/ Businesses	Mostly developed but expansion room for existing businesses

East Sanquhar (A and B)	Site A safeguarded for rail sidings. Site B for aerospace, space, defence, digital infrastructure and related distribution and storage	Development of new businesses associated with AGD	Strategic Road Infrastructure/ Drainage	Ongoing	AGD/ Partners/ Businesses	In agricultural use
Highfield	Safeguarded for aerospace, space, defence and digital infrastructure. Alternative industrial uses will not generally be permitted.	Development of new businesses associated with AGD	Strategic Road Infrastructure/ Drainage	Ongoing	AGD/ Partners/ Businesses	In agricultural use
Airport Terminus	The site will be safeguarded and promoted for airport terminal facilities	Development of new businesses associated with AGD		Ongoing	AGD/ Partners/ Businesses	Existing airport use
Shawfarm Road	The site will be safeguarded for aerospace, airport, and space, defence and marine development. Alternative industrial uses will not be generally permitted.	Development of new businesses associated with AGD		Ongoing	AGD/ Partners/ Businesses	Partly occupied
Glenburn Bing	The site will be promoted for runway related development or for renewable energy	Development of new businesses associated with AGD	Former landfill site/ Access	Ongoing	AGD/ Partners/ Businesses	Undeveloped
Heathfield						
Heathfield Road West	Business	Planning Decisions to be taken in line with policy		Ongoing	Private	Some land available for further development
Heathfield Road South	Gateway business use	Planning Decisions to be taken in line with policy				
Boundary Road	General industry	Planning Decisions to be taken in line with policy		Ongoing	Private	Some vacant land
Heathfield Commercial	Retail Park/Supermarket and surrounding land	Planning Decisions to be taken in line with policy		Ongoing	Private	Some vacant land
Whitfield Drive	General industry	Planning Decisions to be taken in line with policy		Ongoing	Private	Some vacant land
South Sanquhar	General industry	Planning Decisions to be taken in line with policy		Ongoing	Private	Large vacant site
Port of Ayr						
Port of Ayr	Operational port and associated facilities	Planning Decisions to be taken in line with policy		Ongoing	Clyde Ports	Land available for further uses

Newton-on-Ayr	Mixed use, predominantly business use area adjacent to Port of Ayr.	Planning Decisions to be taken in line with policy. Masterplan for Newton to be prepared.		Ongoing	SAC/ owners	Some vacant sites within area
Grangestone Industrial Area, Girvan						
Girvan Distillery		Further development of business and Industry. Mainly associated with Girvan Distillery		Ongoing	Grants	Various Planning permissions in place for expansion of Distillery.

PART 4: LDP2 HOUSING RELEASE SITES AND EXISTING HOUSING ALLOCATION SITES



Map not to scale

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Table 5: HOUSING SITES

A. EXISTING HOUSING SITE ALLOCATIONS - programming based on Agreed 2022 Housing Land Audit														
Area/LDP Reference	Site Name	Site Constraints & Infrastructure Requirements	Site Capacity	Units already completed	2022/23	2023/24	2024/25	2025/26	2026/27	Later years	Application Status	Actions & Timescales	Responsible parties & Stakeholders	Progress (as of November 2022)
TAR1	Tarbolton	Separate system of drainage required for the development.	90	0	0	10	15	15	15	35	Application approved	Consent granted 2022	Private Developer	Consented, development due to commence.
AYR1	Mainholm	Demolition of former school buildings	160	0	0	70	90	0	0	0	Application approved 21/00605/A PPM	Consent granted Sept 2022. Construction expected 2023/24	SAC Housing	Consented, development due to commence imminently.
AYR2	Holmston House	Development must include the sensitive re-use of the existing listed buildings	33	0	13	20	0	0	0	0	Application approved	Consent granted 2018	Private Developer	Preparatory work commenced
AYR4	South East Ayr	Significant infrastructure required, including: provision of primary school, community facilities, neighbourhood centre, land for rail halt, travel hub, bus routes/stops, active travel routes, landscape framework, road access/roundabout from A77, two overbridges across A77, connections across railway, and junction improvements to A77.	2700	0	0	0	60	60	60	2520	Mixture of outline and full planning consents, minded to grant, Proposals of Application Notice (PAN) and pre-application discussions	Pre-application discussions ongoing. SE Ayr Design Brief being prepared, which will guide proposed developments/applications	SAC/South East Ayr landowners and agents/developers/housebuilders/Ayrshire Roads Alliance/Network Rail/Transport Scotland	Discussions and assessments ongoing. Draft Design Brief Supplementary Guidance ready for approval to commence consultation.
ANN1	Annbank	Potential drainage and sewerage issues	45	0	0	0	10	10	10	15	LDP ALLOCATION	Site available for development	Private Developer	
COY1	COY1 - HOLE ROAD WEST	None identified	125	0	0	0	15	20	20	70	LDP ALLOCATION	Site available for development	Private Developer	
COY2	COY2 - HOLE ROAD EAST	None identified	12	0	0	0	3	6	3	0	21/00874/A PP (WITHDRAWN)	Site available for development	Private Developer	

COY3	COY3 - BARNGORE / P.S.	None identified	54	0	5	15	10	10	5	9	Application approved 15/01380/A PPM 02.07.18	Site available for development	Private Developer	
COY4	COY4 - GALLOWHILL	None identified	120	0	0	0	0	15	20	85	LDP ALLOCATION	Site available for development	Private Developer	
COY5	COY5 - MANSE ROAD	None identified	53	0	10	15	15	5	8	0	Application approved	Consent granted November 2022	Private Developer	Consented, development due to commence.
CRO1	Crosshill	None identified	35	0	0	0	5	5	5	20	LDP ALLOCATION	Site available for development	Private Developer	
DAI1	Dailly	None identified	12	0	0	0	4	4	4	0	LDP ALLOCATION	Site available for development	Private Developer	
DUN1	Dundonald DUN1	None identified	25	20	22	26	15	15	15	137	Applications approved 17/00536/P PPM and 20/00119/M S	Outline consent jointly for all 3 sites granted 2018. Detailed consent for 1st phase granted 2021.	Private Developer/Affordable housing developer	Onsite/commenced
DUN2	Dundonald DUN2	None identified	180											
DUN3	Dundonald DUN3	None identified	45											
FISH1	Fisherton	None identified	7	0	0	0	0	2	2	3	LDP ALLOCATION	Site available for development	Private Developer	
GIR1	Girvan GIR1	None identified	48	0	0	0	10	10	10	18	LDP ALLOCATION	Site available for development	Private Developer	
GIR2	Girvan GIR2	None identified	25	0	0	0	0	0	0	25	Application approved 21/00393/A PP 04.06.21	Consent granted 2021	Private Developer	
GIR3	Girvan GIR3	None identified	17	0	0	0	0	0	0	17	LDP ALLOCATION	Site available for development	Private Developer	
KIRKM1	Kirkmichael	None identified	35	12	0	0	0	0	0	23	21/00557/A PP 02.09.21 (PART SITE)	Consent granted 2021 for part of site- now complete.	Affordable housing developer	Part complete
KIRK1	Kirkoswald	None identified	7	0	0	0	3	4	0	0	LDP ALLOCATION	Site available for development	Private Developer	
MAYB1	Maybole MAYB1	None identified	105	0	0	0	0	0	0	105	LDP ALLOCATION	Site available for development	Private Developer	

MAYB2	Maybole MAYB2	None identified	100	0	0	0	0	10	15	75	LDP ALLOCATION	Site available for development	Private Developer	
MAYB3	Maybole MAYB3 - TUNNOCH	None identified	118	0	15	15	15	15	15	43	Application approved 21/00370/A PPM 07.10.21	Consent granted 2021	Private Developer	Consented, development due to commence.
MAYB4	Maybole MAYB4	None identified	40	0	0	10	10	10	10	0	LDP ALLOCATION	Site available for development	Private Developer	
MIN1	Minishant - MIN1	None identified	90	0	0	0	0	5	10	75	LDP ALLOCATION	Site available for development	Private Developer	
MIN2	Minishant - MIN2	None identified	7	0	0	4	3	0	0	0	LDP ALLOCATION	Site available for development	Private Developer	
MON1	Monkton	Now addressed and commenced	236	32	30	30	35	35	35	39	Application approved 19/00457/A PPM 18.05.20	Site being developed at present	Private Developer	Site partially completed
STR1	Straiton	None identified	12	0	0	0	0	6	6	0	LDP ALLOCATION	Site available for development	Private Developer	
SYM1	Symington	Original indicative capacity for LDP was 137	103	103	0	0	0	0	0	0	SITE COMPLETE	SITE COMPLETE		SITE COMPLETED

B. LDP2 HOUSING RELEASE SITES

Area/LDP Reference	Site Name	Site Constraints & Infrastructure Requirements	Site Capacity	Units already completed	2022/23	2023/24	2024/25	2025/26	2026/27	Later years	Application Status	Actions & Timescales	Responsible parties & Stakeholders	Progress (as of November 2022)
AYR AH1	Dunlop Terrace	Transport Statement. Council owned site.	10	0	0	10	0	0	0	0	May be classed as Permitted Development	Funding and delivery scheduled in Strategic Housing Investment Plan (SHIP).	SAC Housing/Planning	Due to commence shortly
AYR AH2	Westwood Avenue	Transport Statement. Council owned site.	25	0	0	25	0	0	0	0	May be classed as Permitted Development	Funding and delivery scheduled in Strategic Housing Investment Plan (SHIP)	SAC Housing/Planning	Due to commence shortly

PRES AH1	Afton Avenue	Transport Statement required by ARA. Council owned site.	25	0	0	0	0	25	0	0	May be classed as Permitted Development	Funding and delivery scheduled in Strategic Housing Investment Plan (SHIP)	SAC Housing/Planning	Confirmed in SHIP
PRES2	St. Cuthbert's Golf Course	Flood Risk Assessment, Transport Statement	45	0	0	0	0	10	15	20	LDP ALLOCATION	Site available for development	Private Developer	
TRO AH1	Aldersyde Avenue	Transport Statement. Council owned site.	20	0	0	0	0	20	0	0	May be classed as Permitted Development	Funding and delivery scheduled in Strategic Housing Investment Plan (SHIP)	SAC Housing/Planning	Confirmed in SHIP
TRO AH2	Buchan Road	Flood Risk Assessment, Transport Statement including displacement of existing car parking area within site. Council owned site.	30	0	0	0	0	0	30	0	May be classed as Permitted Development	Funding and delivery scheduled in Strategic Housing Investment Plan (SHIP)	SAC Housing/Planning	Confirmed in SHIP

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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	LDP2 Action Programme
Lead Officer (Name/Position/Email)	Craig Iles Service Lead Planning & Building Standards craig.iles@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	N/A	N/A
Disability	N/A	N/A
Gender Reassignment (Trans/Transgender Identity)	N/A	N/A
Marriage or Civil Partnership	N/A	N/A
Pregnancy and Maternity	N/A	N/A
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	N/A	N/A
Religion or Belief (including lack of belief)	N/A	N/A
Sex – (issues specific to women & men or girls & boys)	N/A	N/A
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	N/A	N/A

Community or Groups of People	Negative Impacts	Positive impacts
Thematic Groups: Health, Human Rights & Children's Rights	N/A	N/A

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	N/A	N/A
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	N/A	N/A
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	N/A	N/A
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	N/A	N/A
Socio-economic Background – social class i.e. parent's education, employment and income	N/A	N/A

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 Positive
Advance equality of opportunity between people who share a protected characteristic and those who do not	Low Positive
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 Positive
Increase participation of particular communities or groups in public life	Low Positive
Improve the health and wellbeing of particular communities or groups	Low Positive
Promote the human rights of particular communities or groups	Low Positive
Tackle deprivation faced by particular communities or groups	Low Positive

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)	No
Rationale for decision: Not required as there is no specific impact on communities, groups of people, employees or thematic groups.	
Signed : Craig Iles Service Lead -Planning & Building Standards Date: 10 November 2022	

South Ayrshire Council

**Report by Depute Chief Executive and Director
of Housing, Operations and Development
to South Ayrshire Council
of 15 December 2022**

Subject: Station Hotel Update

1. Purpose

- 1.1 The purpose of this report is to provide an update on matters in relation to the Station Hotel, Ayr and seek approval to progress with the service of a notice under the Building (Scotland) Act 2003.

2. Recommendation

2.1 It is recommended that the Council:

- 2.1.1 notes the outcome of the safety works option appraisal as detailed in the *Mott McDonald Station Hotel, Ayr - Safety Works under Section 29 of the Building (Scotland) Act 2003 report* at Appendix 1;
- 2.1.2 agrees that Option 3 in the Mott McDonald Report – Demolition of the Southern Wing is the preferred option which should be taken forward for action under the Act;
- 2.1.3 requests officers to progress further actions required under Building (Scotland) Act 2003;
- 2.1.4 requests that members and officers seek to identify alternative sources of funding to fund the safety works in the event that the Council requires to carry out the terms of any notice;
- 2.1.5 agrees the continued funding at a cost of £207,000 from uncommitted reserves, until March 2023, of the ongoing necessary action under the Building Scotland Act to encapsulate the building;
- 2.1.6 notes the activity undertaken by the stakeholders and the Station Hotel Strategic Governance Group on the Atkin's Phase 2 Option Appraisal Review;
- 2.1.7 notes the ongoing engagement with interested action groups and potential developers of the building; and
- 2.1.8 requests that officers submit an update report to the Council in March 2023 on implementation progress.

3. Background

- 3.1 Under the Local Government in Scotland Act 2003 it is the duty of South Ayrshire Council to secure best value in the discharge of its functions. In securing best value it is required to maintain an appropriate balance among:
- 3.1.1 the quality of its performance of its functions;
 - 3.1.2 the cost to the authority of that performance; and
 - 3.1.3 the cost to persons of any service provided by it for them on a wholly or partly rechargeable basis.
- 3.2 In maintaining that balance, the local authority shall have regard to:
- 3.2.1 efficiency;
 - 3.2.2 effectiveness;
 - 3.2.3 economy; and
 - 3.2.4 the need to meet the equal opportunity requirements.
- 3.3 Therefore, having due regard to this legislation it is appropriate that the Council reviews the discharge of its duties in relation to Section 29 of the Building (Scotland) Act, to establish if the current measures remain the most appropriate course of action and best value or if an alternative course of action satisfies the legislative requirements while being better value for the Council. To that end the Council's Building Standards Section commissioned a report by Structural Engineers Mott McDonald.
- 3.4 In 2018, a Notice under Section 30 of the Act was served on the owners of the Station Hotel Building requiring them to address some significant health and safety concerns relating to the condition of the building. As Mr Ung, the principal owner, failed to carry out the requirements of the notice, the duty to ensure public safety fell to the Council, as the Building Standards Authority. This has resulted in the necessary encapsulation works to ensure public safety.
- 3.5 Under the legislation outlined above, the Council, as the Building Standards Authority, has the legal authority to carry out works necessary to remove the danger for the protection of the public or property adjacent to the building. No works can be carried out to any property under this legislation unless it relates to the removal of a dangerous element of said property or adjacent property.
- 3.6 In March 2022, the Council appointed engineering consultants Mott McDonald to undertake a study to investigate solutions that would provide the minimum measures required to ensure public safety and comply with the Council's statutory duties under the Act and provide limited information on the cost implications to achieve this. Those solutions are considered below and detailed in Appendix 1.
- 3.7 In a parallel process, as Mr Ung failed to carry out the requirements of the notice, the Council has also participated in the Station Hotel Strategic Governance Group with the aim of finding a long-term future solution to the Station Hotel site.

- 3.8 The Station Hotel Strategic Governance Group (with membership comprising Network Rail, Transport Scotland, Scotrail and South Ayrshire Council) agreed in 2021, following publishing of the Feasibility Study, to further review potential options (Atkins - Phase 2 Option Review) for the re-development of the Ayr Station Hotel and site.
- 3.9 The Atkins - Phase 2 Option Review was commissioned and funded by Transport Scotland, on behalf of the Station Hotel Strategic Governance Group, and Atkins were appointed to carry out the work.
- 3.10 The Atkins - Phase 2 Option Review is now concluded and awaiting approval from the individual members of the Strategic Governance Group, thereafter the final report will be made publicly available.
- 3.11 At a meeting on 14 November 2022, the Depute Chief Executive and Director of Housing, Operations and Development assumed the role of Chair of the Strategic Governance Group, and led positive discussions in relation to how, in the absence of the building's principal owner Mr Ung, redevelopment of the site can be taken forward. The outcomes of those discussions and actions will be reported to the Council in March 2023.
- 3.12 The Council's recently established Station Hotel Member Officer Working Group met for the first time in August 2022 to consider the report and to review expenses incurred by the Council in terms of resource and funding in meeting its statutory obligations in relation to the Station Hotel.
- 3.13 It is noted that a significant amount of officer time, in particular from the Council's Building Standards and Legal services, has been allocated to attending to issues in relation to the Station Hotel, impacting on those services' ability to prioritise other matters.

4. Proposals

- 4.1 The Report prepared by Mott McDonald examines the potential solutions available to carry out the minimal works necessary to address the Council's obligations under the Act.
- 4.2 The viable public protection options which are considered in the report, comprise:
- 4.2.1 ***Option 1 - Maintaining the existing encapsulation.*** While this Option maintains public safety it provides no end date to the ongoing expenditure by the Council in carrying out its legislative requirements. The current cost per month of the encapsulation works is approximately £69,000. It is estimated by Mott McDonald that the budget cost for 5 years would be approximately £6m. The use of this option would require to continue until either:
- the Owner carried out the necessary safety works, or
 - a redevelopment of the site occurred; or
 - the building deteriorated further and additional measures were required to address the new circumstances.

- 4.2.2 **Option 2 - Partial Demolition and Implementation of the works required to stabilise the building.** This option includes the removal of the roof of the southern section of the building, installation of a new lightweight roof system and implementation of various remedial works to stabilise the building. This option provides a temporary solution to the structural problems which the building is currently experiencing and addresses the statutory requirements of the Council in relation to the Act. It does not provide a permanent solution for the long-term reuse of the building, as that is out-with the remit of the Building Standards Authority. It is also noted in the Report that there are potential risks once the roof is removed due to the unknown impact that such works would have on the stability and integrity of the lower floors and walls of the building. In addition, it is noted that the provision of a metal clad roof onto part of the B Listed building would be visually incongruous with the existing sandstone and slate roofed building.

While Option 2 has a significant upfront cost of approximately £7.4m it would address the current unstable aspects of the building and hence stop the ongoing cost for the encapsulation works, though it is noted there are potential risks relating to the integrity of the building during said works being carried out.

- 4.2.3 **Option 3 – Demolition of the Southern Section of the hotel.** This option would remove the section of the building currently under the encapsulation works. The report details that the building would require to be dismantled sequentially from the top down as opposed to mass or destructive demolition due to the proximity of the railway and the potential presence of harmful materials such as asbestos. While Option 3 has significant upfront costs of approximately £ 6.6m, it would permanently remove the unstable section of the building, however it would be a complicated process and would result in the loss of a significant part of the historic building.

- 4.3 An additional option was considered at the outset of the study but was discounted as being non-viable as it did not achieve aims of the Building Standards legislation. For clarity, this option was:

- 4.3.1 **Option 4 - Remove the encapsulation and retain the building in its current condition with an exclusion zone in place around the site.** This option was deemed unviable as it fails to protect the surrounding property from the danger of the unsafe building. Therefore the Council would be failing in our legislative duty under Section 29 of the Act. For Clarity said section requires that '**The local authority must carry out such work (including, if necessary, demolition) as it considers necessary—**
(a) **to prevent access to the dangerous building and to any adjacent parts of any road or public place which appear to the authority to be dangerous by reason of the state of the building, and**
(b) **otherwise for the protection of the public and of persons or property in places adjacent to the dangerous building**'.

- 4.4 It is recommended that Option 3 (Demolition of the South Section of the hotel) of the *Station Hotel, Ayr -Safety Works under Section 29 of the Building (Scotland) Act 2003 Report*, is considered the most appropriate, as it permanently addresses the unstable aspects of the building and puts a fixed cost (following a formal tender process) to the safety works required. Therefore, in the absence of any other viable scheme being brought forward, the Building Standard Authority should be requested to proceed with the appropriate next steps, including the service of further notices under the Act requiring the owner to carry out said works.
- 4.5 If agreed, the next steps in the proceedings are for the Council to serve Notice under the Act on the building's owners indicating the works that are necessary to remove the danger and a time period for doing so. If the owners fail to carry out the works the owners are guilty of an offence under the Act and the Council may require to carry out the work necessary to complete the work required by the notice and may recover from the owner any expenses reasonably incurred by it doing so.
- 4.6 Given the lack of previous response from the Owner of the building, there is every likelihood that the Council may, (though not legislatively required to), carry out the necessary works required under the Notice ie. demolition of the Southern Section.
- 4.7 As detailed in the Mott McDonald Report, the current estimated costs of the safety works are £6.6million. Members will be aware that the Council does not have sufficient reserves to fund such operations and it is proposed that members and officers are requested to explore additional funding from alternative sources, such as Scottish Government.
- 4.8 Network Rail have jointly funded the encapsulation costs with the Council until May 2022. Members previously agreed to fund the encapsulation costs until December 2022 and are now requested to extend this until March 2023 at an estimated value of £207,000 to be met from uncommitted reserves. Officers are continuing to pursue a shared funding agreement with Network Rail.
- 4.9 Members should be aware that Council officers have met recently with potential developers of the site and local action groups who have an interest in restoring the building and will continue to engage with them and any party who may have a potential solution for the site going forward.
- 4.10 It is recommended that officers bring a progress report back to Council in March 2023.

5. Legal and Procurement Implications

- 5.1 As Members will be aware, the Council has been pursuing the recovery of sums owed by Mr Ung utilising both the British and Malaysian legal processes.,
- 5.2 Whilst the building remains in a dangerous condition there will be ongoing costs incurred by South Ayrshire Council whilst discharging their statutory obligations. Legal Services will continue to seek recovery of these sums.on an ongoing basis.
- 5.3 Following receipt of the structural report carried out by Mott MacDonald, Engineering Consultants and referred to above, Legal Services have sought the written Opinion of Counsel in respect of the Council's obligations under the Building (Scotland) Act 2003, together with the obligation to ensure best value in relation to public spending. Consideration will be given to the content of this Opinion by Legal Services with a view to best protecting the Council's position and an update will follow
- 5.4 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 As the building remains in a dangerous state the Council is required to meet its duty under the Act. Therefore, in June 2022, the Council agreed to earmark funds from reserves to meet the full encapsulation costs for the period 1 May 2022 until 31 December 2022, subject to any agreement being reached with Network Rail or the Scottish Government to reimburse 50% of the costs of the encapsulation for this period. The cost for this 8-month period is approximately £590,000.
- 6.2 The ongoing costs of the encapsulation beyond December 2022 will require to be funded by the Council until either an alternative safety solution is implemented, or the Station Hotel site is redeveloped. Discussions are ongoing with Network Rail and Scottish Government in relation to the continued shared funding of the encapsulation costs. In the interim a further draw of £207,000 from uncommitted reserves is requested to meet the costs until 31 March 2023.
- 6.3 The Council has insufficient uncommitted resources to meet, the estimated cost of £6.6m for Option 3 -Demolition of the Southern wing of the building as identified in the Mott McDonald report and officers and members will seek to identify alternative sources of funding.

7. Human Resources Implications

- 7.1 There are no human resources implications.

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 There is a risk that, if the recommendations are rejected, best value will not be delivered.

9. Equalities

- 9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. There are 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 2.

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 Commitments 4 and 6 of the Council Plan: South Ayrshire Works/ Make the most of the local economy; and A Better Place to Live/ Enhanced environment through social, cultural and economic activities.

13. Results of Consultation

- 13.1 Consultation has taken place with Councillor Martin Dowey, Portfolio Holder for Corporate and Strategic, Councillor Bob Pollock, Portfolio Holder for Economic Development, and Councillor Martin Kilbride, Portfolio Holder for Buildings, Housing and Environment, 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 Depute Chief Executive and Director of Housing Operations and Development 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 Decision Log' at each of its meetings until such time as the decision is fully implemented:

Implementation	Due date	Managed by
Implement further actions required under Building (Scotland) Act 2003 in relation to the proposed revised safety works	31 December 2022	Service Lead – Planning and Building Standards
Provide a further update to elected members	2 March 2023	Depute Chief Executive and Director of Housing Operations and Development
Explore alternative funding sources for the necessary works required under Option 3 outlined in the Station Hotel, Ayr – Safety Works under action 29 of the Building Scotland Act 2003 Report	2 March 2023	Depute Chief Executive and Director of Housing Operations and Development

Background Papers **Report to Leadership Panel of 19 January 2021 – Former Station Hotel, Ayr (Members only)**

Atkins - Ayr Station Hotel Feasibility Study February 2021

Report to Leadership Panel of 9 February 2021 – Former Station Hotel, Ayr (Members only)

Report to Leadership Panel of 16 March 2021 – Former Station Hotel, Ayr (Members only)

Report to South Ayrshire Council of 29 June 2022 – [Ayr Station Hotel Update](#)

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Date: 9 December 2022

A large teal graphic element consisting of a triangle pointing upwards and a vertical rectangle to its left, both sharing a common horizontal top edge.

Station Hotel Ayr

Safety Works under Section 29 of the Building
(Scotland) Act 2003

November 2022

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Station Hotel Ayr

Safety Works under Section 29 of the Building
(Scotland) Act 2003

November 2022

Issue and Revision Record

Revision	Date	Originator	Checker	Approver	Description
P1	31/08/2022	AJ	GR	GR	First Draft for Review
P2	10/10/2022	AJ	GR	GR	Client comments incorporated
P3	15/11/2022	AJ	AC	AC	Client comments incorporated
A	30/11/2022	AJ	AC	AC	Client comments incorporated and draft status removed

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Information class: Standard

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Executive summary

Mott MacDonald were commissioned by South Ayrshire Council (SAC) to undertake a study to consider the options for public safety works necessary at Ayr Station Hotel.

South Ayrshire Council do not own the building, however they do have a duty to protect public safety, and to adjacent buildings, under section 29 of the Building (Scotland) Act 2003.

The aim of this report is to investigate solutions that will satisfy their statutory duties under the Building (Scotland) Act 2003, with an assessment of the cost implications (where information is available) to achieve this.

The building was subject to a Dangerous Building Notice issued under Section 30 of the Building (Scotland) Act in March 2018 due to safety concerns pertaining to the condition of the structure. To date the building owner has failed to take appropriate action to make the building safe.

Due to the extent of structural defects uncovered when carrying out the safety works required by the Notice, South Ayrshire Council in consultation with strategic partners therefore took action under section 29 of the Building (Scotland) Act to instruct installation of an encapsulation structure to prevent access to the dangerous building and protect the public and property in places adjacent to the dangerous building.

The encapsulation structure was intended as a temporary solution until the building owner took appropriate action to make the building safe, however to date no works have been undertaken.

The encapsulation of the building imposes an ongoing cost burden to the council. As such they seek to investigate options for more cost-effective ways of maintaining public safety as required under the Act up to the point final proposals for the site are implemented.

On the basis that the current building owner transfers the land and building to a public body it is understood that long term options for the site and the building are subject to consideration by a wider Governance Group comprising South Ayrshire Council and other Stakeholders, including Network Rail, Scotrail, Transport Scotland and the Scottish Government. These options are being developed on the basis of a feasibility report commissioned and prepared by others. Due to uncertainty and risk as to what the final solution will be for the site, no cognisance of potential final development options was considered during this study.

The options developed with SAC which are considered in the report, comprise:

- **Option 1** -Maintaining the status quo (retaining the existing encapsulation)
- **Option 2** -Partial Downtaking of South Section of Hotel, Temporary Stabilisation Works and Removal of Encapsulation.
- **Option 3** -Partial Demolition (South Section only) and Removal of Encapsulation
- **Option 4** -Remove the encapsulation and retain the building in its current condition with an exclusion zone in place around the site.

In support of the study a limited costing exercise was undertaken. SAC and other stakeholders have current available costs from other sources for a number of the options within the study therefore the Mott MacDonald scope for the costing exercise was limited and as defined in the report.

To allow the options to be developed various assumptions were applied. These assumptions vary between the agreed options depending on their validity and are noted in the body of the

report, however, there are a number of key assumptions which apply and are constant in the development of all options. These include:-

- The condition of the existing building is presently in a similar state to the as surveyed condition recorded in the 2019 Mott MacDonald independent report (Doc Ref 399316-MMD-00-00-RP-S-001). Any proposal to remove the encapsulation or alter the building would require an updated structural survey to inform the works.
- The existing access scaffold and encapsulation is in a serviceable condition and as an entity is capable of remaining in use without major modification in the short/medium term.
- The condition of the Clock Tower and North block will require minimal remedial works only.
- The internal condition and form of the building is not known beyond limited survey information provided from the 2019 independent survey. Assumptions have been made on internal conditions which would require verification before any further option development.
- Options 2&3 are assumed to require disruptive access to the railway line to allow the works to be undertaken. An application for this would need to be made to Network Rail and would be subject to their approval. It has been assumed that a period of approximately 18-months would be required from point of application to Network Rail to the eventual implementation of the disruptive access arrangements. During this time the encapsulation frame would require to remain in place and be maintained.

1 Introduction

1.1 Introduction

Mott MacDonald Limited have been appointed by South Ayrshire Council (SAC) Building Standards Service to undertake a study considering the options to protect public safety due to the dangerous condition of the Ayr Station Hotel Building which was subject to a Dangerous Building Notice in 2018. The report will consider the most appropriate way to discharge the duties of South Ayrshire Council Building Standards Service under the obligations set out in section 29 of the Building (Scotland) Act 2003. The report will provide limited information (where information is available) on the cost implications to achieve this.

The building is currently protected by an encapsulation structure which was intended as a temporary solution until the building owner took appropriate action to make the building safe, however to date no works have been undertaken. Encapsulation of the building imposes an ongoing excessive cost burden to the council. As such they seek to investigate options for more cost-effective ways of maintaining public safety.

This subsequent appointment follows the issue and completion of a commission to provide an independent report produced by Mott MacDonald and issued to SAC in Oct 2019 (Doc Ref 399316-MMD-00-00-RP-S-001).

Based on the information available to inform the report and the limited cost data available for some options to inform the study, the report will draw preliminary recommendations on the merits of each option and present the preferred solution based on the requested scope. It is noted that in some cases costs and assumptions require validation to allow final conclusions to be drawn. It is understood that this will be undertaken by SAC and the governance group in future stages.

Following issue of the Mott MacDonald independent report (Doc Ref 399316-MMD-00-00-RP-S-001) a Governance Group consisting of SAC, Transport Scotland (TS), Network Rail (NR) and Scotrail/Abelio (SR) was assembled to consider the future proposals for the building and site. To support these aims, a consultant was commissioned by the governance group to undertake a feasibility study to examine potential options for the development of the site. At the time of writing their report was not available to permit review by Mott MacDonald .

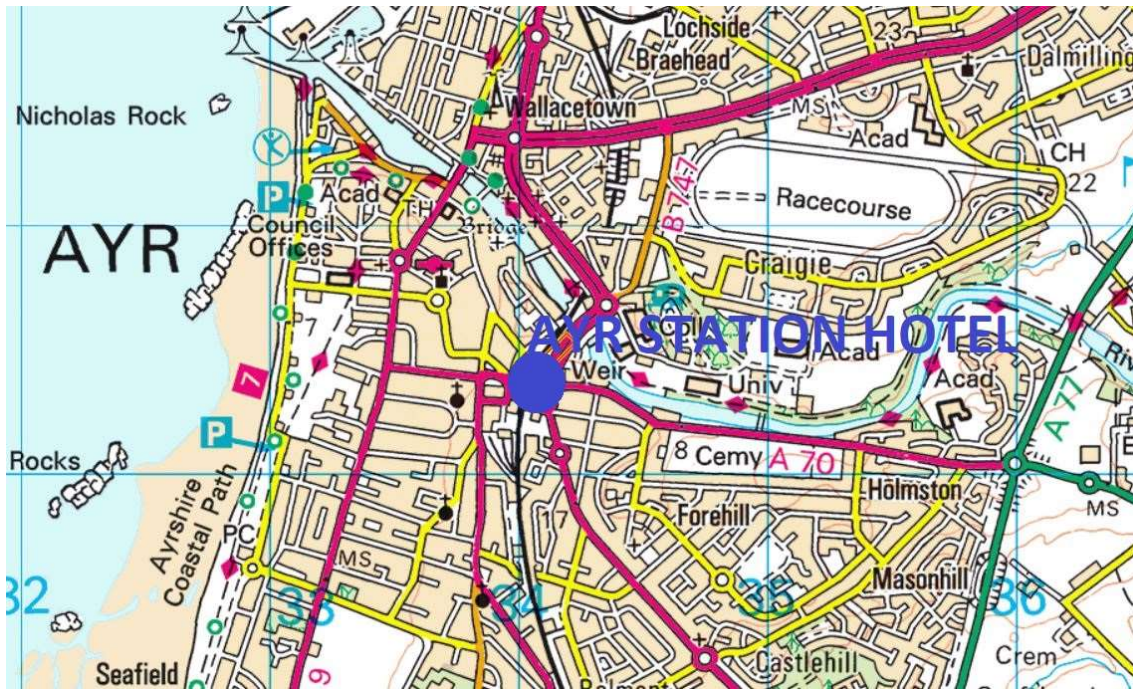
It is understood that possible long term solutions for the site and building will be considered and developed by the governance group based upon the feasibility report and any other future work that may be deemed necessary and commissioned by the governance group. The timescales for any decisions on the development of the site are unknown and would be subject to legal matters pertaining to private ownership of the building, however would likely be in excess of a year.

This study considers the options available to South Ayrshire Council Building Standards Service to maintain public safety in the interim period between now and the implementation of any agreed final development options to satisfy the obligations of the Building Scotland Act 2003.

1.2 Location

Ayr Station Hotel is located Smith Street in Ayr town centre. KA7 3AT. The building is a B listed building understood to have been constructed circa 1885. The building is connected to and borders the west side of Ayr train station.

Figure 1.1: Ayr Hotel Location



Source: Streetmap

1.3 Present Condition

The Station Hotel building is historic dating from the mid to late 18th century with a number of extensions and alterations in subsequent years. The building is a category B Building, listed by Historic Environment Scotland (HES). The original building is understood to have operated as a railway station and hotel.

For the purpose of descriptions in this report the principal sections of the building are referred to as; the north section, the south section and the Clock Tower.

The hotel is understood to have ceased trading in 2013. In the interim the south section of the building and part of the north section have remained closed and appear to have had little or no meaningful external or internal maintenance. Consequently, sections of the building have fallen into a largely dilapidated state.

The building was subject to a Dangerous Building Notice issued under section 30 of the Building (Scotland) Act in 2018 due to safety concerns pertaining to the condition of the building. The building owner failed to take appropriate action to make the building safe, and therefore as required SAC instructed necessary safety works outlined in the Notice. It became clear when carrying out these works that the South Section of the Building was in a more structurally unsound condition. South Ayrshire Council therefore took action under section 29 of the Building (Scotland) Act to instruct installation of an encapsulation structure to prevent access to the dangerous building and protect the public and property in places adjacent to the dangerous building.

Some of the major works carried out to protect public safety included:

- Erection of a full height scaffold and roof arch framing to both sides of the structure and the roof. Fan scaffolding was installed on trackside to protect the line and platform from any falling material.
- The scaffold framing was overlaid with a full fabric encapsulation.
- Removal of defective stonework, metalwork and timberwork to limited sections of the building.
- Netting of limited sections of the building face.

The North block on trackside has also been netted to reduce the risk of falling debris.

These protection works installed in 2018 and the ongoing costs associated with maintaining the encapsulation were funded jointly by SAC and SG/Network Rail until May 2022.

1.4 Purpose of the Study

The current encapsulation of the building imposes an ongoing cost to SAC and SG/Network Rail. This ongoing cost of protecting the public from a privately owned dangerous building is not within the financial means of South Ayrshire Council. As such SAC seek to investigate cost-effective ways of public safety in places adjacent to the dangerous building.

The study will examine a number of options available to protect the public in the interim period between now and any long-term development solution for the site. Within the scope of the study the options will consider each solution in terms of practical, technical and cost considerations (where information is available).

Options presented will be assessed on their relative merits in isolation with no cognisance of potential final development option being considered under conclusion.

With this in mind, the study will consider three options to achieve this objective, as follows:-

- Option 1 - Maintaining the status quo (retaining the existing encapsulation)
- Option 2 - Partial Downtaking of the South Section of Hotel, Temporary Stabilisation Works and Removal of Encapsulation
- Option 3 - Partial Demolition (South Section only) and Removal of Encapsulation

These three options noted above will be discussed further in Section 2

A fourth option was considered at the outset of the study but was discounted as being non-viable as detailed in Section 2.4. This option was:

- Option 4 - Remove the encapsulation and retain the building as-is with an exclusion zone in place around the site.

As noted the aim of this report is to investigate solutions that will satisfy SAC building standards statutory duties under the Building (Scotland) act 2003 and the options focus on the factors that will satisfy this requirement. As such the heritage aspects of the building and the relative merit of each of the options with regards the heritage aspects is not considered. It is noted that further dialogue with Historic Scotland and other stakeholders would be required to consider these aspects separately.

1.5 Study Support Tasks

A number of tasks were undertaken in advance of the option development to support and inform the study as discussed in the following sections

- Options Appraisal
- Site Walkover (undertaken on 19/05/2022)

1.5.1 Options Appraisal

The purpose of this exercise was to present and consider the pros and cons of each option. An options appraisal table was developed to record the findings and is included within Appendix A

1.5.2 Site Walkover

The original Mott MacDonald independent report was based on a visual inspection of the building undertaken in 2018-2019. In the absence of any updated information the assumption taken in the development of the options was that the present condition of the building remains as noted in these original surveys. To increase confidence in this assumption a walkover of the existing encapsulation frame was undertaken at the outset of the study.

The walkover included a cursory visual inspection of the prime defects noted in the independent report to ascertain if significant deterioration has occurred in the period between the original report and the present time. No intrusive surveys or access internally was afforded or made during these inspections.

From the walkover inspections no evidence of significant worsening of the external defects was noted and as such the assumption has been made that the building condition is similar to that noted in the independent report provided in 2019-

Prior to development of any future public safety works a more detailed survey of the building would be required to verify this assumption, identify additional defects subsequent to the 2019 structural report and support the development of any detailed design proposals.

1.6 Provision of Costs

The study will consider each option and in support of the study a limited costing exercise was undertaken.

SAC have available costs from other sources for some of the selected options, therefore the Mott MacDonald scope for the costing exercise was limited and as defined in the table below.

Table 1.1: Cost Provision Table

Option	Note
Option 1	No costing exercise undertaken by Mott MacDonald. Costs provided by CPMS based on current encapsulation costs and included within the report for information.
Option 2	Costing exercise undertaken by Mott MacDonald in support of the study and included within the report
Option 3	No costing exercise undertaken by Mott MacDonald. Costs understood to be available to SAC based on feasibility studies (undertaken by others). Approximate cost noted in the report provided by SAC
Option 4	No costing exercise undertaken by Mott MacDonald. Non-viable option therefore costs not required

The cost report is provided within Appendix C .

2 Option Appraisal

The three selected and agreed options are described in further detail below:

2.1 Option 1 – Maintaining the status quo (retaining the existing encapsulation)

2.1.1 Description

The building is currently protected by an encapsulation structure comprising a scaffold (with access stairs, ladders and platforms) located to all sides and roof of the Southern Block of the hotel building. The encapsulation provides access and support for an outer protective Dessa Plas PVC sheeting. The primary purpose of the encapsulation is to protect the public from the risk of falling material/debris from the building. The encapsulation shields the building from ongoing environmental factors including adverse wind loading to minimise risk of material becoming loose and falling on to the publicly accessible areas below. The encapsulation also serves to contain any small pieces of material that may fall from the building. The encapsulation has been in place since 2018.

Option 1 considers retention of the encapsulation structure in its current form on the assumption that it will remain in place until any final site development proposals have been developed and are implemented. Continuation of protection of the structure is assumed to be afforded through this option, without any major physical design changes proposed.

The encapsulation has been in place for approximately 4 years, since late 2018. It was designed as a short term temporary structure with an intended life of 12 months. However, it may have a practical design life in excess of this, subject to programmed inspections. The encapsulation may continue to be serviceable in the medium term, however some individual components such as the sheeting and scaffold boards may require periodic replacement to assist in the performance and extension of practical design life.

Works required to retain the Encapsulation to maintain the status quo are likely to include:

- Programmed maintenance and structural inspections of the encapsulation throughout its life. Currently it is understood that inspections are undertaken on the following basis:
 - Weekly scaffold inspection
 - 3 monthly structural inspection
 - Additional inspections within a minimum of 7 days following extreme weatherIt is anticipated that this requirement will continue through the life of the encapsulation protection measures.
- Partial sheeting repair / replacement. The encapsulation sheeting is formed from two materials. The majority is formed from Dessa Plas PVC sheeting made of modular sections supported from the scaffold frame. At the ends of the building and other irregular areas a Polyethylene sheeting is used.
 - The PVC sheeting has a design life of 7 years. It is likely that a proportion if not all of the PVC sheeting will require remediation/replacement at year 7.
 - The Polyethylene sheeted areas have a design life of 6 months. It is likely that these areas will continue to require replacement every 6 months throughout the life of the encapsulation.

- Other individual elements such as scaffold boards will likely require replacement after their design life has ended. This is understood to be circa 7 years.
- The scaffold members are likely to have significant residual design life, however, remedial measures may be required to maintain the scaffold frame in the medium/longer term. This could include:
 - Replacement of joint connections
 - Replacement of individual scaffold members as required.
 - Inspections of the condition of scaffold footings and localised formation levels, including any paving, or associated hardstanding directly below and in the proximity of the scaffold footings.

These requirements would be dictated by the ongoing maintenance inspections.

2.1.2 Pros & Cons

The full list of pros and cons for each option are included within the options appraisal document included in Appendix A. The key points extracted from the options appraisal are noted below:

2.1.2.1 Pros

- Encapsulation is a known entity. Functionality, current costs and future requirements are established, provided a programme of inspections are maintained to ensure adequacy and extension of the practical design life.
- The encapsulation option has been approved by stakeholders. No further disruption to the railway/approvals/agreements are anticipated to be required whilst encapsulation remains in place.
- Existing hotel building is retained and may be refurbished by others in the future

2.1.2.2 Cons

- There will be a significant ongoing cost to the public purse
- Potentially an open-ended cost, as there is no certainty on when any future site proposals would be developed and implemented.
- The encapsulation will incur additional costs through its life including costs associated with maintaining the encapsulation, replacement of elements and surveys etc.
- Can be considered a temporary measure only as it does not deal with the building defect
- Fire and vandalism risk remains. The encapsulation is protected by means of fencing and hoarding and is covered by CCTV surveillance, however numerous security breaches have been experienced during the last few years. The risk of someone becoming trapped inside the dangerous building is significant. The risk of fire raising deliberately or otherwise poses significant risk to the public. Emergency services including Scottish Fire and Rescue Services and Police Scotland have conducted risk assessments which demonstrate significant difficulty in fighting fire. The building is not safe to access, or conduct a rescue operation due to the dangerous condition of the structure
- There is a H&S risk associated with the requirement to work close to and potentially within the building to facilitate surveys, undertake remedial and maintenance works.

2.1.3 Assumptions

Key assumptions used in the development of Option 1, are as follows:

- The existing scaffold and encapsulation is currently in a serviceable condition and as an entity is capable of remaining in use without major modification.
- The condition of the existing building is in a similar state to the as surveyed condition recorded in the 2019 Mott MacDonald independent report. Any further options development works would require an updated structural survey to inform the works.

2.2 Option 2 – Partial Downtaking of the South Section of Hotel, Temporary Stabilisation Works and Removal of Encapsulation

2.2.1 Description

Option 2 allows for the removal of the existing encapsulation. It assumes this be achieved through the implementation of safety works required to protect the public.

Option 2 also assumes that any safety works implemented would be limited to the minimum required to protect public safety to facilitate removal of the encapsulation. Option 2 does not include for any full or partial restoration of the existing building or any aesthetic improvements to the building.

Option 2 further assumes that the North block and the clocktower will be retained with minimal intervention.

The timescale and programme for developing and implementing final solutions are unknown.

It is noted that option 2 may be difficult to implement due to constraint issues associated with working so close to an operational railway. In addition, it is noted that timescales for this option are difficult to estimate due to the requirement to interface and gain approvals from other stakeholders, including Network Rail, Scotrail and Transport Scotland.

In support of the costing exercise and to allow quantities to be estimated, the potential preliminary requirements for a solution in line with the ethos of Option 2 have been developed and recorded Appendix B. The exact requirements and their extents would be subject to further surveys (for example internal structural, timber rot, asbestos surveys etc) and further development of the outline design presented. A brief summary of the potential works are as follows:

- Removal of building components that are in a condition where it is considered that retention endangers the integrity of all or elements of the structure. This may include:
 - Removal of the existing timber roof structure to the South Section of the structure.
 - Limited downtaking of chimney stacks to bring down to a level where temporary stability of the chimneys can be achieved. The remaining chimney head would be strapped and braced to stabilise.
- Remediation of significant existing building defects to mitigate risks to protect public safety. This could include:
 - Crack stitching of significant masonry cracks to the trackside elevation possibly by the insertion of resin fixed helifix (or similar masonry crack repair products) bars across the cracks.
 - Removal/replacement/resetting of individual defective masonry elements.

- Boarding up of windows and other access points
- Removal of localised masonry units where defective steel inserts may have caused bursting due to deterioration / corrosion.
- Internal remedial works necessary to stabilise the building façade defined by the findings of future internal structural assessment surveys.
- Installation of a new RC capping beam around the perimeter of the south building at wall head level at areas to provide a substrate for fixing the new roof system.
- Introduction of a lightweight, robust roof framing system mounted from the new RC capping beam. The purpose of the new roof would be to protect the building from adverse weather conditions in lieu of the encapsulation to prevent further deterioration and to protect the public. The new roof would span across the width of the building similar to the existing.
- Additional steel framing would likely be required to stabilise the partially retained chimney stacks and the clock tower.
- Installation of a new rainwater disposal system including gutters and downpipes with tie-ins to the existing downpipes and below ground drainage system.
- Making safe the existing building against unwarranted access. This could include remedial netting of remaining structure, boarding up of windows and other access points.

2.2.2 Pro & Cons

The full list of pros and cons for each option are included within the options appraisal document included in Appendix A. The key items extracted from the options appraisal are noted below:

2.2.2.1 Pros

- Option 2 is a relatively low-cost solution once erected. Substantial ongoing costs associated with the encapsulation hire, maintenance and remedial costs would be removed.
- The proposed roofing system would be relatively straightforward to remove if a refurbishment proposal was developed in the future.

2.2.2.2 Cons`

- Option 2 is complex and difficult to implement due to the constraints imposed by the restricted access and neighbouring operational railway environment. It will require a lengthy disruptive access to the railway to allow works to be undertaken.
- Necessary works to the internal structure to stabilise the building ahead of the new roof installation will be complex and difficult to implement due to the dangerous condition of the building.
- Partial dewatering and provision of a lightweight roof does not provide a permanent solution. It does not address the known internal structural defects, therefore it is still unsafe to access. Installation of security fencing and ongoing costs associated with the maintenance of this and the CCTV surveillance to deter access into the building would be ongoing
- Any further development proposals would likely include removal of the lightweight temporary roof to replace it with something more aesthetically acceptable and in accordance with the planning requirements, thereby imposing additional effort or double handling of and cost. The defects or other works do still have to be remediated during future works.
- The removal of the roof could result in collapse of this section of the building.
- Approvals for any disruptive access to the railway to facilitate these works may take up to 18 months. The encapsulation as existing will be required to remain in place up to the point that dewatering works commence, incurring additional costs over and above the actual proposed Option 2 works.

- Approval from NR and other stakeholders would be required. Given the current status of the project it is possible that NR will not support option 2 as it does not address the other known defect issues with the building and would require further disruption and cost to undertake maintenance and any refurbishment / developments at a later date.
- Option 2 offers a partial solution only. Any future development proposals will still require interfaces and approvals from stakeholders such as NR, ScotRail, Transport Scotland and Heritage Scotland
- Fire and vandalism risk remains. Removal of the encapsulation and replacement of the roof does not remedy any of the known structural defects within the building. The risk of someone becoming trapped inside the dangerous building would remain and is significant. The risk of fire raising deliberately or otherwise poses significant risk to the public. Emergency services including Scottish Fire and Rescue Services and Police Scotland have conducted risk assessments and conclude that due to the dangerous condition of the structure it is not safe to access, to fight fire or conduct a rescue operation
- An assumption has been made that the clocktower can be retained, however this is conditional to further investigation and subject to further detailed design.
- Any development/refurbishment of the existing building will cause significant disruption to the railway line and will likely require extensive measures to protect public safety during the works

2.2.3 Assumptions

Some assumptions have been used when developing this option. The key assumptions applied in the development of the option are as follows:

- The condition of the existing building is in a similar state to the as surveyed condition recorded in the 2019 Mott MacDonald independent report. Any further options development works would require an updated structural survey to inform the works.
- The condition of the Clock Tower and North block will require minimal remedial works and replacement of netting only. Subject to further structural survey.
- The internal condition of the building is not known beyond limited information provided from the 2019 independent survey. Given this, assumptions have been made on internal conditions which would require verification before any further option development.
- Due to the difficulties in implementing the dountaking works as a result of the close proximity of the railway line and given that the rail line could not be closed for the full duration of the works, the option assumes an initial 6 month line shutdown for the dountaking works and then weekend working during pre-agreed possessions / isolations for roof install and other works.
- Dountaking activities to the roof would require removal by hand rather than high lift mechanical removal, due to risks and difficulties associated with working in close proximity to the rail line.
- The option assumes heritage requirements would include partial retention of the building to allow for future heritage inclusion within final permanent developed proposals. (It is noted that this is outwith Building Standards remit to protect public safety)
- The lightweight roof could be fabricated in sections offsite and lifted into place to limit timescales of works on building
- The existing drainage system to lower levels is in a fit for purpose condition, permitting reuse with minimal remedial works.
- The application time for a railway disruptive access can vary. It has been assumed that a period of approximately 18-months would be required from application to granting of the

request. During this time the encapsulation frame would be required to remain in place and be subject to regular implementation of maintenance and inspection.

2.3 Option 3 – Partial Demolition (South Section only) and Removal of Encapsulation

2.3.1 Description

Option 3 involves demolishing the south section of the existing hotel structure to ground level. It seems likely that due to a number of factors, the building would require to be dismantled sequentially from the top down rather than mass or destructive demolition. The reason for this method of demolition being anticipated are:

- The close proximity of the railway line.
- The presence of potential harmful materials within the building such as asbestos.
- Concern regarding the structural integrity of the building which potentially may suffer sudden collapse

To comply with Building Standards remit to protect public safety under section 29 of the Building (Scotland) Act 2003 it has been considered that only the South section of the building can be demolished at this time as the North section of the building was not considered an immediate risk to public safety. It is understood that a number of iterations of demolition options have been or are being considered (and costed) in the feasibility report commissioned by the governance group and are therefore not considered in detail in this report.

As such Option 3 considers only:

- Demolition of the building superstructure to ground level. Basement areas within the South section will also likely require removal. External and internal structural basement walls would be retained to aid support of the retained material / or higher areas behind the walls during any demolition works, with the addition of temporary propping and sequentially programmed infilling of lower voided areas.
- Infilling of the basement areas to the south section of the structure to existing ground level. This may include provision of temporary drainage, required to drain the basement structure, new voids through existing walls and potentially tie ins with the existing drainage systems.
- Assuming the clocktower and the North section of the building are to be retained, further stabilisation and remedial works may be required. Stabilisation works may require additional internal and external propping.

2.3.2 Pros & Cons

The full list of pros and cons for each option are included within the options appraisal document included in Appendix A. The key items extracted from the options appraisal are noted below:

2.3.2.1 Pros

- Demolition of the south section of the building addresses concerns for public safety by removing the risk.
- Once demolition works are complete then low ongoing costs associated with that section of the building would be expected, It would also reduce the requirements associated with provision of a barrier fence/security measures to secure the area from unauthorised access.

- Demolition provides an opportunity for future development

2.3.2.2 Cons

- Demolition costs may be significant
- Demolition will be a lengthy process. NB: It is possible that full demolition could be undertaken (subject to stakeholder buy in) more efficiently under disruptive access and utilising high reach mechanical lift equipment.
- Additional support may be required to retained structures at platform side such as existing canopies. Surveys would be required to confirm the existing structure and support system
- Where sought this option does not allow for flexibility in any final site proposals which may have included for redevelopment of the existing structure. (outwith building standards remit and therefore outwith scope of this report)

2.3.3 Assumptions

Assumptions have been used when developing the option. The key assumptions used in the development of the option are as follows:

- The condition of the existing building is in a similar state to the as surveyed condition recorded in the 2019 Mott MacDonald independent report.
- The internal condition of the building is assumed to be as described in the limited survey information provided from the 2019 independent survey. Assumptions have been made on internal conditions which would require verification before any further option development. Only limited asbestos surveys have been undertaken therefore the scale of asbestos cannot be estimated at this stage. It is likely that some asbestos will be present within the building, subject to pre-demolition full inspection by a suitably qualified specialist contractor.
- Demolition works would be undertaken during a period of disruptive access to the railway. For the purposes of the report a 6 week period of disruptive access is assumed. Preliminary works including surveys etc could be undertaken prior to this.
- The application time for approval of disruptive access can vary. It has been assumed that an 18-month period would be required from application to granting of the request. During this time the encapsulation would remain in place and associated costs would continue to be incurred.

2.4 Option 4 – Remove encapsulation and impose a safety cordon – Non Viable

2.4.1 Description

Options 1-3 describe the outline requirements for the three potential options that are considered to be viable and could be adopted to protect the public until the future of the station hotel building has been determined.

SAC Building standards mandate is to carry out works as necessary to prevent access to the dangerous building and to protect the public or property in places adjacent to a dangerous building in accordance with the legislation set out in section 29 of the Building (Scotland) Act 2003. As such an alternative option was considered that would fulfil this obligation but, due to the constraints it would impose on the operational railway and the A70 trunk road through the town centre it was considered to be non-viable. To provide justification to discount this options description and reasoning is detailed below.

2.4.2 Option 4 - Remove encapsulation with Exclusion Zone

2.4.2.1 Description

Option 4 would involve remove the encapsulation including the external sheeting and all scaffolding surrounding the building. An exclusion perimeter would then be installed, with an inaccessible cordon area established, protect the public from risks associated with material falling from the building and potential collapse of part or all of the building.

2.4.2.2 Justification for non-viability

This option is considered non-viable for the following reasons:

- In choosing this option the Council would be failing in its legislative duties to protect buildings as well as people, under the Buildings Scotland Act and therefore this would potentially leave the Council open to formal complaints and for legal challenge.
- This option would not address any of the building defects. It would remain a dangerous building.
- Due to the location of the building any exclusion cordon would have to include the rail infrastructure and Ayr station. It would also include the A70 trunk road and overpass adjacent to the site. This would create significant disruption for the public, including local residents and businesses and other stakeholders including emergency services, transport Scotland, Network Rail and ScotRail and would have a significant detrimental impact on transport and operational capability of the town centre and wider community for an unspecified period of time.
- Immediate closure of the operational railway would be required under emergency powers granted to the local authority by the legislation provided under the Building (Scotland) Act 2003
- In the event of catastrophic collapse of the building this would result in major damage to the infrastructure assets which are to be protected as property adjacent to a dangerous building under the legislation set out in section 29 of the Building (Scotland) Act 2003
- Significant establishment and ongoing costs and disruption would be incurred. This would include establishment of the safety cordon, installation and maintenance of road closures and diversions, removal of the encapsulation. Erection and maintenance of security fencing and CCTV surveillance to protect against unauthorised entry to the dangerous building.
- Fire and vandalism risk remains. The encapsulation is protected by means of fencing and hoarding and is covered by CCTV surveillance, however numerous security breaches have been experienced during the last few years. The risk of someone becoming trapped inside the dangerous building is significant. The risk of fire raising deliberately or otherwise poses significant risk to the public. Emergency services including Scottish Fire and Rescue Services and Police Scotland have conducted risk assessments which demonstrate significant difficulty in fighting fire. The building is not safe to access, or conduct a rescue operation due to the dangerous condition of the structure
- The extent of asbestos within the building is not known, however it is considered highly likely that it exists in some form. Catastrophic collapse of the building may in release of asbestos spores into the surrounding air potentially affecting public health.

3 Option 2 Cost Report

3.1 Cost Plan Summary:

The Option cost plan has been prepared for Ayr Station Hotel Project Option 2 and is included in Appendix C. The cost plan examines the capital costs associated with the selected option, the removal of the existing roof/mansard level of the building across the entire south block, down to wall head level at base of roof/mansard level, a replacement over-roof, and associated remedial works to masonry elements, totalling £7,877,000 (ex VAT).

This figure is inclusive of the construction works, main contractor's preliminaries costs, Overheads & Profit (OH&P), professional fees, surveys, risk, and inflationary costs to the planned mid-point of construction. The full detail is available in the cost plan.

The costs are predominantly derived from measured quantities given by the drawn information, with the unit rates applied to these quantities based upon recent market data for other similar projects, adjusted as necessary to reflect the specifics of this project and the scope of works being provided. Where quantities have not been established or there is not sufficient information to be able to inform pricing, lump sum or cost per m² allowances have been used, again based on similar projects and current understanding of the scheme. 'On costs' such as preliminaries, OH&P, surveys, fees and inflation are based on a combination of percentage allowances and lump sums based on current market trends and with the scheme specifics in mind.

3.2 Principal Assumptions and Exclusions:

These are noted in the main body of the cost plan, however key themes include assumptions around the extent of remedial works required (the full scope of works is not yet defined) and the scope of the 'known' works and the exclusion of Network Rail Scotland/operator shutdown license and costs.

3.3 Key cost drivers:

The key points of the costing exercise are understood to be:

- The dangerous condition of the building and works required to protect public safety, including surveys and works with asbestos/contamination.
- of the existing roof and provision of a lightweight temporary roof structure
- Assumed requirement for increased preliminary costs (due to proximity of the operational railway).
- Current market uncertainty – significant market pressures are being experienced across the construction industry.
- Out of hours working – indicative provisional sum included.

3.4 Risks

There are a number of risks highlighted in the cost plan that could have significant implications; Key points are detailed here, however the report contains the full details:

- Ability/access to undertake surveys within the dangerous building, and their findings.
- Programme - Network Rail approval for disruptive access to the railway, inflationary costs & current market instability, phasing/sequencing of works.

- Extent of scope of works not fully known; there is a risk that 'opening up' will reveal a requirement for additional work to stabilise the building. There is potential for partial or full collapse of the building.
- Condition of the existing building – can it accommodate the works?
- A number of provisional items (asbestos, out of hours working) where the strategy is not defined.
- Reliance on costing information provided by external parties. Including CPMS quotation for retention of the encapsulation – this forms a large part of the cost, however the costs, durations, and any assumptions made in the pricing have not been validated at this time.

3.5 Next steps:

- Client review period for the report/cost plan and time taken to make a decision on how to proceed
- Progression of the design/option cognisant of Client requirements and budgetary considerations.
- Validation of costs not provided by Mott MacDonald

3.6 Costs not provided by Mott MacDonald

In addition to the costs report for option 2 that has been developed to support the study, there are a number of other costs which have been provided to support a comparison of the options. These costs have been produced and provided by other parties and are noted below:

3.6.1 Budget Encapsulation Costs

To inform the study the SAC framework contractor CPMS was requested to provide quotations for the retention of the encapsulation over a 3 year and 5 year period.

The quotations provided by CPMS are included within Appendix D for information and summarised below:

- Retention of encapsulation for a period of 3 years approx. £3,988,300
- Retention of encapsulation for a period of 5 years approx. £6,014,887

3.6.2 Option 3 Demolition Costs

No costing exercise has been undertaken by Mott MacDonald in relation to any demolition options for the building.

To inform the study costing information for option 3 has been derived by SAC from preliminary information provided within the Feasibility Report prepared by others as commissioned by the wider Governance Group. At the time of writing this report has not been viewed by Mott MacDonald however the approximate cost for demolition of the south section of the building has been provided by SAC and is understood to be in the order of approx. £6.6m. This figure is understood to be subject to validation by SAC and the governance group.

4 Conclusion

Mott MacDonald Limited were appointed by SAC to undertake a study considering their options to satisfy their duties under section 29 of the Building (Scotland) Act 2003, to prevent access and protect public safety and property in places adjacent to a dangerous building, Station Hotel, Ayr.

This report presents the form and costs for the various options developed through the course of the study.

The key findings of the report are as follows;

Option 1 Maintaining the status quo (retaining the existing encapsulation)

- Budget cost period of 5 years approx. £6,014,887 (costs provided by others and subject to validation)
- Ongoing and open-ended costs associated with the maintenance and periodic refurbishment of the encapsulation is significant.
- Does not address any of the defects or risks associated with the building covered by the encapsulation

Option 2 Partial Downtaking of the South Section of Hotel, Temporary Stabilisation Works and Removal of Encapsulation

- Budget cost approx. £7,877,000
- Significant cost and timescale for work to remove the existing roof and replace with a lightweight temporary roof structure to protect the building from adverse weather conditions in lieu of the encapsulation, to prevent further deterioration and protect the public.
- Option 2 is complex and difficult to implement due to the constraints imposed by the restricted access and neighbouring operational railway environment.
- Does not address any of the defects or internally, therefore the building will still remain inaccessible.
- Ongoing public safety risks will still require to be managed including deterioration of the building condition, fire and vandalism due to unauthorised entry.
- It is assumed disruptive access is required to the railway line to allow the works to be undertaken. An application for this would need to be made to Network Rail and would be subject to their approval. It has been assumed that a period of approximately 18-months would be required from point of application to Network Rail to the eventual implementation of the disruptive access arrangements. During this time the encapsulation frame would require to remain in place and be maintained.

Option 3 Partial Demolition (South Section only) and Removal of Encapsulation

- Budget cost approx. £6.6m (cost provided by others and subject to validation)
- Protects public safety by removing the risk
- Once demolition works are complete then low ongoing costs associated with provision of a security barrier to prevent unauthorised access to the vacant site would be expected
- Demolition provides an opportunity for future development.
- It is assumed disruptive access is required to the railway line to allow the works to be undertaken. An application for this would need to be made to Network Rail and would be

subject to their approval. It has been assumed that a period of approximately 18-months would be required from point of application to Network Rail to the eventual implementation of the disruptive access arrangements. During this time the encapsulation frame would require to remain in place and be maintained.

Based on the costs and supporting information available at the time of the study to allow appraisal of the options 1-3 it is considered that option 3 presents the most cost effective and practical solution to allow SAC to satisfy their obligations for the protection of the public and property adjacent to the dangerous station hotel building, under the legislation set out in the building Scotland (Act) 2003.

A. Options Appraisal Spreadsheet

A.1 Options Appraisal Spreadsheet

Date: 10/10/2022

Station Hotel Ayr

interim Stabilisation Options Study - Options Appraisal - RevP2

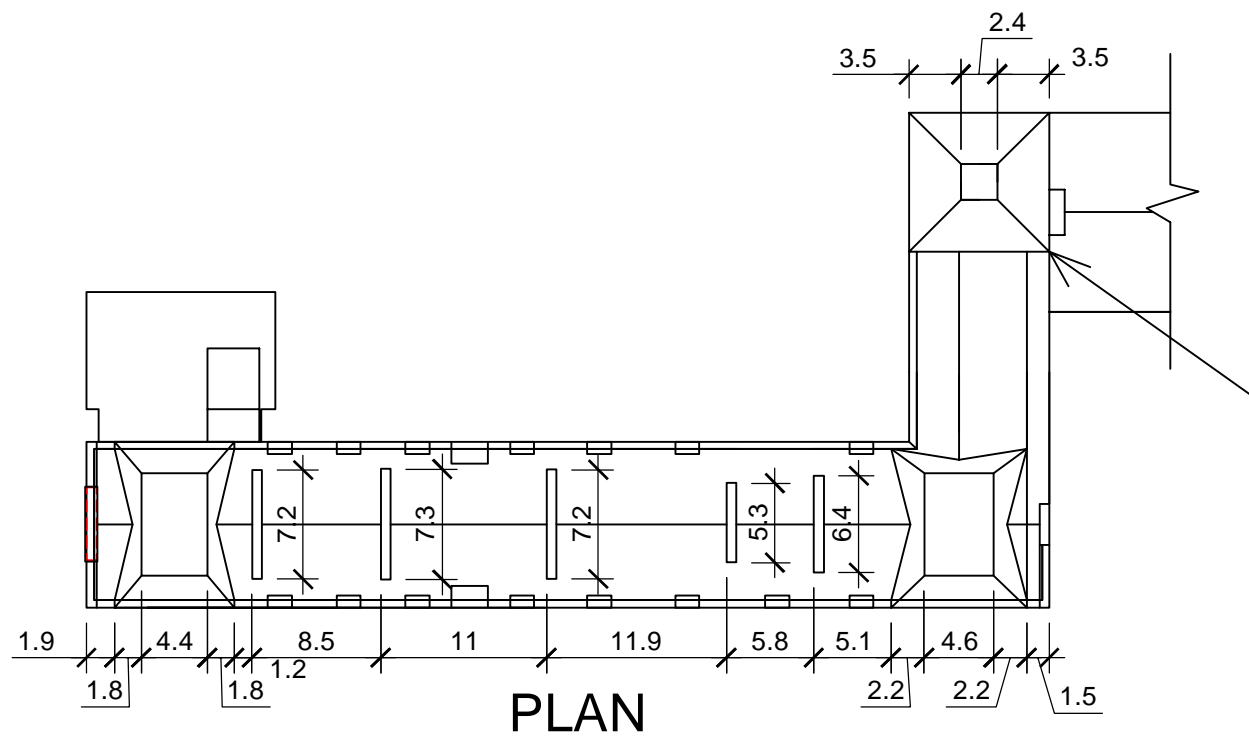
Potential Solutions		
Option 1	Option 2	Option 3
Maintaining the status quo (retaining the existing encapsulation)	Partial Downtaking of South Section of Hotel, Temporary Stabilisation Works and Removal of Encapsulation	Partial Demolition (South Section only) and Removal of Encapsulation
Pros	Pros	Pros
The existing hotel is retained therefore there is the potential for the building to be refurbished by others in the future.	Option 2 is a relatively low-cost solution once erected. Ongoing costs associated with the encapsulation hire, maintenance and remedial costs would be removed	Demolition of the building addresses all of the building defects in that section (South section) of the building.
Encapsulation is a known entity. Functionality, current costs and future requirements are established	Option would retain the lower levels of the building. This would be beneficial in the implementation of any heritage option allowing an element of flexibility on selection of final proposals (outwith scope of building standards remit)	Once demolition works complete then minimal ongoing costs (associated with that section of the building) would be expected
Encapsulation option has been approved by stakeholders. No further approvals/agreements required whilst encapsulation remains in place.	Proposed lightweight temporary roofing arrangement would be relatively straightforward to remove once final site proposal is selected.	Demolition provides "clean slate" for any future development (other than possible heritage options - outwith scope) No further works would be required (other than standard enabling works) to prepare the site (within that section of the building footprint) for any future development (subject to NR approvals/process)
Heritage elements are retained in advance of final proposals for site (outwith scope of the report)	Provides a wind and watertight solution	Removes requirement for ongoing security measures associated with monitoring the South section building
Will not require line closure until future options are undertaken.		Eliminates the risks associated with further deterioration of that section of the building such as the risk of falling sections/material from the building
		Eliminates the risk of fire & vandalism within the South section of the building.
Cons	Cons	Cons
Potential High Ongoing cost	Full buy in from NR and other stakeholders would be required.	Probable high initial outlay cost
Can be considered a temporary measure only and does not deal with building defects. The building defects or other works would still have to be dealt with during future works	By removing the roof/mansard level then a large majority of the heritage elements will be removed. NB: Current assumption is that the clocktower can be retained however this is subject to more detailed design. If clocktower is removed additional heritage elements are removed. (outwith scope of building standards remit)	Does not allow for flexibility in any final site proposals (in that section of the building) due to removal of the existing structure. (outwith scope of building standards remit)

Potentially an open ended cost as no certainty on when any future site proposal would be in place. This would represent poor value for the public purse.	Once the trackside scaffold is removed it is possible any future contractor will have NR process issues and possible delays gaining approval for erection of another scaffold on trackside.	Demolition will be a lengthy process as will likely have to be undertaken sequentially in a top down manner with possible storage of some heritage elements (ouwith scope of building standards remit). NB: It is possible that demolition could be undertaken (subject to stakeholder buy in) more efficiently under disruptive access and utilising high reach mechanical lift equipment. It is likely that full demolition of the south section of the building will be quicker than option 2 works.
Potential for the existing building to deteriorate further as time progresses which may require significant remedial/maintenance works	Partial dountaking does not address issues with future demolition or other potential issues with redevelopment options. The defects or other works would still have to be dealt with during future works incurring additional cost	Depending on the situation, approvals for disruptive access to allow demolition works may take up to 18 months. Encapsulation option will be required to remain in place up to point that actual demolition works can take place.
Fire and vandalism risk remains. The encapsulation is protected by means of fencing and hoarding and is covered by CCTV surveillance, however numerous security breaches have been experienced during the last few years. The risk of someone becoming trapped inside the dangerous building is significant. The risk of fire raising deliberately or otherwise poses significant risk to the public. Emergency services including Scottish Fire and Rescue Services and Police Scotland have conducted risk assessments which demonstrate significant difficulty in fighting a fire. The building is not safe to access, or conduct a rescue operation due to the dangerous condition of the structure	Depending on the situation approvals for any line closure to allow dountaking works may take up to 18 months. Encapsulation option will be required to remain in place up to point that actual dountaking works can take place.	Additional support may be required to retained structures at platform side such as existing canopies. Surveys required to confirm existing structure and support system
There is potential for damage to the encapsulation from high winds leading to a necessary closure of the rail line and adjacent roads	Additional works over and above roof removal and replacement would likely be required. Possibly including remediation/replacement of internal timber joists and masonry elements to stabilise the building to support new roof proposals.	Requirement to undertake internal surveys to establish the existing internal condition and undertake asbestos survey. These would potentially require extensive temporary access arrangements including platforms, mansafe systems etc.
The encapsulation will incur additional costs through its life including costs associated with maintaining the encapsulation, replacement of elements and surveys etc.	Requirement to undertake internal surveys to establish the existing internal condition and undertake asbestos surveys. These would potentially require extensive temporary access arrangements including platforms, mansafe systems etc which would difficult to implement and present potential H&S issues.	
The encapsulation provides a poor aesthetic for the direct site and Ayr.	Option will likely require lengthy disruptive access working to allow works to be undertaken. Its likely that this would be more onerous than for option 3 given assumed work method.	
The encapsulation results in restrictions to the operation of the railway station. For example whilst the encapsulation is in place there is an inability to reopen the ticket office.	Option 2 offers a partial solution only. Any future works will still require future interfaces and buy in from stakeholders such as NR	
There is a H&S risk associated with the requirement to work close to and potentially within the building to facilitate surveys, undertake remedial and maintenance works.	Option 2 is considered to be complex and diifcult to implement in terms of physically undertaking the works onsite	
	Internal works within the building will be complex and difficult to implement due to the condition and inaccessibility of the building.	
	Requirement to reconfigure existing drainage system/downpipes to interface with any proposals	

	Potential for the existing building to deteriorate further as time progresses. There will likely be a requirement to provide fall protection such as netting which will require maintenance/remediation/replacement over time.	
	Ongoing costs to manage and mitigate the risks due to the substantial deterioration of the building as time progresses such as falling risk of potential friable sandstone elements would be expected	
	Fire and vandalism risk remains. The encapsulation is protected by means of fencing and hoarding and is covered by CCTV surveillance, however numerous security breaches have been experienced during the last few years. The risk of someone becoming trapped inside the dangerous building is significant. The risk of fire raising deliberately or otherwise poses significant risk to the public. Emergency services including Scottish Fire and Rescue Services and Police Scotland have conducted risk assessments which demonstrate significant difficulty in fighting fire. The building is not safe to access, or conduct a rescue operation due to the dangerous condition of the structure	
	Installation of security fencing and ongoing costs associated with the maintenance of this and the CCTV surveillance to deter access into the building would be ongoing. Extents of security requirements likely to increase once the encapsulation is removed	
	Any further development proposals would likely include removal of the lightweight temporary roof to replace it with something more aesthetically acceptable and in accordance with the planning requirements	
	Installation of security fencing and ongoing costs associated with the maintenance of this and the CCTV surveillance to deter access into the building would be ongoing. Extents of security requirements likely to increase once the encapsulation is removed	
Approvals	Approvals	Approvals
No further approvals required	NR approvals	NR approvals
	Historic Scotland (informed only)	Historic Scotland (informed only)
Timeline from full approval:	Timeline from full approval:	Timeline from full approval:
TBC	TBC	TBC

B. Option 2 Outline Scheme

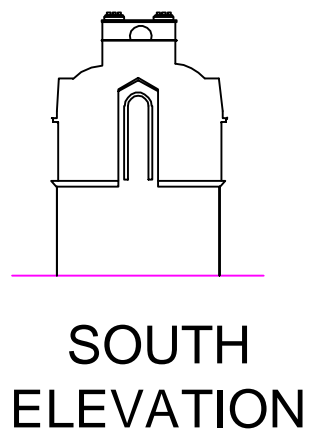
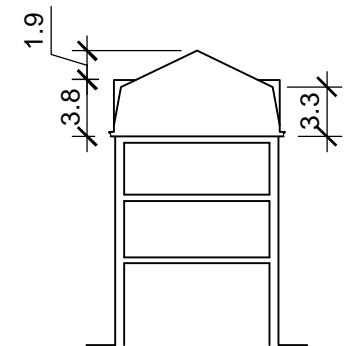
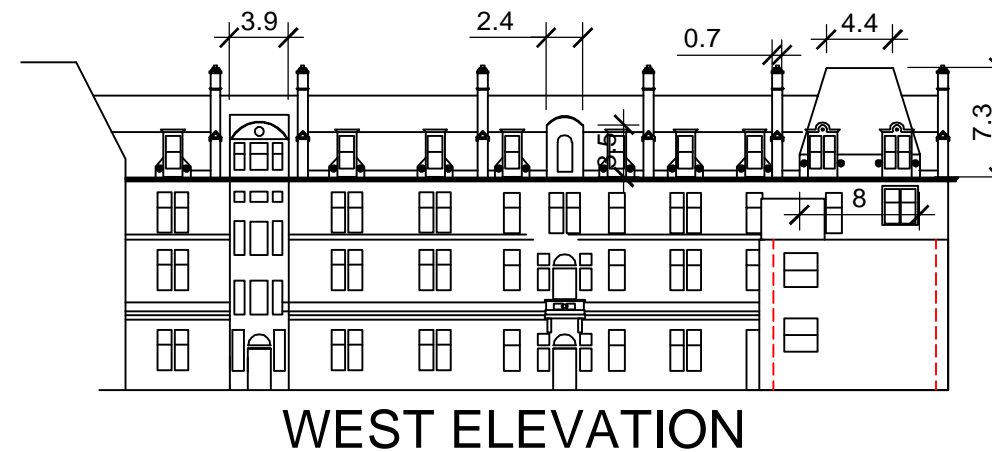
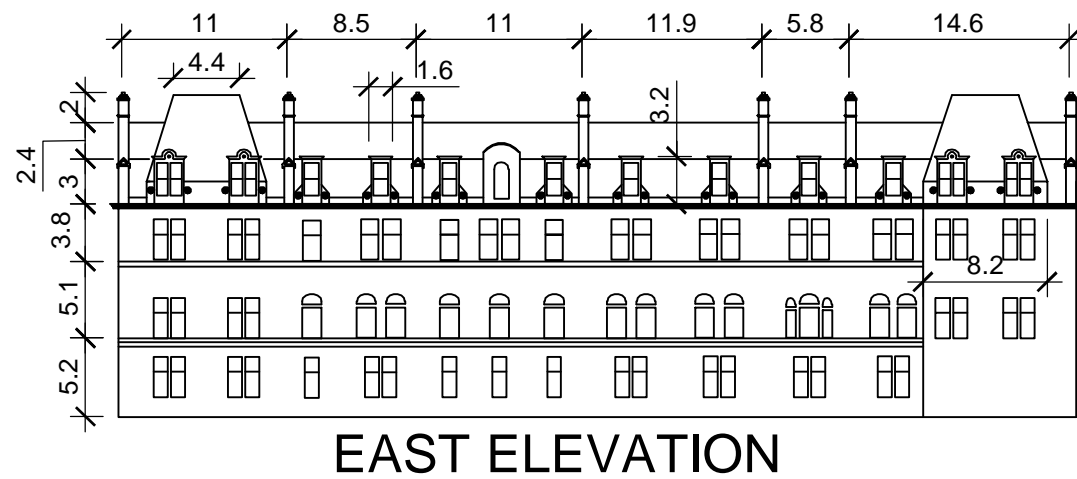
B.1 Option 2 outline scheme proposals in support of costing exercise



CLOCK TOWER PRIOR TO ENCAPSULATION INSTALLATION

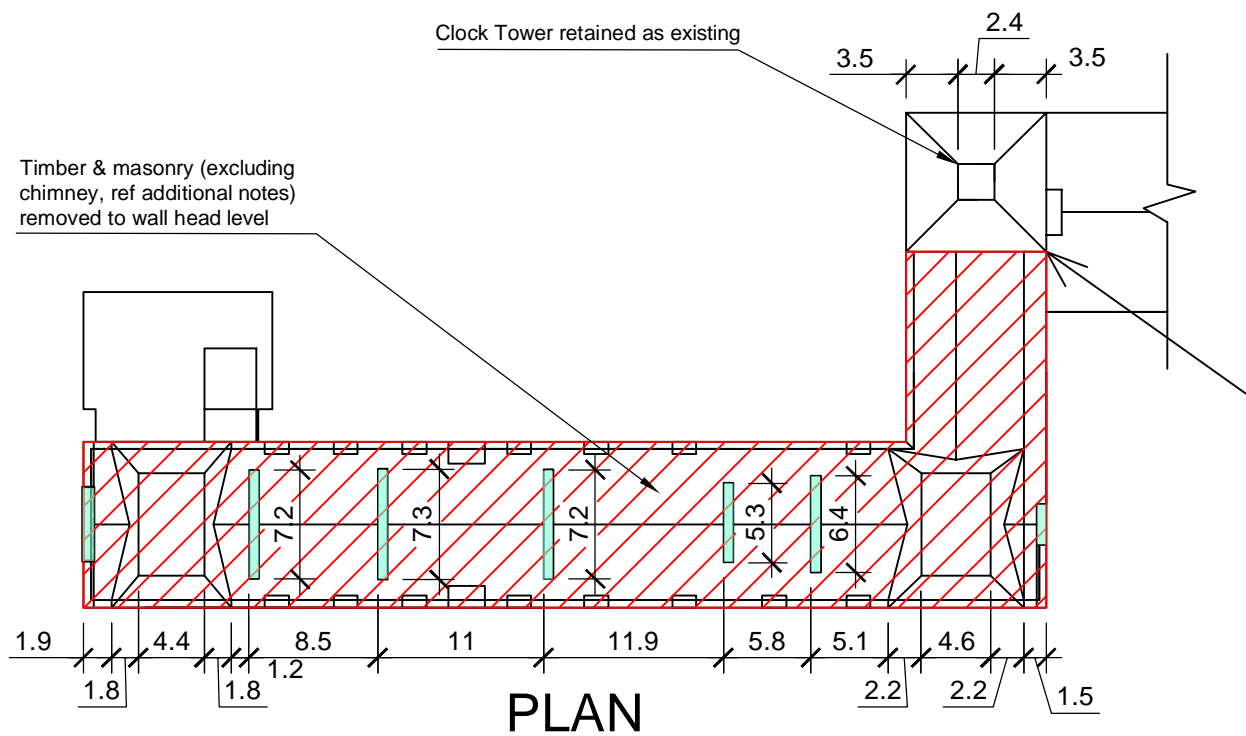


EAST ELEVATION PRIOR TO ENCAPSULATION INSTALLATION



Note
 01 - Information shown on sketches is indicative for costing purposes only.
 02 - Details shown do not show the costed scope. Refer to the costing report and supporting information for all works allowed for within costing exercise.

	Client South Ayrshire Council	Rev	Date	Drawn	Description	Ch'k'd	App'd	Title Aye Station Hotel - Plan & Elevation as existing	Drawn		RH		
		P1	26/08/2022	RH	Draft	AJ	AC		Checked		AJ		
									Approved		GR		
										Scale at A3 1:500			
										Security STD	Status FI	Rev P1	
								100399316/DOC003/sk/01					

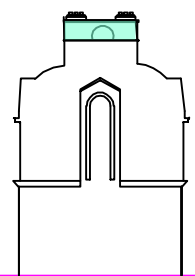


CLOCK TOWER PRIOR TO ENCAPSULATION INSTALLATION



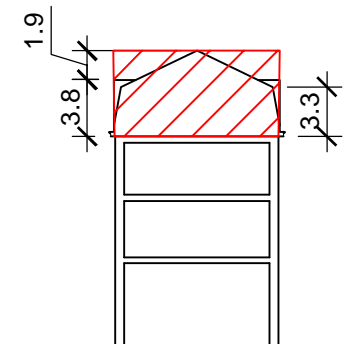
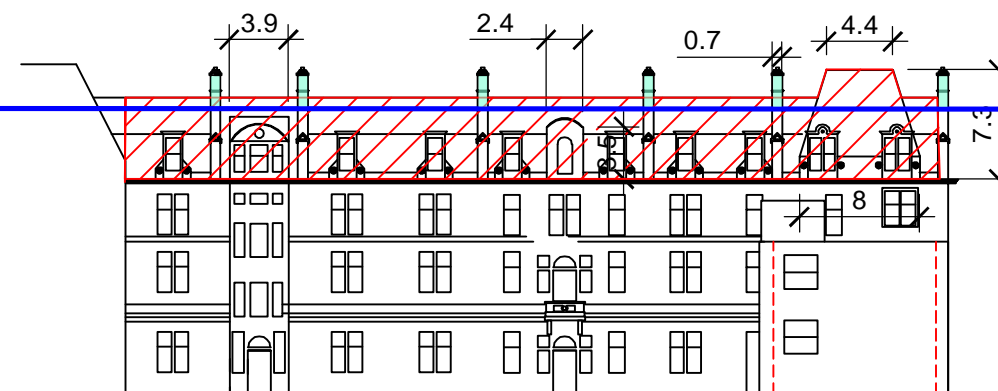
EAST ELEVATION PRIOR TO ENCAPSULATION INSTALLATION

Existing chimneys to be brought down to 0.5m above new roof apex level and capped with RC capping beam. 2.5m height removed. Assume same capping detail as for wall head (Sk03)



SOUTH ELEVATION

Wall head level



Note
 01 - Information shown on sketches is indicative for costing purposes only.
 02 - Details shown do not show the costed scope. Refer to the costing report and supporting information for all works allowed for within costing exercise.



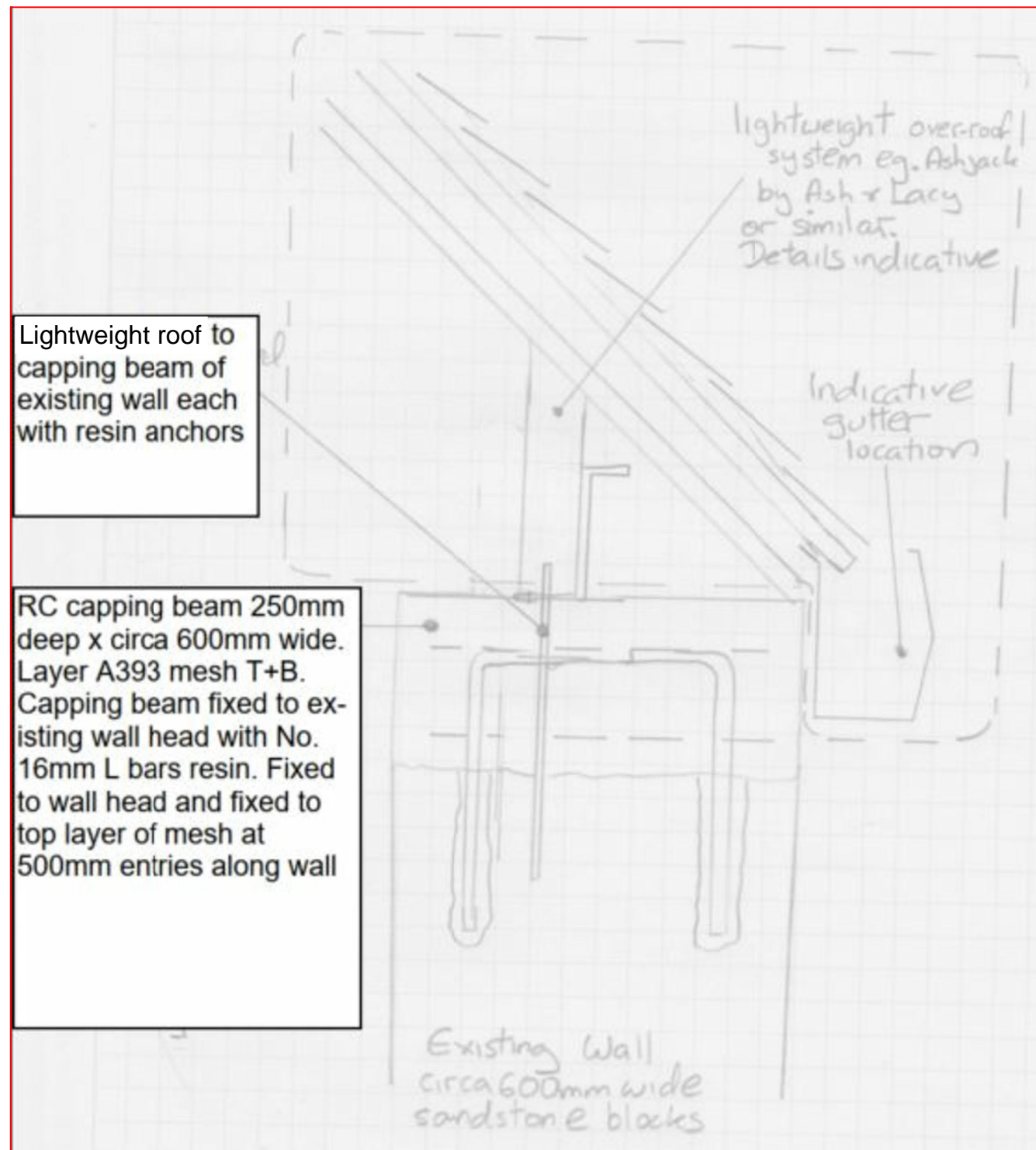
Client
 South Ayrshire Council

Rev	Date	Drawn	Description	Ch'k'd	App'd
P1	26/08/2022	RH	Draft	AJ	AC

Title
 Aye Station Hotel - Proposed Extent of Partial Downtaking

100399316/DOC003/sk/02

Drawn		RH
Checked		AJ
Approved		GR
Scale at A3 1:500		
Security STD	Status FI	Rev P1



INDICATIVE WALL HEAD DETAIL SHOWING CONNECTION BETWEEN OVER-ROOF SYSTEM AND EXISTING WALL

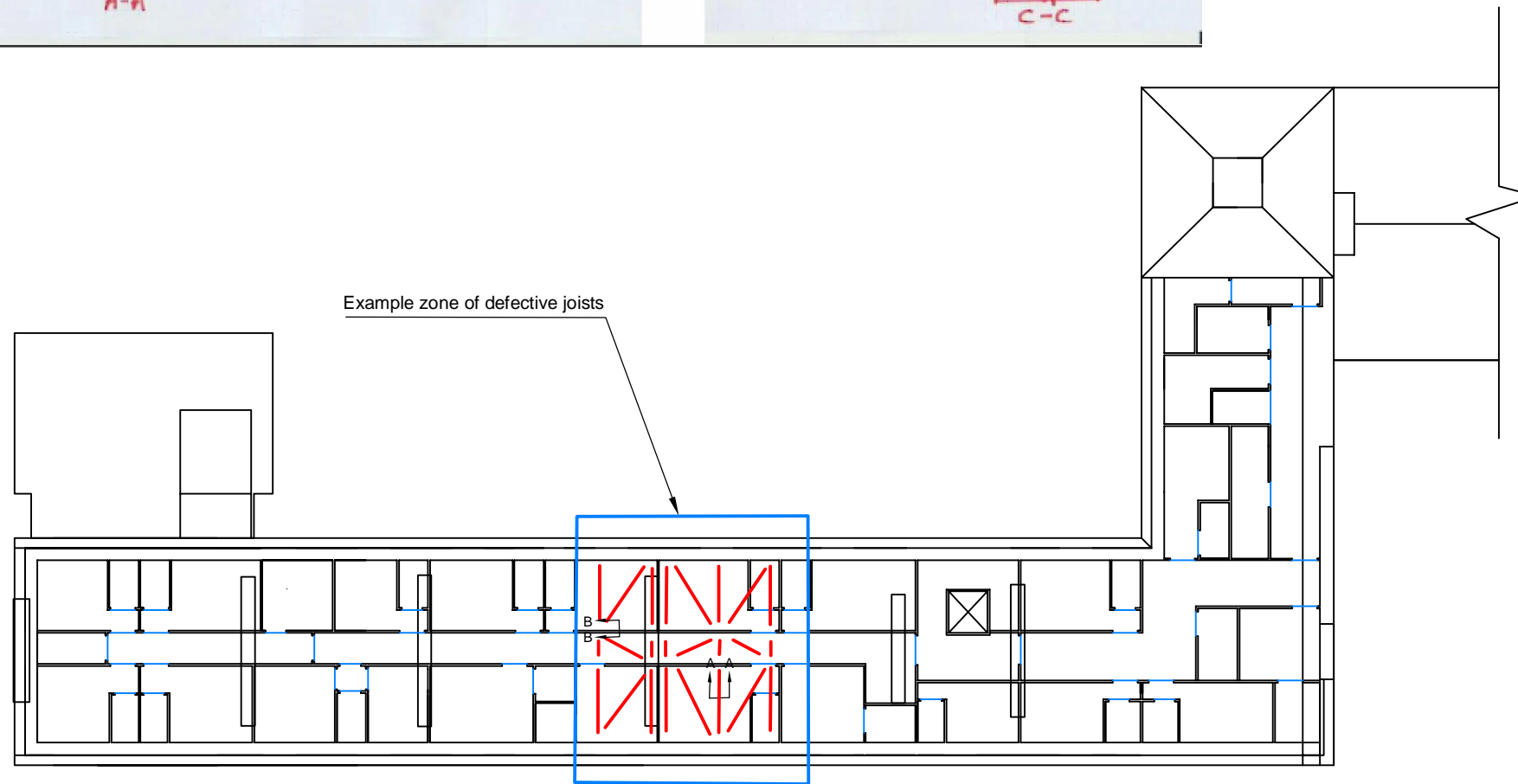
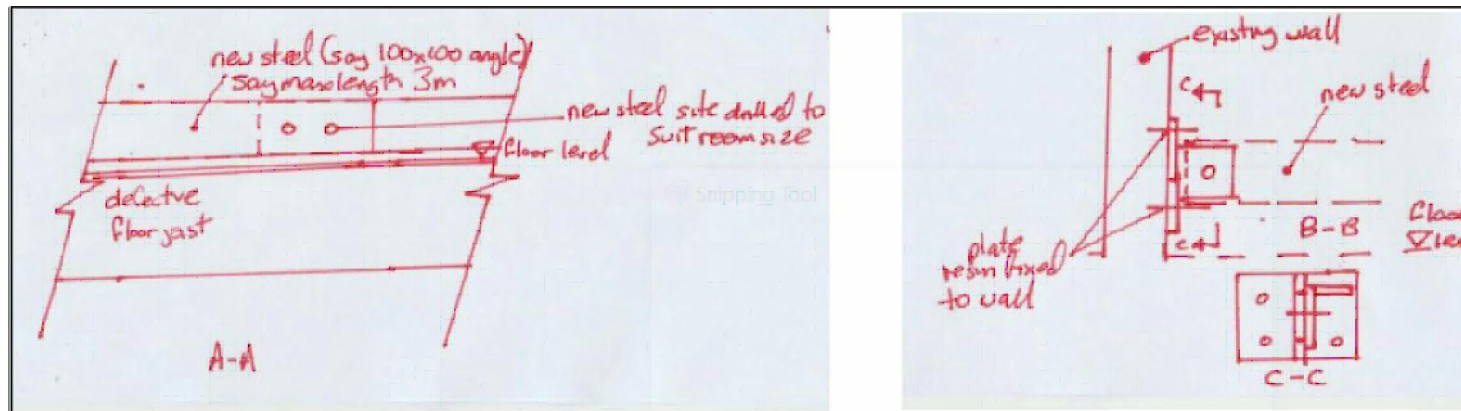
Note

01 - Information shown on sketches is indicative for costing purposes only.
 02 - Details shown do not show the costed scope. Refer to the costing report and supporting information for all works allowed for within costing exercise.



Client
South Ayrshire Council

Rev	Date	Drawn	Description	Ch'k'd	App'd	Title	Drawn		RH
P1	26/08/2022	RH	Draft	AJ	AC	Ayr Station Hotel - Proposed Wall head detail	Checked		AJ
							Approved		GR
							Scale at A3 1:500		
						100399316/DOC003/sk/03	Security STD	Status FI	Rev P1



FLOOR PLAN OF THIRD FLOOR

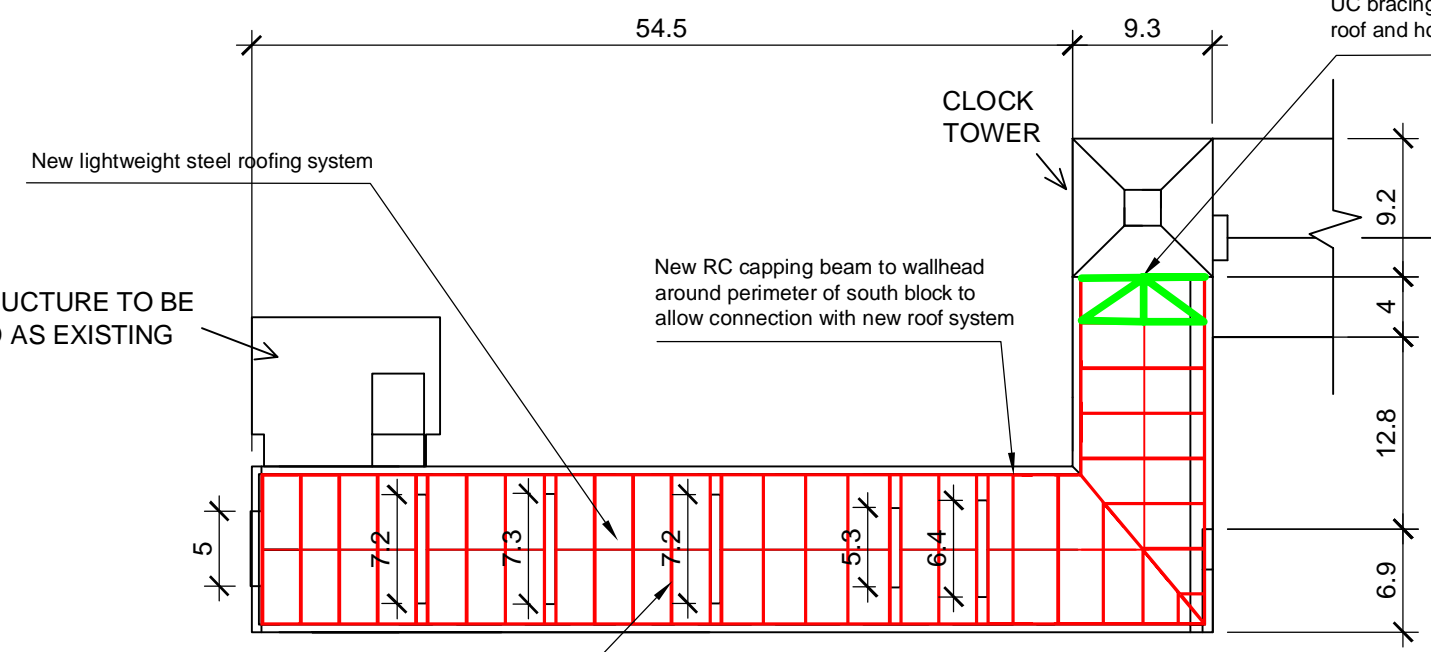
Note
 01 - Information shown on sketches is indicative for costing purposes only.
 02 - Details shown do not show the costed scope. Refer to the costing report and supporting information for all works allowed for within costing exercise.

	Client South Ayrshire Council	Rev	Date	Drawn	Description	Ch'k'd	App'd	Title Ayr Station Hotel - Indicative Floor Plate Stabilisation Works	Drawn		RH	
		P1	26/08/2022	RH	Draft	AJ	AC		Checked		AJ	
										Approved		GR
										Scale at A3 1:500		
										Security	Status	Rev
										STD	FI	P1

Note
 01 - Information shown on sketches is indicative for costing purposes only.
 02 - Details shown do not show the costed scope. Refer to the costing report and supporting information for all works allowed for within costing exercise.

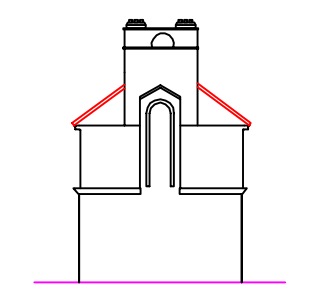
New steel propped bracing at junction between clock tower and south block roofing system. Rafter frames 254 x 89 UC bracing 273 x 10 CHS in plane of roof and horizontal at wall plate level.

NORTH BLOCK TO BE RETAINED AS EXISTING

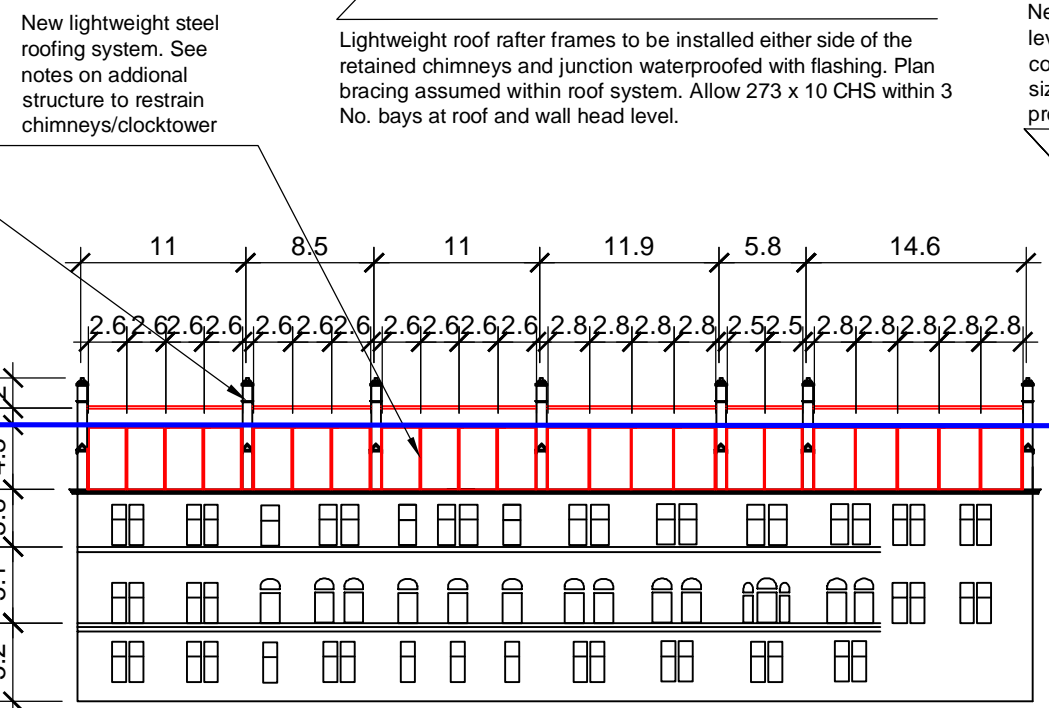


PLAN

Chimney to be reduced in level and capped refer to SK02 for details
 Existing chimneys to be brought down to 0.5m above new roof apex level and capped with RC capping beam. 2.5m height removed. Assume same capping detail as for wall head (Sk03)



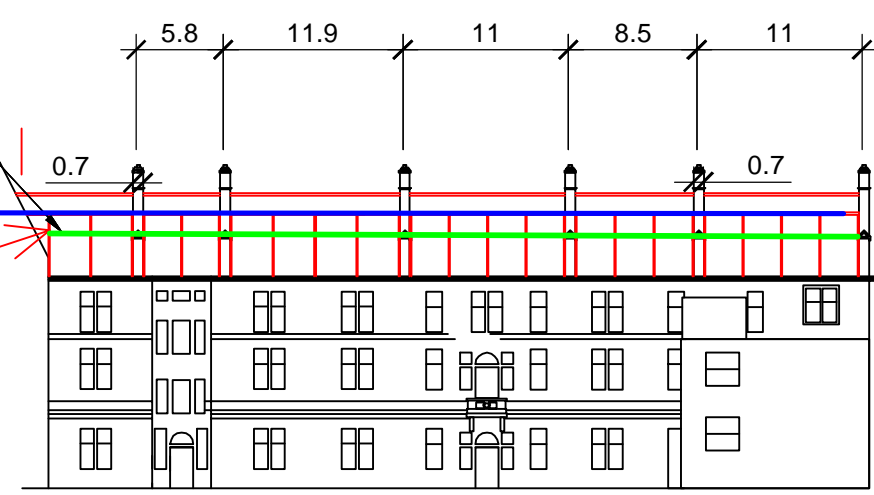
SOUTH ELEVATION



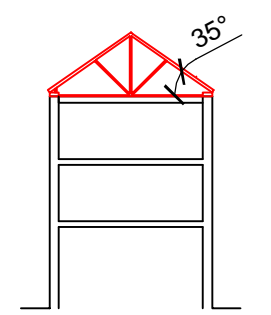
EAST ELEVATION

New 15010SHS steel props between retained chimneys at same level as apex and within existing roof line. 3No. perbay. Restraint could be provided by new roof frames also by increasing section sizes and additional structure within roof. For costing assume props.

Steel between chimneys



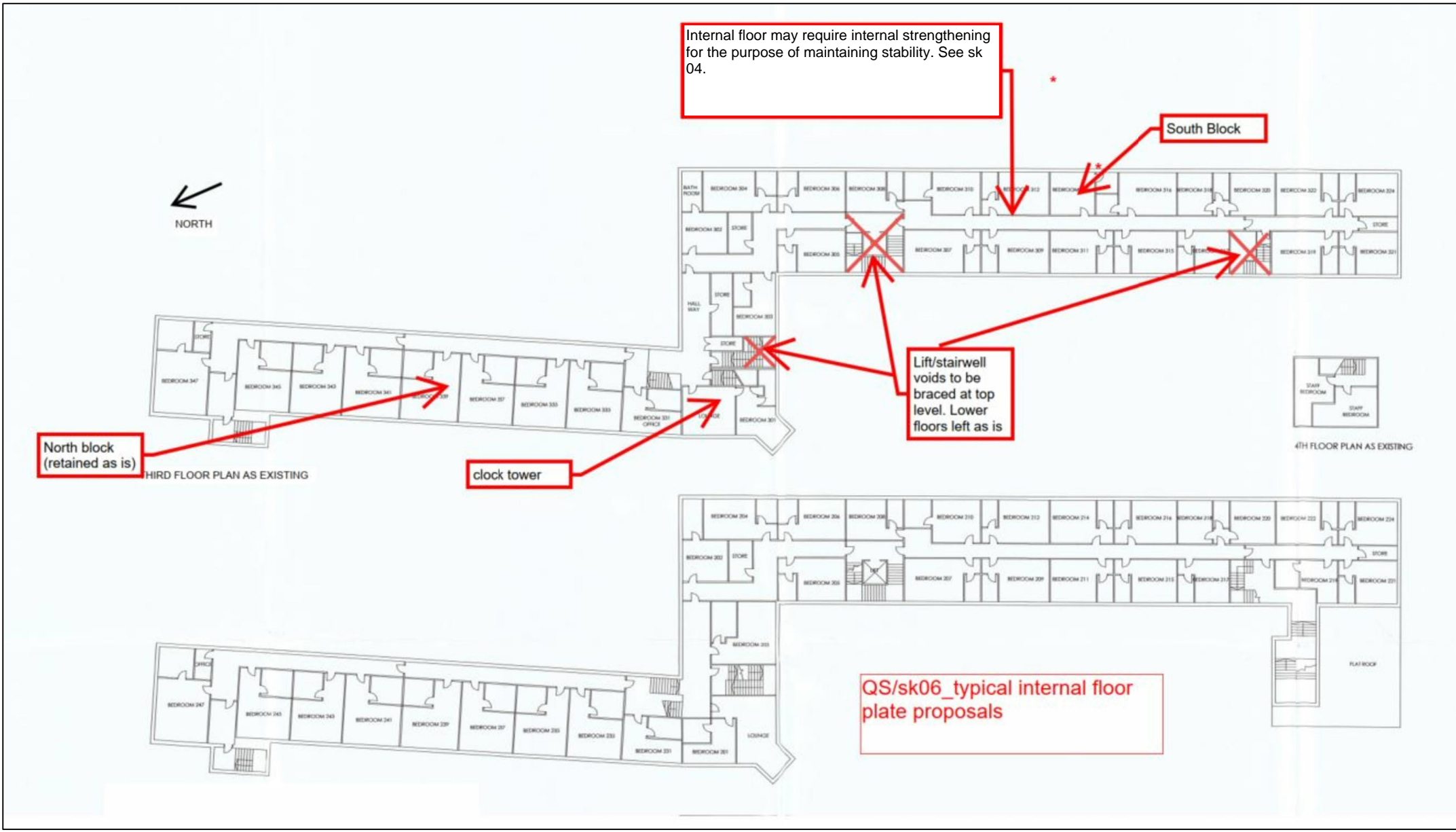
WEST ELEVATION



TYPICAL SECTION

	Client	South Ayrshire Council	Rev	Date	Drawn	Description	Ch'k'd	App'd	Title	Drawn		RH
			P1	26/08/2022	RH	Draft	AJ	AC	Ayr Station Hotel - Proposed Stabilisation Works at roof level prior to encapsulation removal	Checked		AJ
										Approved		GR
										Scale at A3 1:500		
										Security	Status	Rev
										STD	FI	P1
									100399316/DOC003/sk/05			

Note
 01 - Information shown on sketches is indicative for costing purposes only.
 02 - Details shown do not show the costed scope. Refer to the costing report and supporting information for all works allowed for within costing exercise.



	Client South Ayrshire Council	Rev	Date	Drawn	Description	Ch'k'd	App'd	Title Ayr Station Hotel - Indicative floor plate void strengthening works	Drawn		RH		
		P1	26/08/2022	RH	Draft	AJ	AC		Checked		AJ		
										Approved		GR	
										Scale at A3			
										1:500			
										Security	Status	Rev	
								STD	FI	P1			

C. Cost Report



Ayr Station Hotel
Ayr

Order of Cost Estimate

Revision B
Issued 18/11/2022

for **South Ayrshire Council**



Base Date 3Q 2022
Project Nr: 100399316

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Revision: **B** Issue date: **18/11/22** Base date: **3Q 2022** Job code: **100399316**

QA Check

Rev.	Status	RIBA Stage	Originator	Checker	Approver	Revision date	Revision
-	Optioneering cost exercise	0/1	E. Reshad	N. Dangerfield	D. Roberts	12-Sep-22	Option 2 cost plan based on high level information
A	Optioneering cost exercise	0/1	E. Reshad	N. Dangerfield	D. Roberts	14-Oct-22	Option 2 cost plan based on high level information (updated wording following Client feedback/requests. Costs remain the same)
B	Optioneering cost exercise	0/1	E. Reshad	C. Alexander	D. Roberts	18-Nov-22	Option 2 cost plan based on high level information (updated programme timescales and associated inflation/preliminaries cost updates)

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Issued to	Company	Number of copies	Format	Date
Andrew Jay (Senior Structural Engineer)	Mott MacDonald	1	pdf	18-Nov-22
Hugh Talbot (Team Leader)	South Ayrshire Council	1	pdf	18-Nov-22

Revision: B

Issue date: 18/11/22

Base date: 3Q 2022

Job code: 100399316

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Revision: **B** Issue date: **18/11/22** Base date: **3Q 2022** Job code: **100399316**

2. Introduction

Project description

Works to Ayr Hotel Station. This cost plan is an estimate for the costs of the proposed scope of work; Option 2 will involve the removal of the existing roof/mansard level of the building across the entire south block, down to wall head level at base of roof/mansard level. This will be replaced by an over-roof system, with further remedial works, for example to stonework/masonry and the Clock Tower roof, in order to facilitate the removal of the encapsulation and scaffolding. The option also assumes that any remedial measures implemented comprise and be limited to the minimum required to make the building safe enough to facilitate removal of the encapsulation frame until the implementation of any final developed proposals for the site. The option does not include for any full or partial restoration of the existing building or any aesthetic improvements to the building, or to bring it to standard for any form of use. Remedial works to the north block are not considered or allowed for. The associated closure required on the railway immediately adjacent is not allowed for and presents a considerable risk. There is no allowance for works to Options 1, 3, and 4, as noted in the Executive Summary of the full Encapsulation Retention Options Report of which this cost plan is an appendix.

Background

This cost plan has been prepared for South Ayrshire Council's Building Standards Service and examines the capital costs associated with the selected option, and totals £7,877,000 (ex VAT). This figure is inclusive of the construction works, main contractor's preliminaries costs, overheads & profit (OH&P), professional fees, surveys, risk, and inflationary costs to the planned mid-point of construction. The full detail is available in the estimate breakdown, with a full list of assumptions and exclusions in sections 7 and 8 respectively. This cost plan captures the scope of works highlighted on the design information listed within section 6 of this report (Basis of Estimate).

Key Cost Drivers

The key cost drivers for the scheme include the location of the building immediately adjacent the operational railway (although Network Rail Scotland / rail operator costs are excluded, a higher allowance for preliminaries has been included to reflect the challenging nature of the site), survey costs and enabling requirements, the extent of fabric and structural interventions (particularly to the roof), and current market uncertainty and the consequential impact on construction costs. A quotation for encapsulation/scaffolding costs held in the cost plan as an Employer Direct Cost provided by CPMS is also a key driver. We do not have sight of the other options or costs associated with the project, and these are excluded from this estimate.

Contingency and Estimate Tolerance

The cost plan includes a risk allowance based on a typical allowance at this stage which has been enhanced to reflect the preliminary level of information received. As the design is coordinated and becomes more detailed, the cost plan will be updated and the allowance reviewed. We are not currently fully apprised of the Client budget for the works, including if there is a contingency budget. Maintaining a contingency budget is recommended.

The accuracy of the building works estimate should be considered within an estimating tolerance of **+/- 20%**. As further information becomes available, and the scope and programme is better defined, the accuracy will improve in accordance with the next stages (3 and 4).

RIBA Stage	Estimate Type	Level of Tolerance	Current Stage
0 - Strategic Definition	Order of Cost Estimate	+ / - 20%	
1 - Preparation and Briefing	Order of Cost Estimate	+ / - 20%	X
2 - Concept Design	Formal Cost Plan 1	+ / - 20%	
3 - Spatial Coordination	Formal Cost Plan 2	+ / - 15%	
4 - Technical Design	Formal Cost Plan 3	+ / - 10%	
4 - Technical Design (Tender Documentation)	Pre-Tender Estimate	+ / - 5%	

VAT Assessment

VAT is excluded from the cost plan. It is recommended that specialist advice is sought on VAT matters to ensure that the correct rates are applied to the various aspects of the project.

Risk Summary

It is important that the key risks, assumptions and exclusions are reviewed and managed in the best possible way. These should form part of the review and management of a risk register. In particular, please refer to sections 7 (assumptions) and 8 (exclusions) of this report.

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3. Level 1 Summary

Cost Centre	Group Element / Element	Cost / m2 GIFA	Total Cost of Element	GIFA (m2)*	3886
Facilitating and building works					
0	Facilitating works		-		
1	Substructure		-		
2	Superstructure		-		
3	Internal finishes		-		
4	Fittings, furnishings and equipment		-		
5	Services		-		
6	Prefabricated buildings and building units		-		
7	Work to existing buildings	404	1,569,687		
8	External works		-		
SUBTOTAL: FACILITATING AND BUILDING WORKS			£ 1,569,687		
9	Main contractor's preliminaries	139	540,000		
SUBTOTAL: FACILITATING AND BUILDING WORKS (Including Main Contractor's Preliminaries)			£ 2,109,687		
10	Main contractor's overheads and profit	54	210,969		
TOTAL: BUILDING WORKS ESTIMATE			£ 2,320,655		
Project/design team fees and other development/project costs					
11	Professional fees and surveys	125	487,338		
12	Other Project Costs	756	2,935,671		
BASE COST ESTIMATE			£ 5,743,664		
Risks					
13	Risk allowance	370	1,435,916		
COST LIMIT (EXCLUDING INFLATION)			£ 7,179,581		
Inflation					
14	Total inflation allowance	179	696,671		
COST LIMIT (EXCLUDING VAT ASSESSMENT)			£ 7,877,000		
15	VAT Assessment		Excluded		

*GIFA noted is approximate; plans for 2nd and 3rd floor only received. Basement, Ground and first floors are estimated areas

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4. Level 2 Summary

Cost Centre	Group Element / Element	Cost / m2 GIFA	Total Cost of Element
FACILITATING AND BUILDING WORKS			
0	Facilitating works		
0.1	Not applicable	-	
1	Substructure		
1.1	Substructure	-	
2	Superstructure		
2.1	Frame	-	
2.2	Upper floors	-	
2.3	Roof	-	
2.4	Stairs and ramps	-	
2.5	External walls	-	
2.6	Windows and external doors	-	
2.7	Internal walls and partitions	-	
2.8	Internal doors	-	
3	Internal finishes		
3.1	Wall finishes	-	
3.2	Floor finishes	-	
3.3	Ceiling finishes	-	
4	Fittings, furnishings and equipment		
4.1	Fittings, furnishings and equipment	-	
5	Services		
5.1	Sanitary installations	-	
5.2	Services equipment	-	
5.3	Disposal installations	-	
5.4	Water installations	-	
5.5	Heat source	-	
5.6	Space heating and air conditioning	-	
5.7	Ventilation	-	
5.8	Electrical installations	-	
5.9	Fuel installations	-	
5.10	Lift and conveyor installations	-	
5.11	Fire and lightning installations	-	
5.12	Communication, security and control systems	-	
5.13	Specialist installations	-	
5.14	Builder's work in connection with services	-	

Cost Centre	Group Element / Element	Cost / m2 GIFA	Total Cost of Element
FACILITATING AND BUILDING WORKS (continued)			
6	Prefabricated buildings and building units		
6.1	Not applicable	-	
7	Work to existing buildings		
7.1	Work to existing buildings	404	1,569,687
8	External works		
8.1	Site preparation works	-	
8.2	Road, paths, pavings and surfacings	-	
8.3	Soft landscapes, planting and irrigation systems	-	
8.4	Fencing, railings and walls	-	
8.5	External fixtures	-	
8.6	External drainage	-	
8.7	External services	-	
8.8	Minor building works and ancillary buildings	-	
SUBTOTAL: FACILITATING AND BUILDING WORKS			£ 1,569,687
9	Main contractor's preliminaries	139	540,000
SUBTOTAL: FACILITATING AND BUILDING WORKS (Including Main Contractor's Preliminaries)			£ 2,109,687
10	Main contractor's overheads and profit	54	210,969
TOTAL: BUILDING WORKS ESTIMATE			£ 2,320,655
PROJECT/DESIGN TEAM FEES AND OTHER DEVELOPMENT/PROJECT COSTS			
11	Professional fees and surveys	125	487,338
12	Other Project Costs	756	2,935,671
BASE COST ESTIMATE			£ 5,743,664
13 RISKS			
13	Risk allowance		
13.1	Design development risk	148	574,366
13.2	Construction risks	222	861,550
COST LIMIT (EXCLUDING INFLATION)			£ 7,179,581
14	Total inflation allowance	179	696,671
COST LIMIT (EXCLUDING VAT ASSESSMENT)			£ 7,877,000
15	VAT Assessment		Excluded

GIFA (m2)	3886
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*Construction works costs captured under item nr 7 'Works to Existing Buildings'
This cost plan provides an indication of works to upgrade the roof only. These works have been measured against 'works to existing buildings'

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5. Area Schedule

Building Areas - New Build	Area (m2)
Basement	614
GF	818
FF	818
2F	818
3F	818
Gross Internal Floor Area (GIFA)	<u>3,886</u>

General arrangements/floor plans were not received for all floors in the building; measure taken for 3rd floor and pro rata'd across other floors to give indicative GIFA.

Basement area is assumed to be 75% of a typical floor plate based on discussion with the engineer. No plans were available at time of cost plan production.

The GIFA size noted presents a risk until areas can be fully confirmed.

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6. Basis of Estimate

The estimate is based on the following information:-

[Architect]	Rev	Date Received
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None received

[Structural Engineer - Mott MacDonald]	Rev	Date Received
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Existing Building Sketch - QS/Sk01	P1	29/07/2022
Extents of demo/alterations at roof level - QS/Sk02	P1	29/07/2022
Proposed wall head capping detail - QS/Sk03	P1	29/07/2022
Option Sketch remedial strengthening - QS/Sk04	P1	29/07/2022
Proposed roof replacement works - QS/Sk05	P1	29/07/2022
Typical internal floor plate proposals - QS/Sk06	P1	29/07/2022
Scope notes from the engineer '20220727_QS info_RevP3'	P3	29/07/2022

[MEP Engineer]	Rev	Date Received
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None received

[Civil Engineer]	Rev	Date Received
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None received

[Landscape Architect]	Rev	Date Received
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None received

Other	Rev	Date Received
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CPMS quotation - Ayr Scaffolding 3 year look ahead	-	05/09/2022
CPMS quotation - Ayr Scaffolding 5 year look ahead	-	05/09/2022

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7. Assumptions

The Cost Plan is based on the following assumptions and qualifications: -

Ref.	Description
1	The costs are predominantly derived from measured quantities given by the drawn information, with the unit rates applied to these quantities based upon recent market data for other similar projects, adjusted as necessary to reflect the specifics of this project and the scope of works being provided. Where quantities have not been established or there is not sufficient information to be able to inform pricing, lump sum or cost per m ² allowances have been used, again based on similar projects and current understanding of the scheme. 'On costs' such as preliminaries, OH&P, surveys, fees and inflation are based on a combination of percentage allowances based on current market trends and with the scheme specifics in mind.
2	A number of assumptions have been made as noted in the cost plan breakdown, for example on the specification, strategy and quantities associated with items of work; it must be highlighted that many are based on outline information only and may be subject to change as the design develops. A more detailed scope of works, plus further design and surveys would be required to increase cost certainty.
3	Option 2 will involve the removal of the existing roof/mansard level of the building across the entire south block, down to wall head level at base of roof/mansard level. Chimneys and the clock tower will be partially reduced in height and an RC capping beam installed. The north block (north of clock tower) will be retained as is. The wall head level will have an RC capping beam cast at the head of the wall. A new lightweight steel roof will be installed supported from the perimeter capping beam. The new roof frames will be installed between and directly on either side of the existing protruding chimneys. The over-roof system will be flashed around the chimneys at junction with new rafters. New gutters will be installed along either side of the building with downpipes to tie into existing downpipes at lower level. Additional elements of structural strengthening will be required in addition to the over-roof. These may include additional steel framing as part of or to supplement the over-roof to stabilise chimneys and clocktower, strengthening of degraded sections of floor plate with bracing, and straps insertion of horizontal plan bracing across large voids in floor plate, such as stairwells. Additional bracing/props are to be installed at the junction between south block and clock tower to stabilise existing walls. Remedial works to north block not considered or allowed for. The associated closure required on the railway immediately adjacent is not allowed for and presents a considerable risk .
4	No design information from other key disciplines (including but not limited to Architectural, Health & Safety, Mechanical & Electrical and Fire Strategy) was available at the time of production of this feasibility update. Assumptions have been made based on the current understanding of the scope and knowledge of similar projects, but may be subject to change.
5	The costs for negotiation with Network Rail Scotland and other bodies necessary to obtain licenses/permissions for the rail closure are not included. It is understood this can have a significant impact on costs, and is a variable with regards the programme for the scheme, and is a key risk for the project.
6	Encapsulation/scaffolding costs have been provided by CPMS, a contractor, and included at the request of the Client. We understand this reflects the current scope required for the project, but there is no allowance for these works beyond the costs provided, and we take no responsibility for the accuracy of these costs. There is cost risk to the Client if the costs are inaccurate or the durations noted are exceeded.
7	It is assumed there are now no works required to the North Block; no allowance has been made within this cost plan. There are allowances as noted for minor interventions to the clock tower.
8	Preliminaries have been included at £22,500 per week based on benchmarked data and overheads and profit at 10%. The professional fees are based on typical allowances based on current understanding of the works. Allowance for additional surveys over and above those noted in the detailed build up has been included at 2.5%, but this is an indicative percentage and there is a risk this could increase. We would note, until the scope of works and programme is fully devised and understood, there is risk around the preliminaries allowance and this may be subject to change.
9	The base date for the estimate is 3Q 2022. An allowance for inflation has been included to an assumed construction mid-point of Q4 2024 aligned to BCIS indices. This assumes a 6 month design and procurement period, 18 month period for obtaining licenses/permissions for the railroad closure, and then a 12 week period to the halfway point of construction. The inflation can have a significant impact on the scheme due to current market turbulence; any deviations from the noted assumptions could require the cost plan to be updated.
10	A provisional sum has been included for removal/works with asbestos in the sum of £300k. Surveys will be required to ascertain the scope of works required, and this is a significant risk to the project; without the surveys being undertaken at this point in time it is almost impossible to value the works required.
11	There are no diversions, terminations or works to existing services within the site boundary.
12	A provisional sum has been included for out of hours working. It is assumed the majority of the works will still be carried out within normal working hours however. This presents a risk to the project should the strategy become better defined and require a different proportion (say 100%) out of hours working. The number of personnel and resource required is also not yet defined.
13	No decommissioning works are required to the site.
14	Full programme and procurement route are yet to be defined; both items may have a commercial impact once the strategy for each has been defined, and presents both a risk and opportunity to the project.

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7. Assumptions (cont'd)

- 15 External works - it is assumed that there is no requirement for any external works, or enabling/preparatory works outside of the Hotel itself.
- 16 It is assumed that access to the site is suitable for construction traffic, and there is no requirement for works to be undertaken to the access as part of this contract.
- 17 The costs included assume a fair balance of contractual risk (particularly with respect to potential Covid implications).
- 18 There is no requirement for decant of furniture, equipment or other installations. There is a possibility residents from the nearby sheltered housing complex need to be decanted/relocated; there is no allowance for this in the cost plan but we have been advised by the Client this may be a requirement and will be funded from a separate budget.
- 19 Access for the works will be unrestricted and completed in one uninterrupted programme of works.
- 20 It is assumed that the building is of a satisfactory condition for the works/structural interventions noted in the detailed estimate to take place. There are no additional allowances for preparatory measures to facilitate the works described.
- 21 A risk allowance has been included on the cost estimate based on a risk level of 25%, and represents an enhanced allowance based on the current level of design detail for the scheme when reviewed against other similar projects.
- 22 We assume that the project will be competitively tendered.
- 23 Programme assumptions:

A	06/09/2022	Original cost plan date of issue
B	05/03/2023	6 months additional time (design, approvals etc.)
C	26/08/2024	18 month rail closure request (assumes follows on from approval date Item B)
D	16/09/2024	Assumed start on site date (assumes contractor can be procured during rail closure request period, with a 3 week break between closure permissions achieved and start on site)
E	15/12/2024	Assumed construction mid point (Circa 24 week programme)
F	15/03/2025	Assumed construction end point
G	24.7	Duration hire scaffolding in months (from Item A cost plan date of issue to Item D construction start)

There are a number of unconfirmed variables in relation to the programme. This is a high level assessment based on limited information. It may be that some items (e.g. the rail closure permissions) take longer. It may be that some activities can be 'overlapped' and shorten the period, for example design activities/closure grant wait period/surveys. It is recommended a formal programme is devised.

- 24 A complete set of plans was not available at time of cost plan production. The Basement area is assumed to be 75% of a typical floor plate based on discussion with the engineer. The GIFA for the project is based on a measure taken for 3rd floor and pro rata'd across other floors to give indicative building size.

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8. Exclusions

The following items are not included within the Order of Cost Estimate (unless otherwise described):-

Ref.	Description	Ref.	Description
1	Value Added Tax	21	Special equipment
2	Client direct costs beyond the CPMS quotations as noted	22	Out of hours working beyond the allowance noted in the detailed estimate
3	Legal fees	23	Utilities charges
4	Land acquisition fees	24	Traffic management and works to existing highways
5	Planning fees and additional planning requirements	25	Phasing of works, or costs associated with the site being shared / live with other parties / adjacent neighbours and stakeholders (inc. but not limited to extra H&S costs)
6	Grant / taxes	26	Network rail costs or costs associated with the closure of the train line
7	Statutory fees	27	Specialist temporary support works
8	Finance charges	28	Covid-19 related delays
9	Measured works in relation to the removal, encapsulation, or any works with asbestos or other contaminants/hazards. A provisional sum has been utilised but presents a significant risk and may be subject to change	29	Client equipment (e.g. computers etc.) and ICT works
10	Archaeological / Ecological works, environmental impacts and flood mitigation measures	30	Loose FF&E
11	Abnormal ground conditions, contaminated ground or removal of contaminated material on or off site	31	Demolition beyond the items noted in the detailed breakdown
12	Section 38,106 & 278 works	32	Industry wide material shortages
13	Services diversions/upgrades unless specified	33	Operational costs
14	Removal of contaminated material on or off site	34	The procurement strategy is yet to be defined. Therefore, no allowances have been made for framework fees or similar items.
15	Works beyond boundary of the site	35	Planning gain
16	Licence fees to other / adjoining owners	36	Costs relating to overhead cranes
17	Infrastructure / road upgrade works to facilitate delivery of the works	37	Costs associated with the Options 1, 3, & 4
18	Client team internal costs such as PM fees / internal staffing, overheads, and the like	38	Works required which were previously 'unknown' (whether discovered as a natural consequence of 'opening up' the building or as a result of the surveys).
19	Decanting / relocation works, for FF&E, loose FF&E, or residents in nearby accommodation	39	Consequential improvements
20	Lifecycle costs	40	Client contingency. We are not fully apprised of the Client budget for the works. Maintaining a contingency budget is recommended, particularly given the high risk nature of the works, and the potential for works required which were previously 'unknown' (whether discovered as a natural consequence of 'opening up' the building or as a result of the surveys) which may not be covered by the current risk allowance.

The above list is not exhaustive and should be reviewed upon the release of further information. In order to further accurately assess the cost, Mott MacDonald recommends that these are project managed to mitigate any potential cost / programme implications.

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9. Risks and opportunities

The following factors have been identified as cost risks which could potentially impact upon the financial robustness of the cost estimate. Please note this is not an exhaustive list of risks. Strategies to manage and mitigate the risks will need developing with the project team in due course. It is recommended a project risk register is devised and monitored to understand the risk profile as the project progresses.

Ref.	Risks
1	Remedial works carry a great deal of risk; even with surveys it can often be challenging to ascertain the full scope of works required until construction begins. Once underway, given the dilapidated nature of the building, even an appropriately formulated scope of works can change depending on how the building responds to construction activities. There is no allowance in the cost plan for works not expressly described; therefore any works required which were previously 'unknown' (whether discovered as a natural consequence of 'opening up' the building or as a result of the surveys) are excluded.
2	Economic uncertainty - In recent years there has been substantial inflation on key materials, and issues with availability of labour resource. There is a risk inflation continues to increase at faster than current expectations, and prices may exceed cost plan allowances. As such, the inflation calculation must be viewed as a 'point in time' and there is a risk the cost plan becomes outdated without regular reviews and updates to the inflation calculations. The procurement strategy and cost plan must therefore be aligned to try and minimise this risk. It is recommended the Client allows sufficient contingency to cover possible premiums when procuring contractors caused by volatile market conditions.
3	Network Rail Scotland requirements are not yet known, but it is understood disruption to the operational railway will be necessary. This presents a significant cost and programme risk.
4	Insurance companies requirements - Potential conflicts with fire officer and local building code requirements.
5	Covid-19 related delays.
6	Compliance with local standards.
7	Changes to the design/intent and assumed programme for the scheme.
8	Contractor's market - Obtaining competitive 'value for money' tenders from suitable Contractors who have experience within the region and are capable of managing the works.
9	Logistics and sequencing, construction activities - need to be carefully planned to enable the optimisation of transportation / deliveries and efficient working whilst also minimising disruption to what is understood may be a shared/live site or have live adjacent sites occupied by others.
10	This estimate has been prepared based on limited design/information. As the design evolves and becomes more coordinated, the cost plan will need to be reviewed. Because of this, the GIFA size noted presents a risk until areas can be fully confirmed.
11	The condition of the buildings, access issues, and asbestos/contamination. The findings of the surveys can have a significant potential impact on the cost of the works. The scope of these surveys is also still undetermined, including requirements to facilitate the survey, the works required, and access requirements. Costs for works additional to those noted in the detailed build up identified as a result of the surveys are excluded.
12	The extent of the remedial masonry works, the building's capacity to accommodate structural changes, and drainage strategy for the site all present a risk.
13	The accuracy of the CPMS quotation, including over the durations noted.

The following **opportunities** to potentially improve value for money and/or reduce the total estimated cost have also been identified:-

Ref.	Opportunities
1	Review the cost estimate and assumptions with the design team, to see if there are areas where efficiencies can be made as new information becomes available.
2	Rationalise the spaces/better understand the proportional usage of the estimate (potential for more 'lower cost areas', although the inverse of this also presents a risk).
3	Carry out market testing of material and equipment prices, and aim to maximize the benefits of bulk purchasing if possible.
4	Advance procurement - Investigate the possibility of early procurement of materials and equipment in order to take advantage of competitive prices or favourable exchange rates.

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1 FACILITATING AND BUILDING WORKS

	Quant	Unit	Rate (£)	Total	Notes
0 FACILITATING WORKS Not applicable				Excluded	Demo/alts works captured in Section 7
1 SUBSTRUCTURE Not applicable				Excluded	
2 SUPERSTRUCTURE Not applicable				Excluded	
3 INTERNAL FINISHES Not applicable				Excluded	
4 FITTINGS, FURNISHINGS AND EQUIPMENT Not applicable				Excluded	
5 SERVICES Not applicable				Excluded	
6 PREFABRICATED BUILDINGS AND BUILDING UNITS Not applicable				Excluded	
7 WORK TO EXISTING BUILDINGS					All comments as per the outline scope document provided by the structural engineer
<i>Preliminary work</i>					
7.1.1 Installation of floor boarding and internal support to allow access and facilitate the structural survey and asbestos survey	777	m2	50	38,855	Allow for internal scaffold and floor boarding within rooms. Required to GF-3F to facilitate surveys. Assume covers 20% floor plate.
7.1.1 Structural survey required to establish condition of building and ability to enter for surveys/demolition	1	item	73,500	73,500	Full scope of survey to be defined. Assumes unrestricted access and building condition suitable enough to allow surveys to go ahead.
7.1.1 Asbestos survey of building	1	item	49,000	49,000	Full scope of survey to be defined. Assumes unrestricted access and building condition suitable enough to allow surveys to go ahead.
7.1.1 Provisional sum; asbestos removal/encapsulation	1	item	300,000	300,000	Asbestos removal as required to upper floors and also lower floors where remedial/intrusive work required. Extent of asbestos unknown - provisional allowance until detail is defined
<i>Main works</i>					
7.1.1 Removal of timber frame and slates to roof across full South block.	818	m2	150	122,700	Timber roof / mansard can be removed with encapsulation in place. Note timber roof likely taken down in 2 main stages: initial partial removal to allow scaffolding to be erected between wall heads horizontally and vertical to roof level and second stage removal of remaining frame to wall head level. Note assumed that demolition works will be undertaken during full line closure.
7.1.1 Removal of stonework elements above wall head level (not chimneys or clock tower)	348	m2	100	34,770	Stonework to be removed at roof level to include feature stone windows and blockwork externally. Internal blockwork and chimneys to be retained (unless defective).
7.1.1 E/o - allowance for remedial works to defective brickwork/blockwork	1	item	17,385	17,385	Assumes circa 50% of stoneworks total
7.1.1 E/o - allowance for retaining heritage elements of stonework on the above works	1	item	17,385	17,385	Assumes circa 50% of stoneworks total
7.1.1 E/o for removal/work around dormers	17	nr	3,750	63,750	Detailing and extent of works to be defined
7.1.1 Existing chimneys to be partially reduced in height and capped; removal of masonry	7	nr	6,000	42,000	Say 2.5m height to be removed from existing chimney stack height. Chimneys to be capped with RC capping (say same construction as wall head capping beam over plan extents) In final condition chimneys will sit approx. 0.5m above apex of new over-roof system. Masonry remedial measures included within general remedial scope below
7.1.1 Existing chimneys to be partially reduced in height and capped; RC capping beam	7	nr	1,825	12,775	
7.1.1 Tidying up of existing wall head to accept RC capping beam.	7	nr	500	3,500	Minimal removal of loose stonework/material only. Enough only to prepare surface for capping beam.

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7.1.1	Removal/Resetting of loose masonry to top level	1	item	5,000	5,000	Majority of stonework internally understood to be in good condition. Limited replacement/resetting may be required. Repointing not required in this stage unless significant mortar loss endangers integrity. Say: - installation of helifix remedial crack stitching to masonry walls. Say 50 linear m across entire south block (incl chimneys) - Internally assume steel corner straps to restore connection between masonry walls. Say straps @ 500 centres vertically up wall. For costing assume 100 straps resin fired to walls.	
7.1.1	Remedial repairs to masonry/stonework	1	item	15,000	15,000		
7.1.1	Strengthening of sections degraded floor plate support	389	m2	200	77,710	As per the Structural Engineer's notes; install steel brace system directly above existing floor to alleviate issues with damaged joists (brought in through windows) Say installed to 10% floor area of South block only (excl. clock tower) include for propping below joists to break span where required. Say acrow prop (with bearer) @ 1m centres along 20% of wall perimeter to basement level (say spanning between 4 levels)	
7.1.1	E/o on the above - strengthening of basement	164	m2	175	28,630	As per the scope note immediately above	
7.1.1	Installation of steel bracing within floor voids i.e. stairwells	2	tn	3,000	6,300	Steel cross brace installed across stair/lift voids at top floor. Say 203x60 UC	
7.1.1	Installation of structural steel support to brace chimneys at roof level in place of removed roof	12	tn	3,000	35,040	Steel beams to be say 150x15010SHS with horizontal bracing between running between each chimney projection. Say 3No. Running between chimneys with resin fixings to chimney stonework.	
7.1.1	Installation of additional steel to clocktower/south block junction to strengthen wall (due to removal of roof to south block)	40	tn	3,000	120,324		
7.1.1	Secondary steel and fixings	11	tn	3,000	32,333		
7.1.1	Intumescent paint	65	tn	350	22,633		
7.1.1	Painting decorative / corrosion protection	65	tn	100	6,467		
7.1.1	Remedial repairs to clock tower roof:					Clock tower to remain as is but some remedial works may be required to stabilise/weatherproof. As advised by the engineer, assumed in fair condition but say:	
7.1.1	Replacement of slates and sarking	87	m2	200	17,400		
7.1.1	installation of helifix remedial crack stitching to masonry walls. Say 25 linear m	25	m	30	750		
7.1.1	Resetting of stonework/masonry, say 25No. blocks	25	nr	150	3,750		
7.1.1	installation of 30No. corner straps	30	nr	135	4,050		
7.1.1	Installation of RC capping beam to head of existing wall head	200	m	250	50,000	Say RC capping beam 600mm wide x 250mm around full perimeter of South block. Allow for 2 layers A393 mesh with 2No. 12mm dia L bars resin fixed to capping beam/wall head at 500mm centres.	
7.1.1	Installation of new lightweight over-roof system	818	m2	225	184,050	Assume over-roof as per Ashjack system (Ash & Lacy) or similar. To consist of wall head Z beam around perimeter of south block resin fixed to new capping beam and lightweight roof structure with cladding to roof. Max 35degree pitch.	
7.1.1	Installation of new drainage system and tie in to existing drainage	818	m2	35	28,630	Assume provision of new gutter along perimeter walls and new downpipe (say 12 No. over 2 floor height. Assume tied into existing downpipes and reuse of existing runoff systems and therefore no requirements for additional below ground drainage	
7.1.1	Remedial repairs to existing damaged windows	80	nr	75	6,000	Say boarding up of 80 window frames	
7.1.1	Provisional sum; out of hours working	1	item	150,000	150,000	Allows for circa £25k per week based on a 6 week programme of out of hours works	
					1,569,687		
8	EXTERNAL WORKS Not applicable					Excluded	
TOTAL (GIA)		3,886	m2	100%			
		SUB-TOTAL (FACILITATING AND BUILDING WORKS) £ I			1,569,687	£404	/m2 - Total GIA

Revision: B

Issue Date: 18/11/2022

Base Date: 3Q 2022

Project No.

100399316

2 MAIN CONTRACTOR'S COSTS

9	Main Contractor's Preliminaries	24.00	weeks	22,500	540,000	
10	Main Contractor's Overhead & Profit	10%		2,109,687	210,969	
				TOTAL BUILDING WORKS ESTIMATE £	2,320,655	£597 /m2 - Total GIA

3 PROJECT/DESIGN TEAM FEES AND OTHER DEVELOPMENT/PROJECT COSTS, RISK AND INFLATION

11	Professional fees and surveys					
11a	Surveys	2.5%		2,320,655	58,016	Allowance only
11b	Professional Fees	15.0%		2,320,655	348,098	Provisional allowance for professional fees; full delivery strategy to be defined
11c	Contractor Design Fee	3.5%		2,320,655	81,223	Assumes some requirement for contractor input into design
Other Project Costs						
12	Client Direct costs			-	-	Assumes some requirement for contractor input into design
	Scaffolding, encapsulation, & protective measures quotation as per information provided by CPMS	1	item	1,880,499	1,880,499	Pro rata'd from 3 and 5 year quotations provided; calculation indicative until strategy confirmed
	Removal of scaffolding, encapsulation, & protective measures as per quotation provided by CPMS	1	item	1,055,172	1,055,172	Taken directly from quotation provided
				BASE COST ESTIMATE £	5,743,664	£1,478 /m2 - Total GIA

13	Risk allowance					Allowance based on a typical inclusion at this level of design/scope maturity
13.1	Design development risk	10%			574,366	Risk associated with the works already noted, not sufficient to cover eventualities arising from the outcome of surveys or discoveries made as a result of undertaking the works identified.
13.2	Construction risks	15%			861,550	
				COST LIMIT (EXCLUDING INFLATION) £	7,179,581	£1,848 /m2 - Total GIA

14	Inflation Adjustment					
	Base Date	Q3 2022	index	371	BCIS All-in TPI data as of:	
	Construction Mid-Point	Q4 2024	index	407	16 November 2022	
		Applied Rate:			9.70%	
					696,671	Assumed mid-point of construction Q4 2024
				COST LIMIT (EXCLUDING VAT ASSESSMENT) £	7,877,000	£2,027 /m2 - Total GIA

15	Below the Line / Other Client Costs					
	VAT on Project Construction Cost (at full 20%)	20%		7,877,000	Excluded	

D. CPMS Encapsulation Retention Quotations



Commercial Property Maintenance Services Ltd
GLASGOW ■ MANCHESTER ■ INVERNESS ■ YORK

CPMS Ltd
Victoria House 114 Main Road Elderslie
PA4 9AX
Tel : 01505 382 333 F: 01505 382 338
www.cpms.com

CPMS Project Manager: M Shiells
Project: Ayr Train Station
CPMS Project No. 3 Years & Removal
Client: South Ayrshire Council
Client Contact: Hugh Talbot
Tel No: 01292 616278

Payment Terms (Days): 30
Retention Terms (Days): 0

Ref No.	DESCRIPTION	Unit	Qty	Rate	Total COST	Year 1		Year 2		Year 3		Removal		Value		
						Assume 10% Inflation		Assume 3% Inflation		Assume 3% Inflation		Removal Lump Sum		Hires	Removal	
						% Value	£ Value	% Value	£ Value	% Value	£ Value	% Value	£ Value			
Hires Only																
Roof Hires 22/23																
Item B	Weekly additional scaffold hires	wks	52	£ 2,234.00	£ 116,168.00	£ 127,784.80	£ 131,618.34	£ 135,566.89	£ 139,520.43	£ 143,478.97	£ 147,441.51	£ 151,409.05	£ 155,381.59	£ 159,359.13	£ 163,341.67	£ 167,329.21
Item C	Weekly hire for roof structure	wks	52	£ 4,300.00	£ 223,600.00	£ 245,960.00	£ 253,338.80	£ 260,938.96	£ 269,338.80	£ 278,589.12	£ 288,699.48	£ 299,679.84	£ 311,540.20	£ 324,291.56	£ 337,942.92	£ 352,594.28
Item E	Monthly cost of rectifying and physical check of the roof structure	mnts	12	£ 1,750.00	£ 21,000.00	£ 23,100.00	£ 23,793.00	£ 24,506.79	£ 25,241.58	£ 26,007.37	£ 26,794.16	£ 27,601.95	£ 28,430.74	£ 29,280.53	£ 30,151.32	£ 31,043.11
Scaffold Hires 22/23																
Item 1	Rental duration of scaffold	wks	52	£ 6,600.00	£ 343,200.00	£ 377,520.00	£ 388,845.60	£ 400,510.97	£ 412,627.00	£ 425,192.63	£ 438,218.66	£ 451,705.09	£ 465,651.92	£ 480,059.15	£ 494,926.78	£ 510,254.81
Additional Inspections																
Table 3	EO monthly inspections - further inspection regime as per SAC request	mnts	12	£ 3,615.00	£ 43,380.00	£ 47,718.00	£ 49,149.54	£ 50,624.03	£ 52,141.52	£ 53,702.01	£ 55,305.50	£ 56,952.00	£ 58,642.49	£ 60,375.98	£ 62,152.47	£ 63,971.96
Table 3	Tactile inspection of portals by rope access team	Qtr	4	£ 2,946.04	£ 11,784.15	£ 12,962.57	£ 13,351.44	£ 13,751.99	£ 14,164.32	£ 14,588.45	£ 15,023.38	£ 15,469.11	£ 15,925.64	£ 16,392.97	£ 16,871.10	£ 17,359.23
Guano Removal																
Table 3	Clean and sterilise scaffolding from build up of guano and dispose of site	6 monthly	2	£ 5,290.00	£ 10,580.00	£ 11,638.00	£ 11,987.14	£ 12,346.75	£ 12,716.94	£ 13,097.70	£ 13,489.03	£ 13,890.94	£ 14,303.43	£ 14,726.50	£ 15,160.15	£ 15,604.38
Additional Inspections																
	Netting	6 Monthly	2	£ 6,300.00	£ 12,600.00	£ 13,860.00	£ 14,275.80	£ 14,704.07	£ 15,144.82	£ 15,598.05	£ 16,063.76	£ 16,541.95	£ 17,032.62	£ 17,535.77	£ 18,051.40	£ 18,578.51
Renewals																
	Replace the sheeting to the north and south gables <i>[This is weather dependant]</i>	6 Monthly	2	£ 4,450.00	£ 8,900.00	£ 9,790.00	£ 10,083.70	£ 10,386.21	£ 10,697.52	£ 11,016.53	£ 11,343.24	£ 11,677.65	£ 12,019.76	£ 12,369.57	£ 12,727.08	£ 13,091.29
CCTV Tower																
	1 Tower Hire	Monthly	12	£ 1,638.00	£ 19,656.00	£ 21,621.60	£ 22,270.25	£ 22,938.36	£ 23,625.92	£ 24,333.03	£ 25,060.69	£ 25,808.90	£ 26,577.66	£ 27,366.97	£ 28,176.83	£ 29,007.24
	Video Smart System 1	Monthly	12	£ 820.00	£ 9,840.00	£ 10,824.00	£ 11,148.72	£ 11,483.18	£ 11,827.44	£ 12,181.50	£ 12,545.36	£ 12,919.02	£ 13,292.48	£ 13,675.64	£ 14,058.50	£ 14,451.06
	Video Smart System 2	Monthly	12	£ 820.00	£ 9,840.00	£ 10,824.00	£ 11,148.72	£ 11,483.18	£ 11,827.44	£ 12,181.50	£ 12,545.36	£ 12,919.02	£ 13,292.48	£ 13,675.64	£ 14,058.50	£ 14,451.06
Life Extension Works																
				Costs Inc OH&P	Costs Inc Supervision etc											
	Debris Removal - Item 1.1, parts 1,3 & 4	1	sum	£ 18,428.75	£ 20,271.63										£ 20,271.63	
	Canopy Design - Item 1.2	1	sum	£ 1,104.00	£ 1,214.40										£ 1,214.40	
	Canopy Installation - Item 1.3	1	sum	£ 16,307.00	£ 17,937.70										£ 17,937.70	
	Roof Netting Clock Tower - Item 1.4	1	sum	£ 7,043.75	£ 7,748.13										£ 7,748.13	
	Gable sheeting - Item 1.5	1	sum	Inc	Inc										Inc	
	Sheeting replacement - Item 1.6	1	sum	£ 14,823.50	£ 16,305.85										£ 16,305.85	
	Window repairs (Broken Windows only) - Item 1.7	1	sum	£ 15,653.80	£ 17,219.18										£ 17,219.18	
	Scaffold board replacement - Item 1.8	1	sum	£ 16,531.25	£ 18,184.38										£ 18,184.38	
	Scaffold Clips/Straps - Item 1.10	1	sum	£ 9,447.25	£ 10,391.98										£ 10,391.98	
TOTALS					£ 939,821.38	£ 939,821.38	£ 913,602.97	£ 941,011.05	£ 969,241.39	£ 1,055,172.00	£ 1,055,172.00	£ 2,933,128.63	£ 1,055,172.00			
Retention Figures					£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -			
Net Total					£ 939,821.38	£ 939,821.38	£ 913,602.97	£ 941,011.05	£ 969,241.39	£ 1,055,172.00	£ 1,055,172.00	£ 2,933,128.63	£ 1,055,172.00			£ 3,988,300.63



CPMS Ltd
 Victoria House 114 Main Road Elderslie
 PA4 9AX
 Tel : 01505 382 333 F: 01505 382 338
www.cpms.com

CPMS Project Manager: M Shiels
 Project: Ayr Train Station
 CPMS Project No. 5 Years & Removal
 Client: South Ayrshire Council
 Client Contact: Hugh Talbot
 Tel No: 01292 616278

Payment Terms (Days): 30
 Retention Terms (Days): 0

Ref No.	DESCRIPTION	Unit	Qty	Rate	Total COST	Year 1		Year 2		Year 3		Year 4		Year 5		Removal		Value		
						Assume 10% Inflation		Assume 3% Inflation		Assume 3% Inflation		Assume 3% Inflation		Assume 3% Inflation		Lump Sum		Hires	Removal	
						1st April 2023 to 31st March 2024	%Value	1st April 2024 to 31st March 2025	%Value	1st April 2025 to 31st March 2026	%Value	1st April 2026 to 31st March 2027	%Value	1st April 2027 to 31st March 2028	%Value	£ Value	£ Value			
Hires Only																				
Roof Hires 22/23																				
Item B	Weekly additional scaffold hires	wks	52	£ 2,234.00	£ 116,168.00	£ 127,784.80	£ 131,618.34	£ 135,566.89	£ 139,633.90	£ 143,822.92	£ 148,135.04	£ 152,570.28	£ 157,139.74	£ 161,846.54	£ 166,693.80	£ 171,684.64	£ 176,822.16	£ 182,109.56	£ 678,426.86	£ 1,305,835.04
Item C	Weekly hire for roof structure	wks	52	£ 4,300.00	£ 223,600.00	£ 245,960.00	£ 253,338.80	£ 260,938.96	£ 268,767.13	£ 276,830.15	£ 285,132.04	£ 293,673.81	£ 302,461.58	£ 311,502.37	£ 320,803.20	£ 330,370.19	£ 340,209.36	£ 350,326.74	£ 1,305,835.04	£ 1,305,835.04
Item E	Monthly cost of rectifying and physical check of the roof structure	mnts	12	£ 1,750.00	£ 21,000.00	£ 23,100.00	£ 23,793.00	£ 24,506.79	£ 25,241.99	£ 25,999.25	£ 26,779.07	£ 27,581.07	£ 28,405.90	£ 29,254.19	£ 30,125.52	£ 31,019.53	£ 31,936.85	£ 32,877.22	£ 122,641.04	£ 122,641.04
Scaffold Hires 22/23																				
Item 1	Rental duration of scaffold	wks	52	£ 6,600.00	£ 343,200.00	£ 377,520.00	£ 388,845.60	£ 400,510.97	£ 412,526.30	£ 424,902.09	£ 437,649.28	£ 450,768.99	£ 464,262.72	£ 478,143.50	£ 492,413.27	£ 507,074.14	£ 522,128.13	£ 537,587.36	£ 2,004,304.95	£ 2,004,304.95
Additional Inspections																				
Table 3	EO monthly inspections - further inspection regime as per SAC request	mnts	12	£ 3,615.00	£ 43,380.00	£ 47,718.00	£ 49,149.54	£ 50,624.03	£ 52,142.75	£ 53,707.03	£ 55,317.41	£ 56,973.50	£ 58,675.82	£ 60,424.99	£ 62,226.54	£ 64,080.00	£ 65,985.99	£ 67,944.00	£ 253,941.34	£ 253,941.34
Table 3	Tactile inspection of portals by rope access team	ctr	4	£ 2,946.08	£ 11,784.32	£ 12,962.57	£ 13,351.44	£ 13,751.99	£ 14,164.54	£ 14,589.48	£ 15,027.31	£ 15,478.54	£ 15,942.77	£ 16,420.61	£ 16,912.67	£ 17,418.58	£ 17,938.97	£ 18,473.48	£ 68,820.02	£ 68,820.02
Guano Removal																				
Table 3	Clean and sterilise scaffolding from build up of guano and dispose of site	6 monthly	2	£ 5,290.00	£ 10,580.00	£ 11,638.00	£ 11,987.14	£ 12,346.75	£ 12,717.16	£ 13,098.67	£ 13,491.88	£ 13,897.30	£ 14,314.64	£ 14,743.54	£ 15,183.63	£ 15,635.55	£ 16,100.00	£ 16,576.50	£ 1,055,172.00	£ 1,055,172.00
Additional Inspections																				
	Netting	6 Monthly	2	£ 6,300.00	£ 12,600.00	£ 13,860.00	£ 14,275.80	£ 14,704.07	£ 15,145.20	£ 15,599.55	£ 16,067.65	£ 16,549.11	£ 17,044.54	£ 17,553.57	£ 18,075.81	£ 18,611.00	£ 19,159.88	£ 19,722.11	£ 73,584.62	£ 73,584.62
Renewals																				
	Replace the sheeting to the north and south gables <i>(This is weather dependent)</i>	6 Monthly	2	£ 4,450.00	£ 8,900.00	£ 9,790.00	£ 10,083.70	£ 10,386.21	£ 10,697.80	£ 11,018.73	£ 11,348.53	£ 11,686.81	£ 12,033.28	£ 12,388.66	£ 12,752.67	£ 13,125.04	£ 13,505.59	£ 13,894.06	£ 51,976.44	£ 51,976.44
CCTV Tower																				
	1 Tower Hire	Monthly	12	£ 1,638.00	£ 19,656.00	£ 21,621.60	£ 22,270.25	£ 22,938.36	£ 23,626.51	£ 24,335.30	£ 25,064.45	£ 25,813.66	£ 26,582.65	£ 27,372.05	£ 28,181.58	£ 29,011.00	£ 29,860.14	£ 30,728.65	£ 114,792.01	£ 114,792.01
	Video Smart System 1	Monthly	12	£ 820.00	£ 9,840.00	£ 10,824.00	£ 11,148.72	£ 11,483.18	£ 11,827.68	£ 12,182.51	£ 12,547.30	£ 12,921.76	£ 13,305.51	£ 13,698.28	£ 14,099.70	£ 14,509.51	£ 14,927.44	£ 15,353.24	£ 57,466.09	£ 57,466.09
	Video Smart System 2	Monthly	12	£ 820.00	£ 9,840.00	£ 10,824.00	£ 11,148.72	£ 11,483.18	£ 11,827.68	£ 12,182.51	£ 12,547.30	£ 12,921.76	£ 13,305.51	£ 13,698.28	£ 14,099.70	£ 14,509.51	£ 14,927.44	£ 15,353.24	£ 57,466.09	£ 57,466.09
Life Extension Works																				
	Costs Inc OH&P																			
	Costs Inc Supervision etc																			
	Debris Removal - Item 1.1, parts 1.3 & 4	1	sum	£ 18,428.75	£ 20,271.63	£ 20,271.63	£ 20,271.63	£ 20,271.63	£ 20,271.63	£ 20,271.63	£ 20,271.63	£ 20,271.63	£ 20,271.63	£ 20,271.63	£ 20,271.63	£ 20,271.63	£ 20,271.63	£ 20,271.63	£ 20,271.63	£ 20,271.63
	Canopy Design - Item 1.2	1	sum	£ 1,104.00	£ 1,214.40	£ 1,214.40	£ 1,214.40	£ 1,214.40	£ 1,214.40	£ 1,214.40	£ 1,214.40	£ 1,214.40	£ 1,214.40	£ 1,214.40	£ 1,214.40	£ 1,214.40	£ 1,214.40	£ 1,214.40	£ 1,214.40	£ 1,214.40
	Canopy Installation - Item 1.3	1	sum	£ 16,307.00	£ 17,937.70	£ 17,937.70	£ 17,937.70	£ 17,937.70	£ 17,937.70	£ 17,937.70	£ 17,937.70	£ 17,937.70	£ 17,937.70	£ 17,937.70	£ 17,937.70	£ 17,937.70	£ 17,937.70	£ 17,937.70	£ 17,937.70	£ 17,937.70
	Roof Netting Clock Tower - Item 1.4	1	sum	£ 7,043.75	£ 7,748.13	£ 7,748.13	£ 7,748.13	£ 7,748.13	£ 7,748.13	£ 7,748.13	£ 7,748.13	£ 7,748.13	£ 7,748.13	£ 7,748.13	£ 7,748.13	£ 7,748.13	£ 7,748.13	£ 7,748.13	£ 7,748.13	£ 7,748.13
	Gable sheeting - Item 1.5	1	sum	£ 14,823.50	£ 16,305.85	£ 16,305.85	£ 16,305.85	£ 16,305.85	£ 16,305.85	£ 16,305.85	£ 16,305.85	£ 16,305.85	£ 16,305.85	£ 16,305.85	£ 16,305.85	£ 16,305.85	£ 16,305.85	£ 16,305.85	£ 16,305.85	£ 16,305.85
	Sheeting replacement - Item 1.6	1	sum	£ 15,653.80	£ 17,219.18	£ 17,219.18	£ 17,219.18	£ 17,219.18	£ 17,219.18	£ 17,219.18	£ 17,219.18	£ 17,219.18	£ 17,219.18	£ 17,219.18	£ 17,219.18	£ 17,219.18	£ 17,219.18	£ 17,219.18	£ 17,219.18	£ 17,219.18
	Window repairs (Broken Windows only) - Item 1.7	1	sum	£ 16,531.25	£ 18,184.38	£ 18,184.38	£ 18,184.38	£ 18,184.38	£ 18,184.38	£ 18,184.38	£ 18,184.38	£ 18,184.38	£ 18,184.38	£ 18,184.38	£ 18,184.38	£ 18,184.38	£ 18,184.38	£ 18,184.38	£ 18,184.38	£ 18,184.38
	Scaffold board replacement - Item 1.8	1	sum	£ 9,447.25	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98
	Scaffold Clips/Straps - Item 1.10	1	sum	£ 9,447.25	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98	£ 10,391.98
TOTALS					£ 939,821.38	£ 939,821.38	£ 913,602.97	£ 913,602.97	£ 941,011.05	£ 941,011.05	£ 969,241.39	£ 969,241.39	£ 998,318.63	£ 998,318.63	£ 1,028,268.19	£ 1,028,268.19	£ 1,055,172.00	£ 1,055,172.00	£ 4,959,715.45	£ 1,055,172.00
Retention Figures					£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -	£ -
Net Total					£ 939,821.38	£ 939,821.38	£ 913,602.97	£ 913,602.97	£ 941,011.05	£ 941,011.05	£ 969,241.39	£ 969,241.39	£ 998,318.63	£ 998,318.63	£ 1,028,268.19	£ 1,028,268.19	£ 1,055,172.00	£ 1,055,172.00	£ 4,959,715.45	£ 6,014,887.45



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	Station Hotel update
Lead Officer (Name/Position/Email)	Craig Iles, Service Lead – Planning and Building Standards – craig.iles@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	N/A	N/A
Disability	N/A	N/A
Gender Reassignment (Trans/Transgender Identity)	N/A	N/A
Marriage or Civil Partnership	N/A	N/A
Pregnancy and Maternity	N/A	N/A
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	N/A	N/A
Religion or Belief (including lack of belief)	N/A	N/A
Sex – (issues specific to women & men or girls & boys)	N/A	N/A
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	N/A	N/A

Community or Groups of People	Negative Impacts	Positive impacts
Thematic Groups: Health, Human Rights & Children's Rights	N/A	N/A

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	N/A	N/A
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	N/A	N/A
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	N/A	N/A
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	N/A	N/A
Socio-economic Background – social class i.e. parent's education, employment and income	N/A	N/A

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)	No
--	-----------

Rationale for decision:

Not required as there is no specific impact on communities, groups of people, employees or thematic groups.

Signed : Craig Iles

Service Lead

Date: 8 November 2022

South Ayrshire Council

**Report by Depute Chief Executive and Director
of Housing, Operations and Development
to South Ayrshire Council
of 15 December 2022**

Subject: Short Term Lets Planning Guidance

1. Purpose

- 1.1 The purpose of this report is to seek approval to publish the draft Short Term Lets planning guidance for public consultation.

2. Recommendation

- 2.1 It is recommended that the Council approves the publication of the draft Short Term Lets planning guidance for public consultation.**

3. Background

- 3.1 On 19 January 2022 the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 was approved by the Scottish Parliament. The Order introduces a new mandatory licensing system for Short-term Lets which commenced on 1 October 2022.
- 3.2 Part of considering a licence application includes checking whether the use would be a breach of planning controls, i.e. whether planning consent is required for the proposed use. Hosts and operators are therefore advised to engage with the planning service, prior to submission of a licence application, to confirm whether they require planning permission or not.

4. Proposals

- 4.1 In order to provide greater clarity and consistency to both applicants and Council officers for when planning applications will be required, and how they will be assessed, the Planning Service has prepared the draft non-statutory guidance set out in Appendix 1.
- 4.2 The guidance is based on national planning requirements and the policy provisions of the Council's adopted Local Development Plan (LDP2). Although it will be non-statutory and not part of the development plan, it will form a material consideration in the determination of planning applications, once adopted.
- 4.3 The draft planning guidance is presented in two parts: Part 1 explains the circumstances for when a planning application is likely to be required for a Short Term Let(STL). It is expected that normally applications will only be required for flatted properties. The guidance seeks to strike a balance between protecting the

amenity of more sensitive residential areas and allowing the STL sector to contribute to the economic vitality and tourist accommodation sector of South Ayrshire.

- 4.4 Part 2 sets out the information and justification that will be required to be included as part of any planning application, including an operating plan, and the main policy considerations for assessing the application, based on the LDP2 policies. A major consideration is what likely impact a proposed Short Term Let property would have on the amenity of neighbouring properties and character of the surrounding area. The extent to which the property would differ from a property in normal residential use will be a guide.
- 4.5 The guidance indicates that proposals are more likely to be approved when they are for 'home sharing' or 'home letting', or is for secondary letting and the property is self-contained in terms of private access and curtilage; or is for secondary letting and the property relies on shared access but is either situated within a town centre or is a one-bedroom property limited to a maximum of two guests.
- 4.6 Proposals not meeting these criteria are likely to be refused, unless local circumstances dictate otherwise.
- 4.7 If approved the draft guidance will be published for consultation and the Planning Service is keen to gather the views of a wide range of stakeholders and local residents. The feedback from this will inform a final version which will be taken back to Council for approval.
- 4..8 It is noted that, in November 2022, the Scottish Government laid before Parliament a revised National Planning Framework 4 (NPF4), with the intention of it being passed into legislation early in the new year. NPF4 introduces a policy position in relation to Short Term lets and this will be taken into account during our consultation process. For clarity, there is no formal consultation on this revised NPF4 document.

5. Legal and Procurement Implications

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

6. Financial Implications

- 6.1 There are no financial implications for the Council in relation to this report.

7. Human Resources Implications

- 7.1 There are no immediate human resources implications from this report, however this workstream may increase the workload of the service and this will be considered as part of the Staff Resource review as set out in the paper to Cabinet on 1 November 2022 in respect of developer contributions.

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 There is a risk that if the recommendations are rejected that there will not be a consistent and clear method or policy basis for determining planning applications for short term lets proposals. This may lead to inconsistent decision making that does not benefit the local area, and a greater number of planning appeals. Potential inconsistency in decision making would create uncertainty for the STL industry and the local residents adjacent to these proposals

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 2.

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. It provides guidance on the interpretation of policies with the Local Development Plan, which has been through an SEA process.

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 Commitments 4 of the Council Plan: South Ayrshire Works/ Make the most of the local economy; and A Better Place to Live/ Enhanced environment through social, cultural and economic activities.

13. Results of Consultation

13.1 Consultation has taken place with Councillor Bob Pollock, Portfolio Holder for Economic Development, 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 Depute Chief Executive and Director of Housing, Operations and Development 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
Consultation on the draft document will commence in December 2022 for 6 weeks. The results of this consultation and a finalised version of the STL planning guidance will be taken back to Council in Spring 2023.	Spring 2023	Service Lead - Planning and Building Standards

Background Papers [Local Development Plan 2](#)

Report to Cabinet of 30 August 2022 - [Short Term Let Licensing Scheme](#)

Report to Cabinet of 1 November 2022 - [Developer Contributions Update relative to Planning Permissions \(2021/2022\)](#)

Person to Contact **Craig Iles, Service Lead – Planning and Building Standards**
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Phone 01292 616 417
Email craig.iles@south-ayrshire.gov.uk

Date: 5 December 2022

South Ayrshire Council

FINAL DRAFT Planning guidance (non-statutory) – Short Term Lets and Planning Permission

November 2022

Part I – The need (or not) to obtain planning permission to use a dwelling for a short term let

On 19 January 2022 the [Civic Government \(Scotland\) Act 1982 \(Licensing of Short-term Lets\) Order 2022](#) was approved by the Scottish Parliament. The Order introduces a new mandatory licensing system for Short-term Lets which local authorities are required to establish by 1 October 2022.

Under provisions within the Licensing Order, a preliminary ground for refusing to consider an application for a Short-term Let is that the use of the proposed premises would constitute a breach of planning controls set out under the Town and Country Planning (Scotland) Act 1997 by virtue of section 123 (1) (a) or (b) of that Act. Hosts and Operators are therefore advised to engage with the Council's planning service, prior to submission of a licence application, to confirm whether they require planning permission or not.

When is planning permission required?

The requirement for planning permission arises when there is a "material change of use". The ruling from the courts is that short term lets can, but do not necessarily, involve a material change of use from residential use.

Temporary Licences

Where a short-term let proposal (for any property type) is of a one-off, time-limited nature and shall be the subject of a non-renewable temporary licence only, the planning authority shall not invite an application for planning permission. This pragmatic position reflects the precedent established in planning statute that a temporary use of land may comprise permitted development on account of its finite duration.

Dwellinghouses

Under Class 9 of the Town and Country Planning (Use Classes) (Scotland) Order 1997, a house remains in use as a house whether it is the sole or main residence of the occupants or not. This sets a context that a house being used on a short-term basis does not constitute a material change of use.

Therefore, short stay use of a house is unlikely to require planning permission provided that it is occupied by a single household as defined in Class 9.

Dwellingflats

Residential flats do not fall within Use Class 9 and are defined as Sui Generis (outwith a specific Use Class). This status reflects the fact that a flat within a block containing residential properties forms a different context given that it has shared circulation and amenity spaces, and horizontal as well as vertical separation. On this basis, a flat being used as short-stay accommodation is considered differently to a house and is likely to involve a material change of use which requires the benefit of planning permission.

Where the dwelling is a flat, the applicant must provide evidence that the dwelling has planning permission or a certificate of lawfulness issued by the Planning Authority for the use of the flat as short stay accommodation or a certificate of lawfulness confirming that the extent of the use does not amount to a material change of use or is exempt from enforcement action.

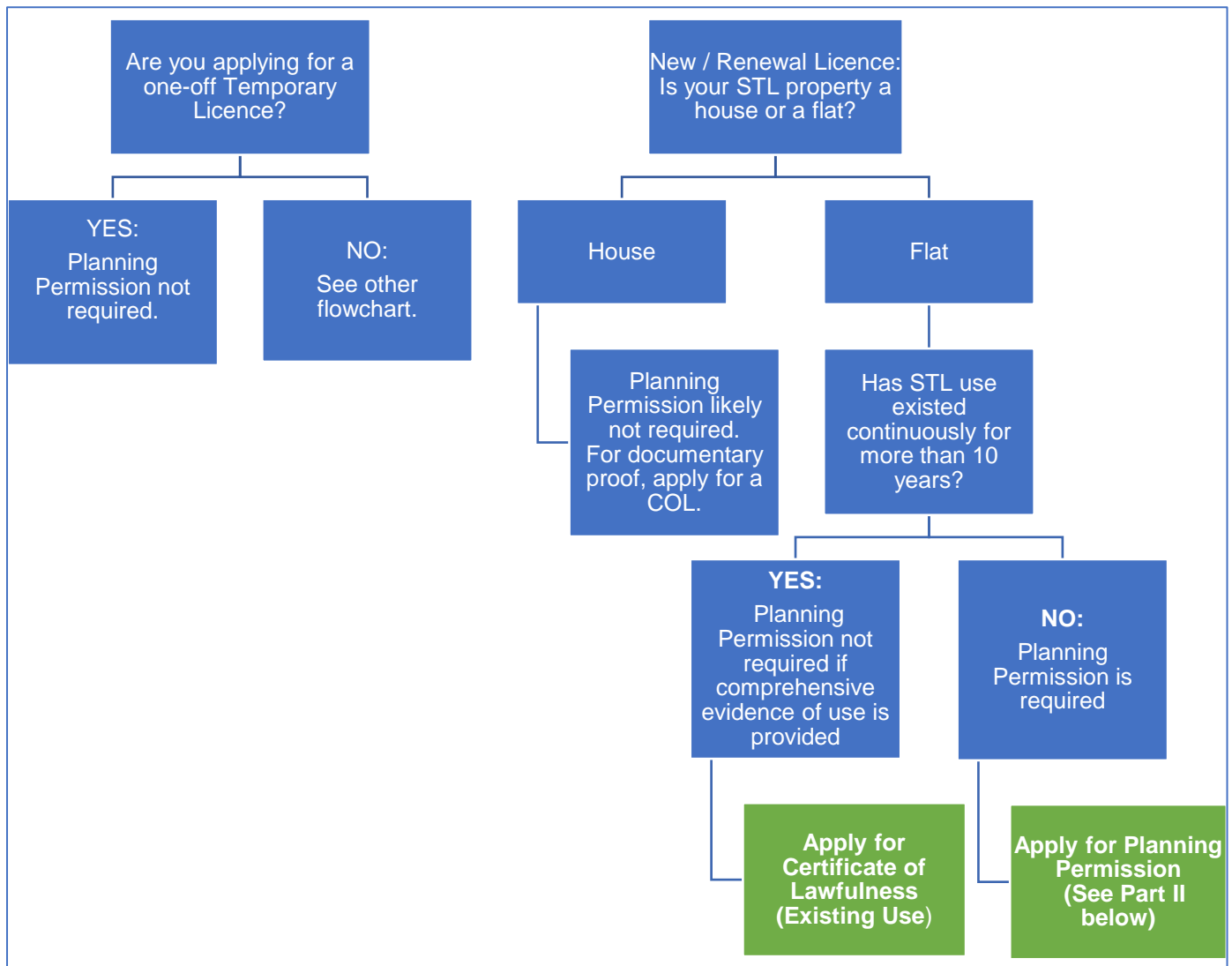
Anybody can seek a Certificate of Lawfulness if they wish to ascertain whether an existing use is lawful. You might wish to seek a Certificate of Lawfulness where, for at least the last 10 years:

- you have been using the property in the same way; and no enforcement action has been taken against the change of use.

Broadly speaking, if you are seeking a Certificate of Lawfulness on the grounds that no enforcement action can be taken it is your responsibility to demonstrate to the planning authority that:

- a) the change of use occurred more than 10 years prior to your application;
- b) the use has continued without interruption for at least 10 years;
- c) the use has not increased or intensified during those 10 years; and
- d) no formal enforcement action has been taken in respect of the use.

Flowchart: When is planning permission (PP) required?



Part II – Policy approach for planning applications

What information should I submit?

Where your short-term let (STL) proposal requires planning permission (see Part I above), we require certain information to understand the nature of your STL operation. It is important that the description of your STL operation specified in your planning application matches that which you apply for in your STL Licence¹.

Before you apply for planning permission, you must provide a precise account of how your STL operation works / will work in practice. In order to allow a complete and accurate assessment of your application, the Planning and Building Standards Service (PBS) require you to submit an Operating Plan which sets out the practical operation of the STL operation. This must contain details specifying all operational, management and servicing matters. You should attach to your Operating Plan any relevant documents that demonstrate how you operate the Short Term Let.

Operating Plan Checklist:

The following list suggests key points for your Operating Plan to detail and address (please include any further information you believe is relevant to your proposal):

- **How the property is to be let**
 - Are you the sole owner of the property and do you live in the property as your permanent private residence during and/or between each STL period?
 - Are you personally liable for the council tax and all other utility bills?
 - Do you lease the property for STL purposes as a private individual or a company?
 - Does the leasing of this property for STL purposes form part of a wider business?
- **Who will use the property**
 - Max number of individuals in a single guest party and related criteria; whether single family / household restriction or 'multiple occupancy' groups allowed
- **The extent and duration of the property's STL use**
 - Operating season and all associated limits; available months / all-year, min/max days for single stay, aggregate and max total days let annually
- **The configuration and facilities of the accommodation**
 - All shared areas and facilities e.g. common entrance/close, lift, shared landing, bin store, communal garden / drying green, shared unallocated private parking etc. Specify the number of neighbouring properties sharing each common area / facility
 - Number of bedrooms, total sleeping capacity (cross-reference max. guests)
 - Any external areas / features, especially balconies etc.
 - Status and quantity of available parking (designated space/s, public street)
- **How the property is to be managed**
 - How secure property ingress/egress is provided and maintained
 - Handover / changeover arrangements; timings and whether in-person
 - All servicing arrangements e.g. cleaning, laundry, deliveries, drop-off/pick-up
 - How any guest / neighbour complaints, disputes / issues will be reported and resolved
- **How you will safeguard neighbouring amenity**
 - Please document all measures you take to prevent nuisance to neighbours. This may include 'house rules' within the STL contract, and other measures to control noise / activity etc.

¹ Planning will be a consultee in respect of your STL Licence application and will make representation if a mismatched operation is presented at the latter stage

How will my planning application be assessed?

Your proposal to form an STL from your property introduces a material change of use in planning terms. This may impact the established character and amenity of the surrounding area - and especially immediately neighbouring properties. Any impacts must be balanced against the net economic benefit the provision of visitor accommodation may contribute. This reflects the policy objectives expressed through [Local Development Plan 2](#) (LDP2) via its core principles, strategic policies and subject detail policies. LDP2 forms the prime material consideration in the determination of planning applications.

LDP policy: residential policy (pg.63) seeks to ensure housing is of a high quality in terms of safety, amenity, accessibility, sustainability, layout and design, and confirms these principles apply throughout the area and especially where development may affect established residential areas. Proposals which threaten the character of existing residential areas will be seen as not in keeping with these principles.

The policy states:

We will aim to protect the character and amenity of areas that are mainly residential, particularly from non-residential development which could have negative effects on the local amenity.

The planning assessment of your proposal shall principally focus upon considering whether an appropriate standard of amenity will likely be upheld – both in terms of the neighbouring properties and the wider local area.

Each case must be assessed on its own merits as residential amenity is not one universal standard. Rather, the established standard of residential amenity to be maintained in a given case may be locational: with regards to the existing character, density and land use mix at the locale. For example, a town centre location has different characteristics, and consequent expectations e.g. regards noise and privacy, compared to a suburban or rural setting. Given the variable interaction of these factors, the circumstances of each proposal may be unique to some extent – requiring individual assessment to balance the opportunity and constraints of the case.

Where an existing operation has already been established at the application site over a meaningful period (minimum one year), appropriate evidence submitted by the applicant of it having operated without adverse effect on the local residential amenity, and where not directly disputed by any objections received, will be a material consideration in the planning assessment.

Though title deeds may sometimes include certain prohibitions, stipulations or restrictions as to the precise nature of a dwelling's occupancy or usage, it should be noted by all parties that any dispute over title deeds are a private legal matter and are not a material consideration for planning purposes.

A key benchmark is considering the overall **domestic equivalence** of the character and effect of the STL operation in practice. This means whether it is likely that the operation of the STL would exceed reasonable domestic usage, and adversely affect residential amenity especially in terms of:

- the impacts from the characteristics and intensity of the operation (including letting type, guest numbers / frequency, and the degree of servicing it necessitates), as assessed in combination with;
- the overall suitability of the host property itself for short term lets; especially in its configuration and capacity for nuisance arising from shared entrances, facilities, outdoor spaces.
 - We will consult the Ayrshire Roads Alliance (ARA) to consider parking sufficiency for guests.

All proposals will require individual assessment against this benchmark. The guiding principles below are intended to give practical examples of factors influencing whether a particular planning application is likely to be supported.

Your proposal is more likely to be approved where planning permission is sought for:

1. 'Home sharing' or 'home letting'.
2. Secondary letting and the property is self-contained in terms of private access and curtilage;
3. Secondary letting and the property relies on shared access but is either:
 - a. Situated within a town centre as designated in the local development plan, or
 - b. A one-bedroom property limited to a maximum of two guests.

Your proposal is likely to be refused planning permission if it does not meet these criteria unless significant material considerations specific to the individual case indicate otherwise.

Please see the Glossary overleaf for licence type definitions.

How does my planning permission relate to my licence application?

The planning permission process affords amenity protections considered from a land use perspective in keeping with the context of planning legislation. This high-level regard complements the additional amenity protections afforded through the [licensing legislation](#), whereby the STL licence application process assesses and regulates detailed amenity matters such as behaviours and property management / specification via licence conditions (with attendant licence enforcement and revocation powers).

Where approved, your planning permission is a precursor to your requirement for an STL Licence. Your planning permission will be approved conditionally for a temporary time period tied to the duration of an STL Licence if so approved. It shall therefore be your responsibility to apply to renew your planning permission before it expires, should you intend to apply for an STL Renewal Licence. Besides ARA advice on parking, there will be no other conditions attached to your planning permission, so as not to duplicate conditions separately applied to the Licence itself and for which Planning do not hold enforcement powers.

Glossary

Licence types:

home sharing – means you rent out all or part of your own home while you're living there

home letting – means letting all or part of your own home while you're not there, for example while you're on holiday

secondary letting – means letting a property where you do not normally live, for example a second home or holiday let

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	Draft Short Term Lets Planning Guidance
Lead Officer (Name/Position/Email)	Craig Iles Service Lead Planning & Building Standards craig.iles@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	N/A	N/A
Disability	N/A	N/A
Gender Reassignment (Trans/Transgender Identity)	N/A	N/A
Marriage or Civil Partnership	N/A	N/A
Pregnancy and Maternity	N/A	N/A
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	N/A	N/A
Religion or Belief (including lack of belief)	N/A	N/A
Sex – (issues specific to women & men or girls & boys)	N/A	N/A
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	N/A	N/A

Community or Groups of People	Negative Impacts	Positive impacts
Thematic Groups: Health, Human Rights & Children's Rights	N/A	N/A

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	N/A	N/A
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	N/A	N/A
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	N/A	N/A
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	N/A	N/A
Socio-economic Background – social class i.e. parent's education, employment and income	N/A	N/A

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 Positive
Advance equality of opportunity between people who share a protected characteristic and those who do not	Low Positive
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 Positive
Increase participation of particular communities or groups in public life	Low Positive
Improve the health and wellbeing of particular communities or groups	Low Positive
Promote the human rights of particular communities or groups	Low Positive
Tackle deprivation faced by particular communities or groups	Low Positive

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)	No
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Rationale for decision:

Not required as there is no specific impact on communities, groups of people, employees or thematic groups.

Signed : Craig Iles **Service Lead -Planning & Building Standards**

Date: 10 November 2022

South Ayrshire Council

**Report by Director of Strategic Change and Communities
to South Ayrshire Council
of 15 December 2022**

**Subject: South Ayrshire Council's Annual Performance Report
2021/22**

1. Purpose

1.1 The purpose of this report is to provide Elected Members with 'South Ayrshire Council's - Annual Performance Report 2021/22'.

2. Recommendation

2.1 It is recommended that the Council considers and approves the content of the 'Annual Performance Report 2021/22, attached as Appendix 1.

3. Background

3.1 The [South Ayrshire Performance Management Framework \(refreshed 2022\)](#) set a commitment for providing an annual report on performance. It was agreed that the annual report should contain qualitative and quantitative information incorporating wider service delivery than that normally associated with Council Plan reporting.

4. Proposals

4.1 Reporting on all of the strategic priorities will provide a more holistic overview of how all services are contributing to delivering the Council Plan. Appendix 1 sets out performance against the strategic priorities:

1. Fair and effective leadership;
2. Closing the gap;
3. Grow well, live well, age well;
4. South Ayrshire works;
5. Stand up for South Ayrshire; and
6. A better place to live.

4.2 The data has been refreshed to bring it up to date as far as is currently available for this Panel, reflecting the latest information as accessible to Members through [Pentana](#).

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 Not applicable.

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 Rejecting the recommendations may impact on the reputation of the Council.

9. Equalities

9.1 The proposals in this report allow scrutiny of performance. The report does not involve proposals for policies, strategies, procedures, processes, financial decisions and activities (including service delivery), both new and at review, that affect the Council's communities and employees, therefore an equality impact assessment is not required.

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 delivery of all of the Council's strategic objectives and all of the strategic outcomes.

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 Director of Strategic Change and Communities 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
Publish report on the Council's website	20 December 2022	Service Lead – Policy, Performance and Community Planning

Background Papers [South Ayrshire Council's Annual Performance Report 2020/21](#)
[Council Plan 2018-22 \(Mid-Term Refresh 2020 – Extended\)](#)
[Audit Scotland Best Value Assurance Report – South Ayrshire Council – October 2021](#)

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Date: 5 December 2022

Annual Performance Report

1 April 2021 - 31 March 2022





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Foreword

This annual report outlines the progress the Council continues to make towards achieving our objectives and commitments to the communities we serve, but it also recognises the impact the Covid-19 pandemic still had during 2021.



The impact of the pandemic has influenced some of the reduced performance measures, but the Council is now fully focussed on post-pandemic recovery and there are already clear signs of improvements.

In common with most other local authorities, the Council has continued to deliver essential services to the people and communities of South Ayrshire during a period of tight financial challenges, and unfortunately these challenges are likely to remain for some considerable period of time.

The additional funding received during our response to the pandemic whilst welcomed, will not help the Council to maintain services at the current level. The worrying economic climate will require the Council to consider very carefully what service areas need to be supported, and tough decisions will need to be made to ensure the Council continues to deliver a balanced budget.

In terms of performance, one pleasing example contained within this report is that the Council's Modern Apprenticeship Programme continues to make a difference and provides some of our young people with an opportunity to secure a start in employment.

Moving forward the Council will continue to explore ways to improve the services we offer as the transformational programme progresses.

I would like to take this opportunity to thank our employees and partners as they continue to strive to make a difference every day with a clear drive and focus on making every effort to improve the quality of life for the people of South Ayrshire.

Councillor Martin Dowey, Leader of South Ayrshire Council

Introduction

This annual report reflects on the Council's performance in 2021/22. Noticeably, the Covid-19 pandemic impacted significantly on the work of the Council, particularly in relation to the services we were able to deliver.



During 2021 and at the height of the pandemic, services were often required to operate in different ways and had to adapt and respond to changing demands and needs on a frequent basis. Throughout this period, and the challenges it presented, our working arrangements with our partners strengthened, as collectively we focussed on the needs of our customers, our communities and our businesses to ensure the best possible outcomes were achieved.

This report highlights that the Council performed well over the period, albeit with some service areas being more affected by the pandemic than others. But the experiences gained and gathered throughout the worst of the pandemic in 2021 will help us to shape Council services for the future.

Moving forward the Council will continue to place the customer at the heart of what we do, we will design our services such that they are fit for purpose and sustainable, we will maximise the use of our assets and improve our connectivity offering so that we, our customers, our communities and businesses are digitally confident.

I would like to recognise the endeavours and commitment of Council employees in their continuing drive to deliver high quality, essential public services within our communities.

Finally, the developing Corporate Workforce Plan will support the future training and development needs of our employees so that we can establish a workforce that will deliver the key priorities for the Council and our communities, and contribute to making a difference every day.

Eileen Howat, Chief Executive, Leader of South Ayrshire Council

About South Ayrshire

By 2043, the South Ayrshire population is projected to be 105,191 – a decrease of 6.5% compared to the population in 2018. The population of Scotland as a whole is projected to increase by 2.5%.

The projected change in South Ayrshire is not evenly spread across the different age groups. The number of children aged 0-15 years is projected to decrease by 17% and our working age population by 14%. The

pensionable age population is, however, projected to increase by 17% by 2043. More dramatically, the South Ayrshire population aged 75+ is projected to increase by 65% by 2043.

These anticipated changes to the population will have considerable consequences for the Council as it strives to ensure social, educational, housing and community services continue to meet the needs of the community.



112,450

POPULATION



47.8%

MALE



52.2%

FEMALE



24.7% 66 and over

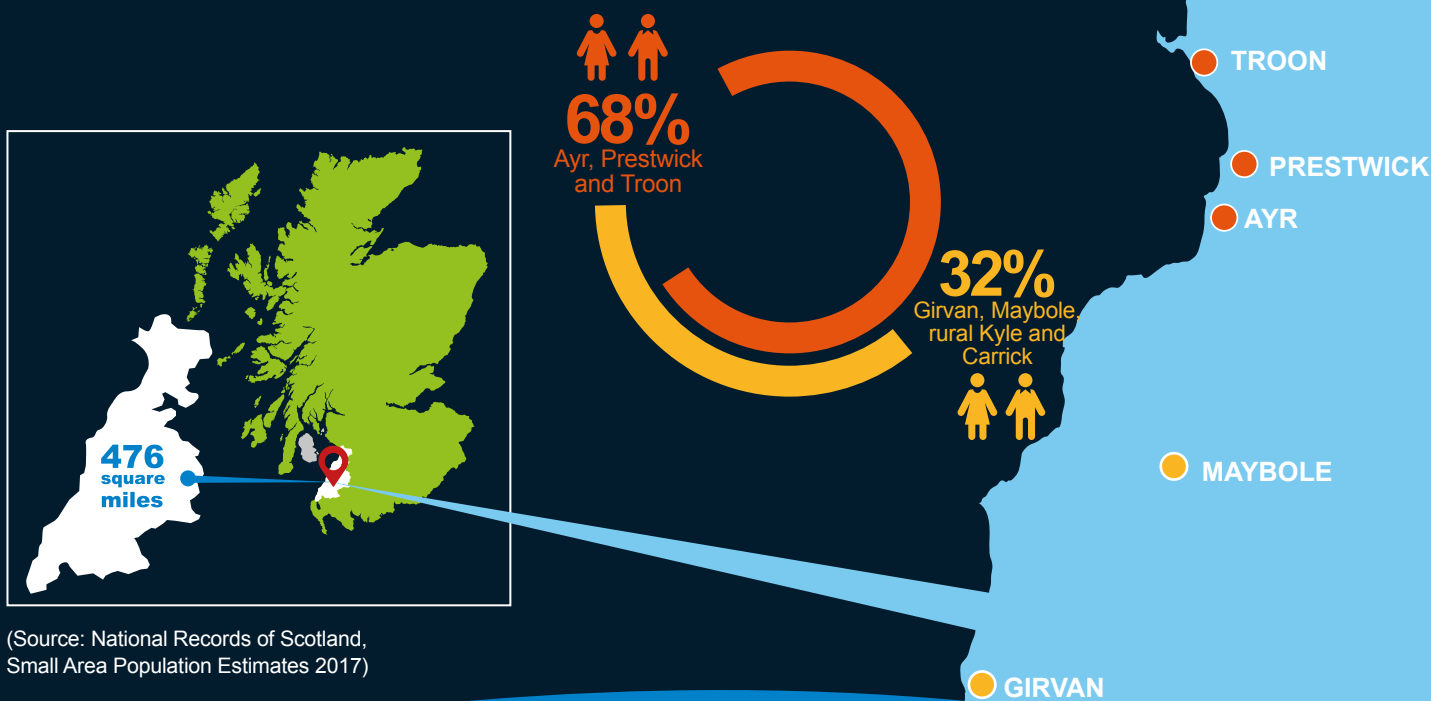
(National average 18.4%)



15.3% under 16

(National average 16.6%)

(Source: National Records of Scotland, 2021 Mid-Year Population Estimates & 2018 Based Population Projections)



(Source: National Records of Scotland, Small Area Population Estimates 2017)

About The Council

Elected Members

CONSERVATIVE 10

SNP 9

LABOUR 5

INDEPENDENT 4



Staff



4,723 full-time equivalent
(as at 31 March 2022)

Fair and Effective Leadership

Commitment 1

Leadership that promotes fairness

Council Tax Income



95% of income due to council tax was received before the end of the financial year compared with **94.1%** the previous year

There was no recovery action taken for Council Tax from 1 April to 30 June 2020 due to the pandemic and this has impacted on the in year collection.

Customer Services

The Customer Service Team continues to provide a professional frontline service both by phone and digitally and the team play a key role in administering the Liberty telephony system, which has become a more important tool than ever as staff continue to work from home.

Handled approximately

198,233 calls

from 1 April 2021 -
31 March 2022



The team have worked on the efficiency and expansion of the Liberty telephony system in several areas including Housing, HR and Payroll and Thriving Communities.



Our telephone appointments system supports some of our most complex and lengthy enquires and our advisors handled on average



52 telephone appointments

per month for blue badge applications and council tax enquires in the period 1st April 2021 to 31st March 2022



Modern Apprentices (MAs)

South Ayrshire Council's Modern Apprenticeship programme remains an example of good practice demonstrating excellent outcomes while ensuring opportunities for young people are inclusive.

During 2021/22 we recruited 68 Modern Apprentices with 87% progressing to a positive destination after completing their apprenticeship.

We are committed to providing opportunities for all, closing the equality gap and ensuring young people who previously may have struggled to get into an apprenticeship are given the opportunity. Thriving Communities was commended by Skills Development Scotland in their Quality Assurance Review for the strategies and resources put in place to support individuals from specific equality groups to optimise their chances of success.

Between April 2021- March 22 – South Ayrshire Council Modern Apprenticeship recruitment:

- 9.4% of young people were care experienced compared to the national average of 2%.
- 37.5% of young people had additional support needs compared to the national average 12.8%.

Modern Apprentices were based within 11 different vocational areas, including Business and Administration, Social Services and Health Care, Youth Work, Craft Trade and Sport and Leisure. To support workforce planning we are working with departments to create new apprenticeship opportunities in Communications, Sustainability, Outdoor Learning and Adult Craft.

Organisational Development

Organisational Development (OD) provides a workforce, organisational change and development service. They work with Service Leads at a corporate level to take a planned and strategic approach to organisational effectiveness and to support culture change. Recent examples include key involvement in the Future Operating Model, development of the Health and Social Care Partnership (HSCP) and Council 2022-25 workforce plans, progression of digital skills for work, and deployment of over 100 COAST training modules.

OD has played a significant role in the Council's response to Ukraine with several officers dedicated to the Ukraine support team and undertaking activities such as matching hosts with Ukrainian guests, Client Relationship Management (CRM) configuration and set-up, case management, and submitting data returns to the Scottish Government.

OD organise and administer employee reward and recognition initiatives including –

- The 2021 Outstanding People Awards, where winners were announced at a virtual ceremony on December 2021 with 400 members of staff viewing the awards video online.
- Administering nominations from across council services for external awards delivered by the Association for Public Service Excellence (APSE), the Scottish Public Service Awards (SPSA), and COSLA.



In December 2021, OD co-ordinated the largest Giving Tree project to date raising a total of £14,000 resulting in 700 gift cards for children and young people across South Ayrshire.

Registration

The Registrars team record births, deaths and marriages. The annual performance indicators published by National Records of Scotland (2019 the most recent data available, due to COVID) show:



99.5%
error free in the annual
examination of
3,190
entries

**2nd
top**

local authority
registration service in
Scotland





Tenants Participation

2021/22 saw the tenant participation team continue to support and assist tenants to participate in the housing service in relation to communications, scrutiny and performance, and service monitoring. The team has successfully introduced hybrid meetings in order to establish a style which suit all tenants wishing to be involved. The tenant participation team have actively ensured that they are working in partnership with other services to increase engagement and participation across communities within South Ayrshire.

Tenant Participation in South Ayrshire had great success at the Tenant Participatory Advice Service (TPAS) National Good Practice Awards. They were nominated across four categories and were successful in achieving awards in three of them. The team were recognised for the fantastic work they have done in reaching out to people in our communities who have faced challenges accessing services and continue to provide support and information in innovative ways. Their dedication to adapting engagement to ensure no one has been left behind or unable to participate has been recognised at a national level.

Trauma

South Ayrshire Council passed a motion acknowledging that it is critical that the Council and our partners have a sound understanding of trauma, our policies reflect our commitments to reducing trauma, and all customers receive trauma-informed services. South Ayrshire Council tasked officers to develop proposals which deliver on the following objectives:

- To become a fully trauma-informed organisation that recognises the impact trauma can have on people's lives;
- To deliver services in a way that responds to individuals' needs by creating nurturing and supportive environments where people feel valued; and
- To support our partner organisations in adopting a trauma-informed approach as part of a Trauma Informed South Ayrshire.

South Ayrshire Council has continued to develop an integrated approach to Trauma informed Practice in partnership with Community Planning Partners. A strategic action plan which sets out 9 high level domains will be governed, monitored and reviewed by a Member officer Working Group. Following a recruitment process a Trauma Informed Practice Officer came into post in January 2022. The officer has successfully progressed the co-ordination and managing of implementation of the strategic action plan. South Ayrshire Council has been pro-active in adopting a Trauma informed approach to service delivery and design and has been recognised nationally as an area of good practice with officers continuing to develop good relationships and networks.

Staff absence

5.2 teacher days lost
in 2021/22 compared with
3.2 days in 2020/21
(excluding COVID)



11 non teacher days lost
in 2021/22 compared
with 8.86 days in 2020/21



Thriving Communities

The Thriving Communities service was established in June 2021. The new service brings together the Council's community based services, Health and Wellbeing, Employability and Skills, Community Learning and Development, Community Safety and Community Engagement.

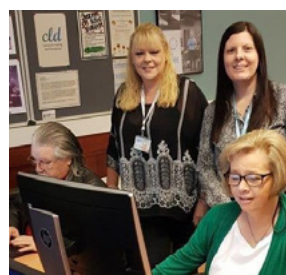


Staff were involved in the development of a new branding for the service - Thriving Communities - which they felt best represented their ambition to support people and communities to thrive.

The new service builds on the humanitarian response during the COVID pandemic where officers demonstrated a huge amount of resilience and commitment to our communities. Their work, prior to and after the lockdowns, involved establishing area-based teams delivering a 'Team Around' approach to support individuals, schools and communities. This included the coordination of free school meals, providing support to people who were shielding, and working alongside the 3rd sector to provide direct funding to support communities, voluntary groups and organisations.

Thriving Communities has established four locality-based teams in Troon/Prestwick, North/South Carrick, Ayr North and Ayr South/Villages (Coylton, Annbank, Mossblown and Tarbolton). The new area teams are responsible for coordinating community learning and development, community safety, employability and health and wellbeing provision at a local level.

During summer 2021 Thriving Communities officers coordinated the 'Get In To Summer' holiday programme. This programme aimed to support young people, parents and families to reconnect with their communities while addressing food insecurity across our most deprived communities. The summer programme benefited over 2000 participants and promoted community wealth building by providing £71,000 of funding to local groups and organisations to deliver activities across South Ayrshire.



Closing the Gap

Commitment 2
Reduce poverty and disadvantage



Community Learning and Development

The Community Learning and Development Plan sets out the priorities over the next three years that include employability and volunteering, health and wellbeing while placing community engagement/empowerment at the heart of the plan.

These priorities were set following consultation with communities and practitioners and reinforce the Thriving Communities collaborative approach to improving outcomes for young people and adults.

Despite the challenges delivering youth work and adult learning programmes due to restrictions, Thriving Communities continued to deliver youth work, adult learning, and literacy programmes across South Ayrshire both in school and in the community.

In 2021 officers secured external funding to support adult learners gain qualifications. Over 190 adult learners benefited from this input and 28% achieved a recognised qualification which helped them progress into employment, volunteering and/or further education. These learners took part in 7,598 learning hours which included 3,720 in the SWAP programme and 2,268 hours in adult literacies and ESOL provision. There were also five family learning programmes involving 21 parents.

Detached youth work and diversionary activities helped address youth disorder in communities in partnership with Police Scotland. One example is the project in Maybole where detached youth work has been used as a method of youth engagement throughout the pandemic and remains an excellent mechanism when engaging with young people on their own terms in their communities.

Throughout the COVID recovery phase the Thriving Communities team in partnership with the Carrick Centre have been engaging with young people every Friday evening on the streets of Maybole and continue to engage with over 100 young people each month. Special Operations in partnership with Police Scotland took place over the school holiday Easter weekends that linked with youth work activities including bubble football, silent disco, barbeque, and drop-in sessions.

Following on from the project, Friday night football sessions at Carrick Academy pitches have been developed in partnership with the health and wellbeing team. Furthermore, an afterschool drop-in on a Friday from 3pm was developed where young people can come together and plan their own activities and events enabling young people to take the lead in their town. As a result of our engagement, there was a significant reduction in calls to Police Scotland in relation to youth disorder with only 5 calls received over a 14 day period in April 2022.

Educational Services

Schools across the local authority are committed to working with children, young people and their families to close the poverty related attainment gap. The impact of the pandemic is still evident and has impacted on outcomes for all children and young people.

- Literacy/Numeracy – In session 2021-22, more young people from our most deprived areas achieved Level 5 literacy and numeracy awards than we have seen previously
- Achievement of Curriculum for Excellence levels – The percentage of children from our most deprived areas achieving expected in levels in reading increased in session 2021-22. The gap between the percentage of children in our most/least deprived areas achieving literacy at the end of P1 is at its narrowest point in the last 4 years.
- Care experienced data show the number of care experienced young people achieving literacy and numeracy at Level 5 is above anything seen previously. Similarly, the percentage of care experienced young people achieving 5 or more National 5 awards at the end of S4 has improved and is in line with the previous highest figure.
- The percentage of school leavers moving into a positive destination has improved steadily over the last 4 years. In 2018-19 there was a gap of 10% between the percentage of leavers in our most deprived areas entering a positive destination compared to young people in our most affluent areas. This has reduced significantly with only a 1% gap in each of the last 2 years.
- More information on the progress in Educational Services is available in the annual Standards and Quality Report 2021/22 which is available [here](#).



Finance

Ensuring that all benefit claims are processed accurately and within appropriate timescales remains a priority. Our processing figures increased substantially during 2020/21 due to the COVID pandemic and have remained almost at that same level during 2021/22. Despite this level of demand remaining constant we have been able to maintain our performance targets in processing claims for Housing Benefit and Council Tax Reduction for the second year in a row.

Benefit Services also process applications for Education Benefits (Clothing Grants and Free School Meals) which moved entirely to an online application during the COVID pandemic. During 2020/21 we saw an increase in application volumes of 80% this level of applications has remained constant during 2021/22.



New Housing Benefit claims processed in an average of 13 days in 2021/22 which was the same as 2020/21 and compared favourably with the national average figure of 20 days;



New claims for Council Tax reduction processed in 15 days in 2021/22 which was also the same as 2020/21;



Average time taken to process change of circumstances in all benefits claims during 2021/22 was 3 days which is the same as previous year and national figure; and



4,241 clothing grants were paid totalling £562,710, which is comparable with 2020/21 figures of 4,239 grants totalling £562,440.

Scottish Welfare Fund

COVID resulted in an 18% increase in applications for Crisis Grants during 2020/21 and during 2021/22 this increased again by 8%. Despite this we are performing better than the national average. Community Care grant numbers remain constant and we continue to perform better than the national average. The team have also processed Self Isolation Support Grant (SISG) applications for customers who lost earnings because they had to self-isolate to limit the spread of COVID. The scheme started in October 2020 with 247 applications processed during 2020/21, however during 2021/22 this figure increased dramatically to 2,713 applications processed.

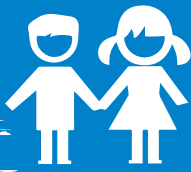
- 95% of Crisis Grants are processed by the next working day (Scottish Average is 93%);
- 88% of Community Care Grants are processed within 15 working days (Scottish Average is 86%); and
- 2,713 applications processed for Self-Isolation Support Grants with £740,500 paid to low income households.



Low Income Pandemic Payment

During 2021/22 staff in the Revenues and Benefits Teams administered 11,402 Low Income Pandemic Payments (LIPP) of £130 to customers in receipt of Council Tax reduction or where customers had no liability for Council Tax (qualifying criteria applied).

Tackling Inequalities



Tackling inequalities is one of the five strategic objectives within the South Ayrshire Children's Services Plan and this work is closely linked to delivery of the Child Poverty Action Plan.

South Ayrshire's child poverty levels are reducing. The 2020/21 figure published by the End Child Poverty Alliance is 20.6% as compared with 24.8% estimated in 2019/20. This does however mean that 1 in 5 of South Ayrshire's Children are living in poverty and the looming cost of living crisis is a real concern in terms of its impact on children living in households experiencing poverty.

- Employability and Inclusive Growth initiatives to support as many people into employment as practicable and to maximise the inclusive growth opportunities offered by the Ayrshire Growth Deal and the South Ayrshire approach to Fair Work;
- Providing volunteering opportunities to provide people with work experiences and improved chances of securing employment;
- Tackling food insecurity through further development of the South Ayrshire Community Food Network and the Food Pantries and trying to ensure that people can access low cost food so that children don't go hungry;
- A focus on income maximisation ensuring that people are accessing all benefits and grants that they are entitled to. This work includes a programme of awareness raising sessions within the NHS and HSCP to highlight financial inclusion pathways that people can be referred on. The Information and Advice Hub providing the single point of contact for the Financial Inclusion Referrals Pathways in partnership with the NHS;
- Tackling fuel poverty with both the Information and Advice Hub and Home Energy Scotland providing support to local communities through access to fuel poverty grants and information about funding along with the Energy Agency who have been promoting energy efficiency measures;
- The delivery of holiday meals and activities to South Ayrshire's most vulnerable children during school holiday periods;
- Free access to period products in both educational and community settings and the development of the Council's approach to legislation on the provision of period products which respects dignity; and
- Free access to Council leisure facilities for young carers and reduced cost access for those on lower incomes.



Care Experienced



South Ayrshire Champions Board has a well established participation network of over 60 children and young people and young parents with care experience. Despite challenging circumstances across 2021, the Champions Board managed to offer 14 different summer activities. This activity was delivered in partnership with voluntary sector partners at Who Cares? Scotland and the Council's Thriving Communities' teams. 56 young people with care experience aged 6-26 took part in the activities.

South Ayrshire Champions board run four participation groups each week. This includes three school-based groups and one community-based group. The Champions Board modern apprentice has also supported a bespoke Duke of Edinburgh group which celebrated young people with care experience achieving their bronze award and now working towards their silver.

Most of the Participation Assistants time is involved in developing the participation network. 98% of young people involved in the participation network take part regularly attending at 4 out of 6 sessions.



Taylor: I started as a Modern Apprentice in the Champions Board in January 2020. I have used my experience of foster care to talk to new foster carers. I also use my experience of permanency to help train social workers. I want to make care as good as it can be for young people, I care about making things better.





Improvements and supports to raise attainment in literacy have been successfully implemented during the 2021/22 session. The most notable is the creation of a detailed Literacy Action Plan that feeds into the newly refreshed South Ayrshire Council's Literacy Strategy.

There is improved engagement and attainment in writing at all levels in the primary sector with the use of Talk for Writing in 23 of our primary schools. Learners and teachers have shown great enthusiasm for this way of working and the impact it is having in their classrooms.

To raise attainment in reading and to support our vision of being “an Authority that promotes and values reading and its benefits”, we have introduced Giglets into 11 of our primary schools. Giglets is a fully inclusive digital resource designed to develop comprehension skills and foster a love of reading in children.

Over 50% of our schools have registered for Reading Schools accreditation in 2022-2023 which will highlight the excellent practice and commitment to promoting and developing reading for pleasure across our centres.

Within SAC, our Literacy team have made connections with the Virtual School Team, Active Schools, Thriving Communities and Adult Literacies to identify opportunities for collaboration in our aim to close the language and literacy gap between the most and least disadvantaged children.

Economy and Regeneration

Creating more high quality jobs for the people of South Ayrshire by attracting inward investors, enabling growth in incumbent businesses and ensuring that opportunities are created for our people, especially young people, to gain the necessary skills. By doing so, addressing the inequalities of income and outcome across the people of South Ayrshire, and reducing downstream SAC costs.



Skypath Aero Training Centre

Launched in collaboration with University of Strathclyde and Chevron Aviation to upskill and reskill local people for careers in aerospace and space. The Training Centre has developed 3 courses and trained 55 people for entry into the aerospace sector.



Advancing Manufacturing Challenge Fund (AMCF) Projects

Multiple events held (including an Aerospace Conference in August 2021) with 400+ attendees.



Supply Chain Project

Working with 50 businesses one-to-one providing 1000 hours of support, enabling 10 improvement projects.



Aerospace Digital Visualisation (ADV) Suite

Working with 46 businesses one-to-one enabling 36 live projects.

- Local Wealth Building (LWB) team in place
- Ongoing socialisation of LWB pillars with the Council's Service Leads to inform service plans, establish a LWB champions network and encourage cross service collaboration.
- Reimagining our towns commissioned.
- Over 100 places to spend the South Ayrshire gift card.
- Secured £800k from SUSTRANS, fully funding the current stage of our project.
- Delivered £787k to 282 businesses through the Shopfront Improvement Scheme:
 - o Providing innovative support to businesses through our AMCF projects;
 - o Adding value by making the connections our small/medium enterprises (SME's) need to enter aerospace and space supply chains;
 - o Utilising cutting edge technology to help our SME's boost their productivity and compete in challenging international markets;
 - o Finding funding for and providing state of the art equipment in our ADV Suite;
 - o Building an effective team in a relatively short time
 - o Effective balancing of key performance indicators (KPI) driven approaches with a desire to make meaningful and long-lasting impacts that will leave a legacy;
 - o Our approach to local economic development and our socialisation programme.

School Modernisation Programme

The Council's modernisation agenda for schools continued to make excellent progress in the 2021/22 academic session, with an acceleration of projects completed and commenced following the impact that the COVID pandemic had on new construction works over the past two years. Included in the number of school refurbishment projects completed in 2021/22:

Forehill Primary School Nursery

Following the opening of the new Forehill Early Years Centre in 2021 the conversion of the old nursery was completed in March 2022. This involved the creation a new mainstream classroom, multi-purpose room, and support room for pupils, which is much needed additional accommodation for this busy school.

Holmston Primary School

Alteration of four older classrooms in August 2021 to form a single open-plan classroom which is much better suited to the modern needs of the school.

Straiton Primary School

The previously vacant school-house building has been re-purposed for use as a staff base and changing places accessible toilet, which can be accessed by the whole community and any visitors to the village.

Dundonald Primary School

The introduction of an acoustic solution, with works undertaken to mitigate excessive noise in the open-plan teaching environment. The impact of this project has been extremely well received by teaching staff and pupils alike and will inform similar works planned for Heathfield and Barrhill Primary Schools over the next year.

Works have progressed well on several school construction projects with a focus on three major new build education facilities.

Many innovative and exciting projects continued beyond the reporting period of this report, for example Sacred Heart Primary School, Kyle Academy beach volleyball court, Girvan Academy Multi Use Games Area and adaptations to Wallacetown and Braehead Early Years Centres.

The Council's commitment to invest in the Education learning estate included the completion of some fantastic construction projects in 2020/21 with a focus on inclusion, support and wellbeing.



The new Kyle Academy Beach Volleyball Courts

At Southcraig School, following other recent refurbishment works to extend the campus with a link corridor and new reception, further phases of transformative work have been completed during 2021/22. This includes a classroom extension with life skills room and quiet room, creation of a new STEM facility, woodwork room and staff base. The school's gym hall has been refurbished to make it more modern and include the formation of a new rebound room. A sensory garden has also been built to improve facilities for pupils in the grounds of the school.



The new sensory garden at Southcraig School

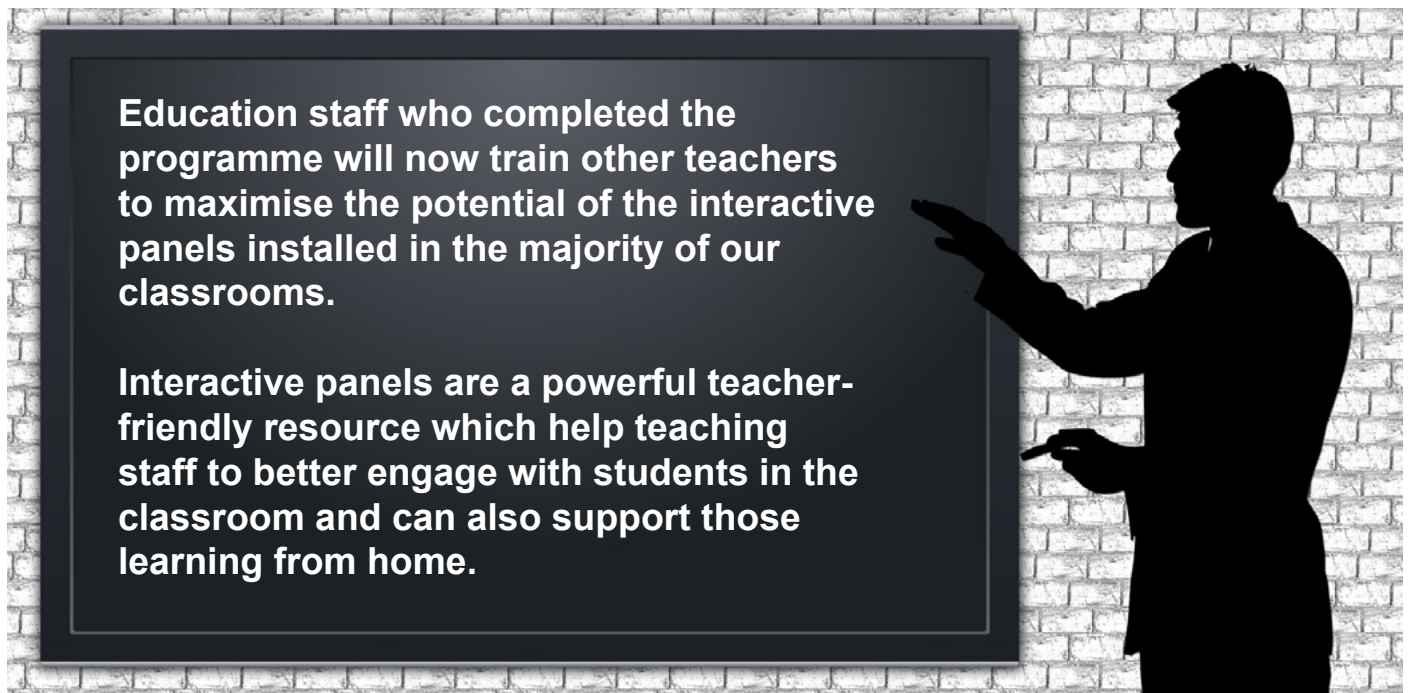
A project at Girvan Academy to create a support and wellbeing wing was also completed in October 2021. Alterations included the formation of five new classrooms, a flexible multi-purpose room, life skills kitchen and two calm rooms. The refurbishments have created a modern and much needed facility which will benefit the school and pupils for many years to come.

Support and wellbeing facilities at Doonfoot Primary School are also set to benefit from improvement work, with designs completed in 2021/22 for the refurbishment of the lower school support base. Expansion of the base, to include three modern classrooms and a sensory room was completed in August 2022, prior to designs progressing for additional works to the upper-school support base in the near future.

Designs have been completed for similar works on support and wellbeing facilities to be carried out in 2022/23 within Coylton, Girvan and Dalmilling Primary Schools. This demonstrates the Council's ongoing commitment to the modernisation of the education estate and the provision of engaging places for all of our young people to learn in.

Education and ICT

Education Support Services ICT Projects Coordinator assisted 12 of our teaching staff to become the first in the UK to complete a 'train the trainer' programme established by one of the Council's education technology providers, Promethean.



Creating a bank of local experts will make our schools more self-sufficient in using the education technology available. It also gives all teachers ongoing access to training and support, whether they are new to their role and the technology, or simply require a refresher.

The 'train the trainer' programme is one element of the Council's drive to equip teachers with the skills and confidence to make the most of their digital resources. Teachers can tap into on-demand training sessions through the programme and online virtual professional learning is available. Education have also created a digital support hub where teachers and trainers across the school estate can ask questions and share their knowledge.

The Council's twelve certified trainers have already been involved in the delivery of a series of practical webinars across Scotland and sharing best practice for teaching with other local authorities on use of their interactive panels.

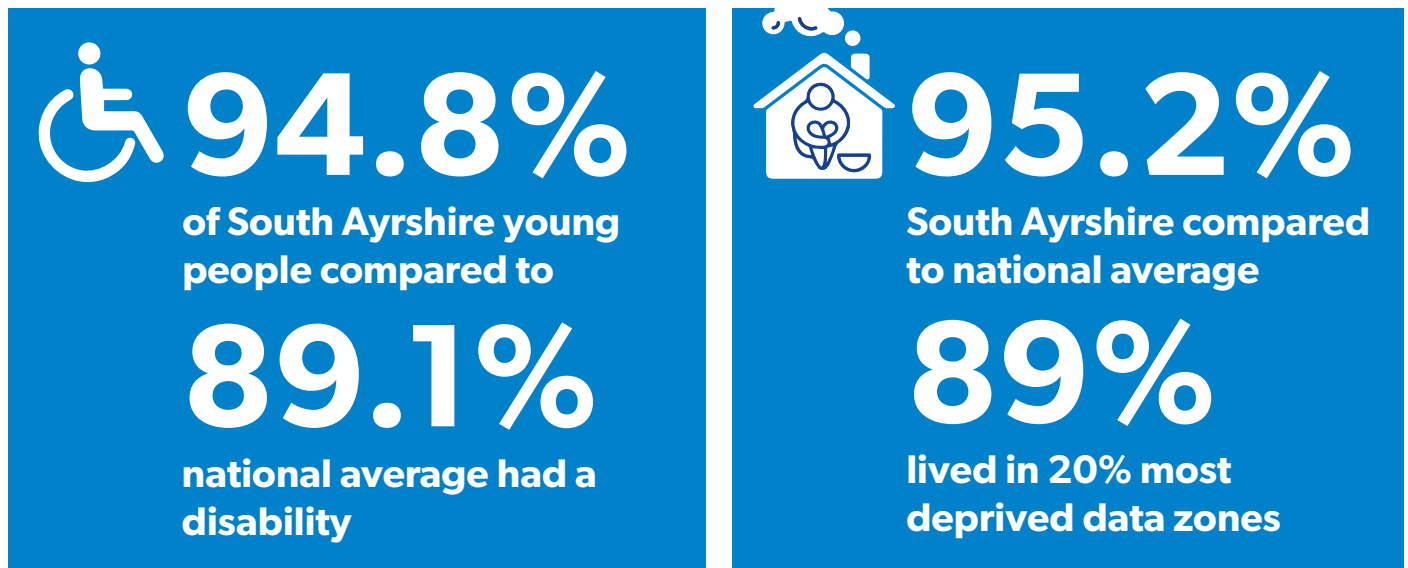
This recent achievement is part of the Council's long term digital strategy on making a positive impact and delivering outstanding education through technology.

Leavers Destinations

Employability outcomes in South Ayrshire continue to be among the highest in Scotland with school leaver destinations (SLDR) remaining the highest overall. 98.3% of school leavers progressed to an initial positive destination compared to the national average of 95.5%.

The follow up data for sustained destinations published in June 2022 for all young people was once again the highest in Scotland at 97.6%

Data for care experienced young people was also 97.6% compared to the national average of 79.7% demonstrating our commitment to improving outcomes for young people who are care experienced.



South Ayrshire Fair Pay Agenda



Unison South Ayrshire welcomed the progress made by the Council through joint working on the consolidation of the Living Wage. This work has made South Ayrshire Council a more attractive employer with an entry level salary of 3 spinal column points above the Scottish Living Wage. Unison South Ayrshire appreciate the Council's foresight and commitment to this issue.

In addition, the Council continued to work with 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.

Housing First

The Housing First service was established in South Ayrshire in 2018, initially as a pilot project, to provide a specific approach to better meet the needs of those presenting as homeless with complex needs. The service aims to break cycles of homelessness and address support needs by providing a secure tenancy within proximity of support networks. They also promote independence and tenancy sustainment through flexible, open ended, trauma informed and person-centred housing support.

A multi-agency group is involved in the selection of people for Housing First and the ongoing monitoring of support needs. The group includes representatives from services such as mental health, addictions, alcohol and drugs, justice and housing.

The service is also supported by many other partners who do not form part of the multi-agency core group detailed above.



Housing First support has assisted with broader improvements in people's lives including improved health and wellbeing, reductions in the use of alcohol/drugs, reduction in interactions with justice services, improved capacity to manage a tenancy and building positive relationships.

Information and Advice Hub



The Information and Advice Hub provides a comprehensive, impartial and confidential information and advice service in areas such as benefits, debt, employment and home energy from a range of locations across South Ayrshire.



Demand for the Hub's services, including benefits advice, money and debt advice, employment and assistance with home energy continues to climb significantly as the cost-of-living crisis continues. In total the team managed 29, 288 enquires during 2021/22 which is a 53% increase on the previous year.



Income totalling £6,379,548

of verified financial gain for residents of South Ayrshire through benefit uptake and emergency grant provision.



20,134 benefit checks carried out to ensure residents are receiving all welfare benefits they are entitled to.



752 residents of South Ayrshire assisted to claim a self-isolation support grant.



854 residents that had a cancer diagnosis assisted to claim benefits and or additional grants.



373 emergency fuel grants and **295** emergency support grants issued.

- Achieved full accreditation against the rigorous standards set out by the Scottish Legal Aid Board under the Scottish National Standards for information providers.
- Expanded targeted community support across South Ayrshire by employing three additional Senior Community Advisors. These advisors target harder to reach groups by working closely with community groups, NHS, HSCP, internal services and the third sector to ensure they are targeting the most vulnerable residents of South Ayrshire.
- Commenced community outreach advice sessions in all Trussell Trust foodbank locations.
- Introduced weekly advice sessions in Newton and Girvan Primary schools' food pantries.
- Secured the commitment that all HSCP staff will undertake mandatory welfare rights sessions delivered by the Hub, to help them spot the signs of debt and ensure they are aware of and can refer to the information and advice that the service offers
- Built community links through delivering engagement sessions with 42 local GPs to encourage them to refer patients for support as required.
- Launched two emergency support funds in September 2021 to assist people struggling with the cost of living crisis.



CASE STUDY

Reducing inequalities and improving outcomes for people in South Ayrshire is a key focus of South Ayrshire Community Planning Partnership (CPP).

The Community Empowerment (Scotland) Act 2015 has given CPPs a statutory purpose regarding public service reform at a local level. The Act requires CPPs to produce Local Outcomes Improvement Plan (LOIP) which sets out a vision and focus based on agreed local priorities where, through collaborative working with our community planning partners and local communities, we can work to reduce inequalities and improve outcomes in South Ayrshire.



We have two strategic themes as an agreed area of focus for our LOIP – these are: **‘Supporting older people to live in good health’** and **‘Closing the poverty-related outcomes gap’**.

Under our strategic themes we have five supporting improvement priorities:

- reducing social isolation and loneliness;
- support for people living with dementia and their carers;
- improving outcomes for care experienced children and care leavers;
- providing support for young people who are carers; and
- employability and lifelong learning.

Progress on our Local Outcomes Improvement Plan is set out in our LOIP Annual Progress Reports. Our [fourth annual report](#), published in October 2021, demonstrates the continued commitment by partners, third sector and community groups to support our local communities including:

- Approximately 110 digital devices delivered to households across South Ayrshire during the period April to September 2021 as part of the Digital Community Connector Programme. This included a bespoke package of support for each referral;
- An ‘Out & About’ service for people who were feeling anxious about getting back out and about after COVID;
- Continued development of Dementia Friendly Communities;
- Continued growth by South Ayrshire Champions Board and the team continue to develop the co-production model of participation supporting care experienced young people;
- The development and endorsement of a South Ayrshire Young Carers Strategy;
- Continued development of the Employability and Lifelong Learning Partnership which has focused on supporting young people and adults who have been impacted by COVID in line with our ‘No One Left Behind’ delivery plan

Grow Well, Live Well, Age Well

Commitment 3

Health and care systems that meet people's needs

Children's Services

The Children's Services Plan sets out 5 strategic objectives for community planning partners to focus on to support children and young people in South Ayrshire. These are:

- Outstanding universal provision;
- Tackling inequalities;
- Love and support for care experienced young people and young carers;
- Good physical and mental health and wellbeing; and
- Children's rights

Progress on children's services will be set out in the [Children's Services Annual Report 2021/22](#) :

- Ongoing implementation of the Whole Systems Approach in South Ayrshire with a strong focus on early intervention and prevention.
- Raising awareness and understanding of young carers and how to support them effectively.
- Implementation of The Promise and the 55 Calls to Action within South Ayrshire has provided a clear structure to developing a new future for how we work with families and care for children and young people who can't live at home.
- Continued to develop our approach to Whole Family Wellbeing.
- South Ayrshire's Virtual School supports care experienced young people and their families, with specific focus on those who are looked after at home and in transition from primary to secondary school.
- Supporting young people towards positive destinations is a key element of improving their wellbeing.
- Development work linked to the implementation of new Child Protection Guidance is being taken forward on a pan-Ayrshire basis to ensure a common approach is taken across the partnership. The focus is on identifying issues at the earliest point to ensure the right supports are put in place to protect children from harm.
- Delivering mental health provision for our young people and ensuring that this responds to emergent need following the pandemic.
- The Family Nurse Practitioner programme which supports young mums and their babies get the best start in life.
- Opportunities for young people to take part in sport, physical activity and outdoor learning.
- Addressing inequality for LGBTi young people.
- Promoting children's rights and the voices of young people informing service development and delivery, and preparing for the enactment of legislation to enshrine the United Nations Convention on the Rights of the Child into Scots law.



DYW | AYRSHIRE

Developing the
Young Workforce

The new DYW Leadership Academy provides young people with the opportunity to become young leaders in sport and physical activity. South Ayrshire Active Schools Leadership Academy incorporates coach education, employability skills, marketing and event planning by providing young people with training, mentoring and qualifications. Participants are supported to gain valuable experiences in a variety of areas such as; sport and dance leadership, becoming a decision maker, competition organiser and technical official. These experiences will help boost participants CV's as well as developing key transferable skills such as confidence, communication, responsibility and organisation as well as supporting the Duke of Edinburgh Award.

The Active Schools Leadership Academy had over 200 applications to eight programmes in Feb/March 2022. Following a number of selection days 88 young people were then selected into the silver and gold coaching and dance leadership programmes with an additional 62 accepted into Transition Leadership, Gymnastics and Cycle Leadership and the Young Peoples Sport Panel.

In addition to this, an existing 48 young leaders from previous years are still engaged and leading extra-curricular and community sessions.

Sixteen S5 Young Ambassadors representing each of the eight secondary schools have been selected and taken part in the SportScotland Young Ambassador Conference at Hampden Park.

All of the young people selected for this years Leadership Academy took part in a development day at the Citadel Leisure Centre coming together to work with the Health and Wellbeing team.



Educational Psychology Service (EPS) – Community Mental Health



South Ayrshire's EPS links with partners to implement the principles of the Scottish Government's community mental health framework, using associated funding to expand the mental health and wellbeing support available to children and young people age 5-25 and their families/carers.

- 886 (69%) of children and young people who had completed all sessions/inputs with non-anonymous services had improved mental health and wellbeing outcomes.
- 578 children and young people accessed services which provide support around emotional distress (e.g. trauma, self-harm, bereavement etc.).
- 1,388 children and young people accessed services which provide support around positive mental health and wellbeing (e.g. building resilience, self-esteem, coping strategies/emotional regulation etc.).
- 938 parents, carers, family members and staff also accessed support through community mental health services.
- The top three mental health and wellbeing needs reported by children and young people in 2021/22 were anxiety, self-harm and emotional/behavioural difficulties.
 - 1,966 children and young people age 5-25 accessed support for their mental health and wellbeing through community mental health services in 2021-2022.
 - 554 of those children and young people accessed between July 2021 and December 2021, with a significant increase to 1,412 between January 2022 and June 2022.
- Children, young people and families can access support through 13 additional services which were not available prior to implementation of the community mental health funding within South Ayrshire.
- Community mental health website developed to promote a single point of information/access, and to support children, young people and families to be able to access psycho-education and resources which help them support their own wellbeing.

Educational Psychology Service – Counselling in Schools Project

The Scottish Government has provided access to funding for secondary schools to implement a school-based counselling service which support children and young people age 10 and over. This aims to increase the ease of access to mental health and wellbeing support for young people, as they do not need to refer to an external agency.

- 213 children and young people concluded their sessions with the counsellor in 2021/22 and had an improved outcome.
- 196 young people self-referred to the counselling in schools service.
- The most prevalent mental health and wellbeing needs disclosed by young people attending school counselling were anxiety, stress and low mood.
- 13 counsellors in post provided an average of 148 hours of counselling per week.
- 97% of children and young people accessing school counselling do so in person and the remainder access this support virtually.
 - All secondary schools in South Ayrshire now have at least one school counsellor in post.
 - 871 children and young people age 10-18 accessed support through school counselling in 2021/22.

Physical Activity & Sport Strategy

The new Strategy was approved in January 2021 and shares an ambitious and collaborative approach to encouraging the population of South Ayrshire to Grow Well Live Well Age Well. Thriving Communities officers have worked alongside strategic partners and local sport clubs to provide sport and physical activity opportunities across South Ayrshire.

- Secured approximately £7.6 million funding to develop facilities at Craigue Campus, Kyle Beach Volleyball, River Ayr Pontoon and a new Multi Use Games Area at Craigue Park adjacent to St. John's Primary School.



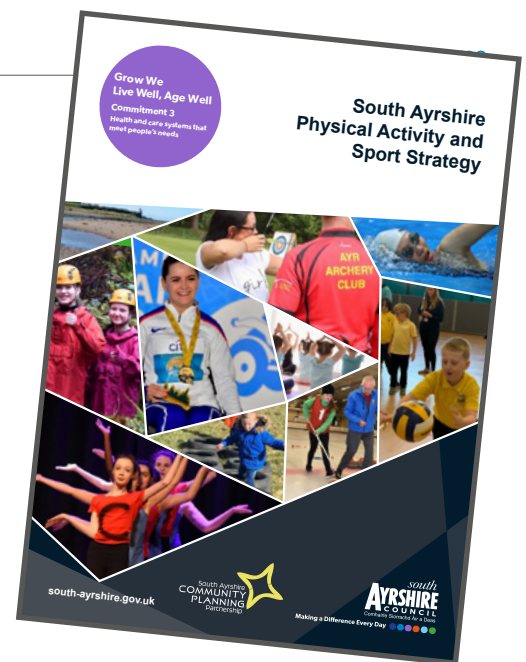
- Strengthened the partnership agreements with Ayr United FC, Ayrshire Sportsability and local rugby clubs including Ayr, Carrick and Marr.



- Launch of the Club Ready and Changing Lives through Sport programmes to support local sports clubs and organisations to return following COVID and to develop the use of sport as tool to bring about increased participation and impact on wider social outcomes.



- Return to club sport has been supported via the five community sports Hubs across South Ayrshire with a total of 54 sports clubs engaging and supporting 4,258 club members (3,302 youth and 956 adult members), and a coaching workforce of 389 to support delivery across the community.
- Return to support local athletics via the Talented Athlete programme and grant funding for national and international athletes and competitors.



Participation (school/club/community)

- Continued development of the Active Schools programme offering free opportunities for young people to access sport and physical activity before school, after school and during lunchtimes.
- From August 21 – June 22 the Active Schools network resumed a programme of free extra-curricular provision across South Ayrshire schools. This programme is supported by close to 200 volunteers including parents, teachers, school staff, senior pupils, teachers and students from University of the West of Scotland (UWS) and Ayrshire College as well as coaches and volunteers from our local sports clubs and organisations. A targeted approach within this programme works to support young people who are at risk of missing out including those living in Scottish Index of Multiple Deprivation (SIMD) areas, young carers, young people with care experience and those with physical and learning disabilities.
- The Active Communities programme was launched in mid-February 2022 with up to 50 weekly sessions of sport and physical activity opportunities running across South Ayrshire and nearly 900 young people and adults engaging in these opportunities. This programme is heavily subsidised and includes the early years programme (Active Minis), primary, secondary and diversionary sport opportunities in addition to 10 weekly health walks for adults.
- Support for young people and families who are care experienced to participate in a range of sport, physical activity and outdoor learning opportunities across South Ayrshire and at our Outdoor Centre Dolphin House. In partnership with the Education Welfare team over 40 care experienced young people and family members took part in a residential programme at Inverclyde National Sports Centre. The trip allowed young people to build relationships with fellow young people and their families, and to build confidence when meeting new people and being in a new environment. Families were provided quality time and the opportunity to build social networks with other families encountering similar challenges.
- Continued development of the Inspire (Disability Sport programme) which reduces the barriers for young people and adults with a disability to access sport and physical activity opportunities within their schools and communities. In addition to our school and community programme we also hosted a range of new activities for people with disabilities over the summer holidays. Working with partners Prestwick Howie Bowling Club and our Outdoor Learning team we were able to introduce lawn bowls and canoeing for adults and young people with disabilities, upskilling local club coaches and promote ongoing local opportunities.
- Competitive School Sport via the Health and Wellbeing Team made a welcome come back in April 2022. After an enforced absence during COVID five events were organised for the final term of the year. Over 950 pupils represented their schools at the following events; Sportshall Athletics, Gymnastics, Tennis, Cross Country and Netball. This programme is supported and enhanced through strong relationships with local clubs including Dundonald Gymnastics Club, Ayr Seaforth Athletics Club, Coylton Tennis Club and Prestwick Tennis Centre.

Outdoor Learning

560 young people have enrolled with the Duke of Edinburgh's Award with 325 gaining an award. The young people taking part in the award have faced significant barriers to accessing the Duke of Edinburgh's Award in school and in the community over the course of the past year. COVID recovery funding of £35,653 has allowed us to work with schools to reduce the barriers to taking part in an expedition to ensure young people can complete the award.

Collaborative working across the Thriving Communities team within the Domain Youth Centre has supported a group of eight young people with care experience to complete their bronze Duke of Edinburgh's Award. The group are continuing to engage and are currently working towards their silver award.

Dolphin House has welcomed 37 schools (29 primary and 8 secondary schools) and 1232 pupils across the school year to enjoy a residential outdoor learning experience. COVID recovery funding has also supported the development of outreach outdoor learning/activities to targeted groups in S1/S2 who have missed out on residential outdoor learning over the lockdown period.

Dolphin House has supported care experienced families to take part in a day visit or a two-day residential programme. Twenty care experienced young people took part in day visits whilst eight families engaged in our residential programme. The residential experience gave families the opportunity to spend quality time together in new surroundings whilst experiencing a range of outdoor activities, for some this was the first 'holiday' they had ever been on. This programme was such a success that it will now be delivered within each school holiday programme.



Golf

Golf South Ayrshire members and visitors, have continued to enjoy playing golf throughout the year across our eight courses, with an amazing

218,617

recorded rounds of golf



- Season ticket rounds up 83% since 2019
- Non-member rounds increased by 1,003 rounds from 2020/21 season
- Season ticket sales increased by over 1,400 from 2019
 - A new Golf South Ayrshire Golf Club was launched at Belleisle Park in June 2021. The CEO of Scottish Golf, Karin Sharp, said the new Club offers more flexibility and will make the game more accessible and inclusive.
 - In December 2021 a Golf Strategy 2022-32 paper was approved at a full Council meeting and sets the vision for developing golf over the coming years and attracting more golf tourism to South Ayrshire.



Trading Standards and Environment Health

Trading Standards and Environmental Health re-prioritised work streams to provide capacity to respond to the pandemic. The role of the service, using the national agreed 4E's principle, was to support first and enforce the legislation as a last resort.

799

Service requests responded to

During the hot, dry summer of 2021, over 80 householders reported to Environmental Health that their private water supplies had dried up. In conjunction with Scottish Government, Scottish Water and colleagues in Facilities Management they were able to provide emergency supplies of bottled drinking water to tide them over until such times as rainfall recharged their private supplies.

786

interventions to businesses

Trading Standards Officers, as part of a Scotland wide project, seized 895 disposable nicotine vapes from South Ayrshire shops which were counterfeit or which contained excess nicotine. A further 400 devices with incorrect safety labelling were also removed from sale. The value of these vapes was approximately £6,500. Officers will continue to monitor premises selling these products and issue regular safety advice by social media on these matters.





Employability

In line with the Scottish Government's No-One Left Behind and the European Social Fund priorities, 1,492 adults and young people were supported during 2021/22 through a wide range of employability programmes and initiatives. In addition, 90 individuals facing redundancy were supported to secure alternative employment and supported 75 local employers through our Employer Recruitment Incentive.

Tailored Jobs



To enhance the existing Supported Employment programme, we created tailored part-time jobs. The purpose is to provide individuals with additional support needs the opportunity to progress into the world of work and we work with colleague across the council to create job opportunities specifically designed to suit each individual young person's circumstances. The jobs are designed around the skills, interests and capabilities of the young person. To date 11 young people have been supported on a tailored job, seven have completed the programme and progressed to permanent employment.

Town Centre Programme



The Town Centre programme was re-established December 2021. The programme is aimed at supporting young people, furthest from the labour market, to build a wide range of core and employability skills by carrying out duties connected with the general upkeep of Ayr Town Centre. 35 trainees have engaged in the programme to date with six progressing to a positive destination.

Long-term unemployment Job Creation Programme – Evolve



Evolve is committed to creating 40 temporary, new and additional positions within the South Ayrshire. The aim is to create jobs in occupational sectors where there are skills shortages, existing labour demands or emerging sectors. Jobs will provide access to certificated and accredited training which will provide individuals with the ability to demonstrate skills and recent experience, to boost their chances to secure sustainable jobs as the wider economy recovers.

The programme start date was delayed from November 2021 to February 2022, from February to end March 2022 nine people started on the programme, six in the local authority and three in the 3rd sector.

Economy and Regeneration (E&R)

Ayrshire Growth Deal (AGD) infrastructure projects and regional economic development make South Ayrshire a more attractive place for inward and secondary investment. Business growth and skills advice, innovation support and supply chain development enable growth and resilience building in local businesses. E&R also supports businesses with skills development, regulatory matters, climate action, access to finance, sourcing commercial and coworking space, community wealth building, and place-based local economic development.



Performance data:

- Ayrshire Growth Deal: Submission of AGD business cases for approval;
- Memorandum of Understanding signed with launch provider and airport;
- Public consultation on Spaceport planning process underway;
- Networking event held with Houston Spaceport;
- Options appraisal underway for AGD Digital project
- Partnered with University of Strathclyde on Low Carbon Challenge Fund project;
- Facilitated relationship building between University of Strathclyde and Ayrshire College;
- Business support: Successfully delivered 18 individual Scottish Government COVID support grant schemes with five ongoing. So far distributed £29,511,560;
- Designed and delivered two extremely successful SAC business support grants (RABS and SEP) delivering £967,111 to South Ayrshire businesses;
- Provided advice to businesses during extremely challenging
- Provided support and consultancy for businesses affected by Brexit;
- Delivered an online edition of Skypath magazine to encourage STEM careers in secondary pupils;
- Supported growing businesses and inward investors with facility sourcing, converting leads into real projects;
- Delivered over £30m in COVID grants to South Ayrshire businesses

Licensing



Our Licensing Team processed Scottish Government COVID Business Recovery Grants to taxi and private hire drivers and operators during the first half of 2022, resulting in payments to the trade of over £400,000.



340 taxi and private hire drivers received the further grant payments in 2022 from the COVID support fund, and 108 taxi and private hire operators.



448 COVID recovery business grants processed for payment at short notice for members of the licensed trade, to assist eligible businesses during the pandemic period.

Procurement

The South Ayrshire Council Procurement team ensures that Best Value contracts are in place for all of the Council's requirements and suppliers and contracts are managed and paid appropriately. The support of a strategic procurement function assists services to achieve Best Value, make new efficiencies within existing contracts, manage suppliers while ensuring compliance to the legislation that governs public procurement.

299 procurement exercises were completed in 2021/22. All were carried out in accordance with the Council's Procurement Strategy.



Community benefits

were included in a total of 103 procurements awarded in 2021/22 compared to 89 in 2020/21.



16%

of contracts awarded in 2021/22 were to South Ayrshire based businesses compared to 11% in 2020/21.



78%

of Council contracts awarded during the year were actively influenced by procurement professional compared to 84% in 2020/21.



In 2021/22, 95%

of invoices submitted to the Council by suppliers were paid within 30 days compared with 94.5% the previous year.

Economy and Regeneration Case Study 2022

Precision Tooling Services Limited provides high quality precision manufacturing services from their modern facility in Prestwick. Employing a workforce of more than 80 people, their advanced equipment and highly skilled engineers manufacture complex components across a broad spectrum of technically demanding markets.

Peter Currie, Managing Director

“ We’ve worked closely with our South Ayrshire Council Business Support team to create a plan that moves at a pace we can handle without compromising day-to-day business. The team has supported our project plans and listened to our priorities, helping us tackle the most pressing areas first. There’s a broad range of support available in Scotland and the team has saved us a lot of guesswork by introducing us to relevant contacts and projects. Working with them also gives us a voice to influence local investments like the Ayrshire Growth Deal, particularly through the Prestwick Aerospace Operations Group and, recently, by arranging a meeting with the Council Leader and Chief Executive. ”

No two businesses are the same, that’s why we provide wide-ranging, bespoke support to our partners. We understand that businesses need to focus on day-to-day activities, so we prioritise building relationships and long-term support.



For Precision Tooling Services Limited, an Advancing Manufacturing Challenge Fund* (AMCF) Aerospace & Space Supply Chain expert and a Growth and Skills Adviser have developed and co-ordinated a bespoke support plan including:

- Specialist support to enable entry to a new sector. This included developing a business action plan and carrying out market research and feasibility studies for the business.
- Introduction to growth sector opportunities industrial supply chain events.
- Skills and training opportunities delivered by colleagues at Skypath Aero Training Centre. For example, ready to work hand skills course graduates and upskilling assembly courses.
- Introductions to National Manufacturing Institute Scotland and University of Strathclyde projects that provided business capability mapping and evaluated strategic development options.
- Plans include engagement with the EXTEND Low Carbon Challenge Fund and the South Ayrshire Towards a Net Zero Economy programme, to explore fuel cost reduction options and opportunities to increase sustainability.
- Specialist support via the Scottish Enterprise account management team with future development plans.
- Also, an opportunity to engage with Leadership Essentials, a pan-Ayrshire authority / SE development programme.

Growth and Skills Adviser

Working in-depth with a business to understand their priorities and identify appropriate support is beneficial for the business and satisfying for us.

AMCF Aerospace & Space Supply Chain Project

No matter how strong the business, there are always opportunities for continuous improvement as technologies and regulations change. Encompassing new technologies and processes ensures the development, growth, competitiveness and resilience of the organisation. The opportunity to support a business's development and help ensure the future of Ayrshire's place in manufacturing is a real privilege.

*This Aerospace & Supply Chain Project (SCA) is part funded by the Advancing Manufacturing Challenge Fund ("AMCF") being delivered in partnership with the European Structural and Investment Funds Programme 2014-2020, specifically, the European Regional Development Fund, as part of SPRITE. Precision Tooling Services Limited did not directly receive funding from ERDF.



Stand up for South Ayrshire

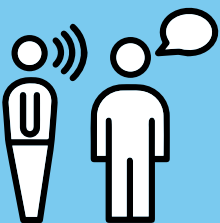
Commitment 5
Increase the profile and reputation of South Ayrshire and the Council



Communication

The Communications team support services to get the Council's messages across to their target audience using a range of modern, effective communication tools.

- Increased our reach across our non-digital audience by further expanding the outlets SAC Magazine is available from such as, Tesco superstore in Ayr and ASDA's Ayr and Girvan stores.
- Worked with schools to provide ongoing work experience for S5 pupils within the School Media Team.
- Maintained our presence on the local radio with 21 pieces of coverage including interviews and advertisements since September 2021.
- Worked with services across the Council to deliver around 80 targeted campaigns to keep the public informed.
- Produced 41 animated videos with subtitles and voiceover to ensure our online content is fully accessible.
- Created a range of guidance documents to make it easier for employees, Elected Members and the media to work with the Communications team such as Social Media Guidance; Guidance for Communicating in a Civil Emergency; Media Relations Guidance; and several tailored guides on Working with the Communications Team.
- Placed a key focus on increasing our audience on specific social media channels such as Instagram, which has seen a 17% increase in followers since 30 September 2021; and LinkedIn with a 12.5% increase since 30 September 2021.
- The launch of our first targeted Sky TV Advert to promote the new Household Waste Recycling Centre booking system with a reach of 13,771 and 44,177 impressions.
- Ensured we kept our non-digital audience updated with 9,270 copies of SAC Magazine distributed across South Ayrshire in hard copy.



Continued growth of our social media audience with a total of 51,985 followers across all our social media platforms, an increase of 59% since 30 September 2021.

Consultations

Throughout 2021-22, 31 consultation took place, including

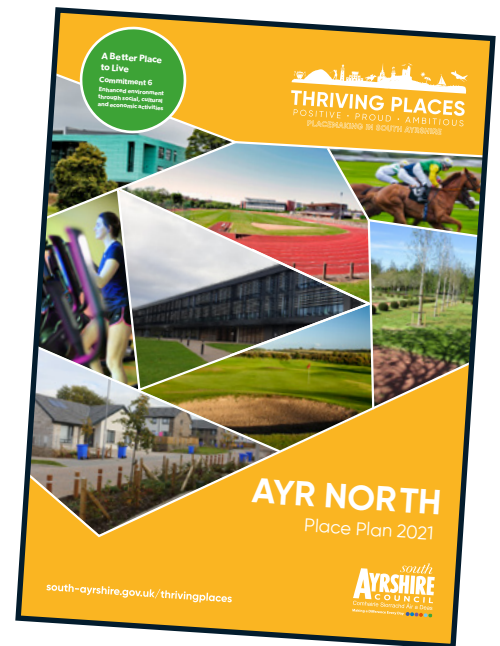
- Ayr North Place Plan
- Ayr Parking Consultation
- Golf Strategy Consultation
- Victory Park Common Good Consultation
- New Campus Naming Survey Prestwick and Maybole

All consultation can be found [here](#)

Have Your Say:

<https://www.south-ayrshire.gov.uk/have-your-say>

which also includes information on Petitions and SA1000 Citizens Panel.



South Ayrshire Community Conversations (SACC) platform

The SACC platform is a tool that will allow open, transparent and democratic engagement between the Council and the public. Anyone can go online and view the platform and its content. However, only registered users will be able to express their view and participate in decisions on important issues within their communities. Any South Ayrshire resident over 16 years of age can register to use the platform. Importantly SACC is not to replace the need for face to face events or consultation surveys but is viewed as a digital tool to augment what is already being carried out to expand and enhance current community engagement practices. This is in line with SAC's community engagement strategy of digital engagement with the community. SACC is based on Consul software that has been rebranded for use by South Ayrshire Council and residents of South Ayrshire. The platform was opened to the public in July 2022. The first topics of conversation asked for public views on place planning priorities and actions in various communities across South Ayrshire.



Community Engagement and Development

Following the publication of the Community Engagement Strategy in 2020 staff have led the Place Planning consultations. Between September 2021 – February 2022 we consulted with over 1,100 residents across a range of communities.

Officers have established a new consultation group across the organisation following the training that was delivered to senior officers, elected members and operational staff. This new officers' group will provide support to services who intend to consult with communities.

Supporting communities

The new external funding/grants officer supported communities to access £120,000 through the Coastal Communities Fund and continues to support community groups to access external funding.

Groups benefitting for funding includes:

- Girvan Youth Trust
- Maybole Community Resilience Team
- Ayrshire Cancer Support
- Dunure Community Council
- Ayr Yacht and Cruising Club
- Fort, Seafield and Wallacetown Community Council





Asset Management

The Asset Management Service continues to provide data to influence property decisions, to make best use of available funding and ensure service delivery is supported with higher performing property assets.

In addition to our ongoing statutory compliance obligations the three key elements to ensure that our properties are fit for purpose are Condition, Suitability and Accessibility. We strive to ensure that our buildings are managed and maintained to a satisfactory standard and are fit for purpose.

As set out by the Scottish Government we are committed to reducing our greenhouse gas emissions to net zero throughout our property estate by 2045 and have agreed to align with these national targets of a 75% reduction in emissions by 2030 and net zero emissions by 2045.

In 2021/22

- 83.7% of the operational asset estate was in a satisfactory condition (previously 82.6%)
- 84.7% of buildings were suitable for current use (previously 84.9%)
- 98.5% of public areas in council buildings were accessible for people with a disability (previously 98.6%). Slight decreases reflective of operational assets becoming surplus to operational requirements / disposal.
- 67 property improvement projects undertaken within our properties with a total spend of circa £1.642m.
- 10 accessibility improvement projects undertaken within our properties with a total spend of circa £295,00
- 3 energy improvement projects undertaken within our properties with a total spend of circa £196,000.
- we developed a Net Zero Carbon Retrofit Strategy and are progressing with a programme of retrofit within our buildings.
- one asset transfer concluded under Part 5 of the Community Empowerment (Scotland) Act 2015 in relation to Pinwherry Primary School.

Community Safety

Community Safety is still an integral part of the Thriving Communities service and ensures issues in the community can be addressed by local officers with a range of skills and experience.

The Community Planning Partnership (CPP) is supported through the Community Safety Strategic Delivery Partnership (SDP). A range of work is undertaken by the partnership including coordinating redeployable CCTV; Violence of Women; reducing violence, fire and road safety; and building safer communities.

Youth disorder has fallen in 2021/22 by 7% from the previous year.

- Community Safety officers work with police on action plans to tackle youth disorder over school holiday periods.
- In 2021/22, Community Safety officers dealt with 25 complaints from members of the public ranging from graffiti, quad bikes, and antisocial behaviour by young people including fire raising, drinking and general nuisance.



Economy and Regeneration

The Economy and Regeneration service is involved in a range of initiative making South Ayrshire a better place to live:

- Creating and delivering place making plans to improve local areas.
- Developing local economic development programmes in each of the five towns to improve the vibrancy of our town centres.
- Reducing air pollution and creating a greener and healthier South Ayrshire through our Accessible Ayr Sustrans project.
- Working with businesses to increase the security of South Ayrshire's food supply chain.
- Delivering climate action advice and support to our businesses to enable greener, healthier and more sustainable commercial activities.
- Targeting inward investment opportunities which align with creating a greener South Ayrshire.
- Supporting local companies to enter the public sector supply chain to reduce the carbon footprint of SAC procurement.



Housing

The Council currently owns and manages 8,301 properties, made up of general needs housing and sheltered housing designed for older people or people who need housing support. In 2021/22, the average weekly rent for a Council property was £78.32, which was below the Scottish average across all apartment sizes.



In 2021/22, the total rent due to be collected by the Council was £31,362,977 and we collected 99.7% of the total rent due compared to the Scottish average of 99.3%

The Council is committed to working towards improving the energy efficiency and providing warm homes to tenants.



In 2021/22, 93.6% of the council's housing stock met the Energy Efficiency Standard for Social Housing



The average time taken to complete an emergency repair was 2.7 hours compared to the Scottish average of 4.2 hours



The average time taken to complete a 'non-emergency repair' was 8.1 days compared to the Scottish average of 8.9 days



95.1% of reactive repairs were completed 'right first time' compared to the Scottish average of 88.3%

In 2021/22, the Scottish Government introduced new standards for fire, heat and carbon monoxide alarms and a new standard for electrical safety inspections to be carried out in properties every 5 years. As at 31 March 2022:-

98.2% of our properties

met the new standard for fire, heat and carbon monoxide detectors. All tenants have been contacted by the Council and work is ongoing to gain entry to the remaining properties to complete the necessary work

97.8% of our properties

met the new standard for electrical safety inspections. Again, all tenants have been contacted by the Council and work is ongoing to gain entry to the remaining properties to complete the necessary work.

Parent Early Education Programme

- In 2021 regular Parent Early Education Programme (PEEP) sessions were delivered at Cherry Tree Early Years Centre by the Family Learning Team every Friday morning over a 10-week period. Eight families attended the groups on a regular basis. A mix of mums and a dad attended. For most this was their first experience getting together with other parents with children who were the same age.
- The groups were tailored to support issues parents had raised. As a result, six of the families received further support either as a small group, or where it was more appropriate on a 1-1 basis, for a range of issues around food, sleep, routines and managing behaviour.
- From this two families signed up to take part in the peep progression pathway programme and are continuing to engage with a 12-week programme. Since then both have been linked with Employability and Skills, where their wellbeing and help with finances continues to be supported. One of the mums has successfully applied and been accepted for a college course in Childcare and Education.
- Overall impact for all families attending these groups has been positive capturing them at a very early stage in their child's education.

From a parent:-



“There is so much that you have spoke about that has resonated with me.....about making sure that we do stuff to make good memories with the kids so that we can look back on this time positively.”

Neighbourhood Services

Neighbourhood Services is made up from 3 different service areas:

Waste Management

Grounds Maintenance and Bereavement

Sustainability & Fleet

Over the past year the Neighbourhood Services has:

- A newly approved Fleet Strategy
- Implemented the Waste Management Strategy 2021-2031
- Continued work on the Councils Sustainable Development and Climate Change Strategy 2019-2024
- Delivered on a programme of enhance play areas across South Ayrshire.



Waste Management

Waste Management undertake domestic waste and recycling collections from 58,087 households in South Ayrshire. The service also operates a commercial collection service to 1085 businesses within South Ayrshire, three Household Waste Recycling Centres, mechanically clean streets, maintain beaches, remove abandoned cars, and provides waste awareness education.

2021/22 saw the introduction of additional Neighbourhood Hit Squads who have been deployed to great success across the authority. Recycling rates in 2020 reduced to 55.3% due to the pandemic however this was the third highest recycling rate in Scotland. Figures for 2021 show an increase in household recycling of 0.7% to 56% and are currently in the process of being verified by SEPA. Overall waste arisings have increased by 5,219 tonnes since 2019 due to the number of people now working from home across South Ayrshire.



An increase in recycling of 0.7% to a 56.0% of household waste being recycled

An increase of 2016 tonnes of recycling collected from Households compared to 2019.

Ground Maintenance and Bereavement Services

Grounds Maintenance and Bereavement Services maintain over 1000 hectares of Public Parks and Open Spaces including 108 ha of woodland, 86 ha of educational premises, 72 sports pitches, 53 cemeteries and 101 play facilities. The service also operates Masonhill Crematorium which serves residents from South Ayrshire and beyond.

Through 2021/22 we saw increased use of the green waste recycling facility at Glenburn Road in Prestwick with an element of household garden waste treated at the site. The material produced is reused within our Parks and Open Space as well as supplying schools, community groups and selling to local businesses.



We are currently ranked

No 1 in Scotland for customer satisfaction for Parks and Open Spaces



We have 5 green flag awards

for Parks and Cemeteries, the first local authority in Scotland to receive a green flag for a cemetery



In 2021 Grounds Maintenance

Green Waste Recycling processed 1229 tonnes of green waste and produced 1074 tonnes of compost



Bereavement Services undertook

1591 cremations and 377 burials during the 2021/22, a total increase of 4 on 2020/21

Sustainability and Fleet

The Sustainability team are responsible for supporting the council to respond to the climate and ecological emergency. This includes the mainstreaming of sustainable development and climate change both within and beyond in terms of our public sector climate change duties. It also involves the delivery of net zero, climate change adaptation and resilience, green recovery and just transition. During 2021/22:

- **The second year of working to carbon budgets for all service leads and school clusters**
- **The Provost's School Footprint Challenge, Earth Hour and Climate Week campaigns were held.**
- **The team supported strategic developments – policy commitment to transition small vehicle fleet by 2025 and all vehicles by 2030, policy pathway to net zero estate.**
- **Delivery of an enhanced rangers function (additional funding has facilitated four additional posts over summer 2021 with two continuing to the end of the financial year)**



Museum & Library



108,309 visits (including virtual visits) to museums in 2021/22 compared to 60,644 in 2021/21



513,800 virtual visits to libraries compared to 674,162 in 2020/21



80,658 physical visits to libraries compared to 12,643 in 2020/21 (visits significantly lower due to the impact of COVID)

Property Maintenance

We are now fully operational after the COVID restrictions, and the business is fully operational on all fronts with repairs and programmes of works starting to show high levels of performance to where we were in 2020.



All Housing and Non-Housing repairs completed with a combined target of 95.5% performance in all categories of repairs with a total of 31,000 repairs carried out.



Our key achievements were to have the business back up and running 100% after the lockdown periods and the introduction of the new central heating programme in July 2021. The programme which had been carried out for over 20 years by external contractors, is now delivered by Property Maintenance and has proved to be more efficient and cost effective showing high levels of performance.



We have worked closely with several other South Ayrshire Council services, Police Scotland, and Fire & Rescue to try and improve the Wallacetown area of Ayr regarding repairs and dealing with several other issues in this area of Ayr.

Professional Design Services

We are now fully operational after the COVID restrictions, with repairs and programmes of works starting to show high levels of performance to where we were in 2020.

- Worked hard to deliver the general services capital investment programme following the Coronavirus pandemic with spend in 2021/22 significantly higher than the previous year. The construction industry remains volatile with rising inflation, disruption to supply chains and labour shortages.
- £66.2 million of general services capital projects delivered in 2021/22
- Continued delivery of the Early Learning and Childcare Expansion Programme
- New Sacred Heart Primary School: Construction works commenced on site in July 2021 with the new school opening in October 2022
- Riverside Sports Arena (Craigie Athletics Facility): The new state of the art facility is due be completed by October 2022.
- New Struthers Early Years Centre and Community Facilities: Works are ongoing to deliver a carbon neutral, modern nursery along-with community facilities including a ball area, fitness trail and improved play park.
- Projects completed in 2021/22 include: Southcraig Campus – Rebound Room, Whitlett’s Sports Improvements – new 3G Surface, Forehill Primary – Reconfiguration of Nursery, Ayr Old Kirk – Work to Churchyard Walls, Kyle Academy – Beach Volleyball Courts and Rozelle House – External Upgrade Works

The housing capital investment programme was severely impacted by the Coronavirus pandemic. Spend recovered well in 2021/22 and was higher than the previous year.



23.2 million of housing capital projects delivered in 2021/22



Internal modernisation works to 160 properties in Ayr and Maybole were completed in December 2021.



Internal modernisation works to 219 properties in various locations started on site in January 2022 and were completed in June 2022



Annual programmes for addressing dampness and condensation, central heating replacement and capital element of works undertaken in void properties have been completed



Two external fabric upgrade projects which were delayed due to COVID have now been completed



A window renewal contract for 229 properties was completed in March 2022

Planning and Building Standards

During the 2021/22 period we determined 736 Planning applications with an overall approval rate of 93.3%. Of those applications 3.2 % were determined by the Regulatory Panel (Planning), while 96.8 % of these were dealt with by officers under delegated powers.

- The average time for dealing with a Householder Development was 8 weeks, 0.6 of week slower than last year, however within the National Target determination period.
- The average determination time for non-domestic Local Development applications, was 8.2 weeks this was 0.3 weeks faster than last year and just outside the National determination period.
- 57.1% of Local Business and Industry applications were dealt within 2 months however the average time for all applications of this type was 8.5 weeks, just outside the National Target period.
- The Council met on two occasions to determine planning matters, while the Regulatory Panel (Planning) meet regularly 11 times over the course of the year to ensure Planning applications could be determined. The Local Review Body sat on 14 occasions to hear 31 appeals against Delegated Refusals.



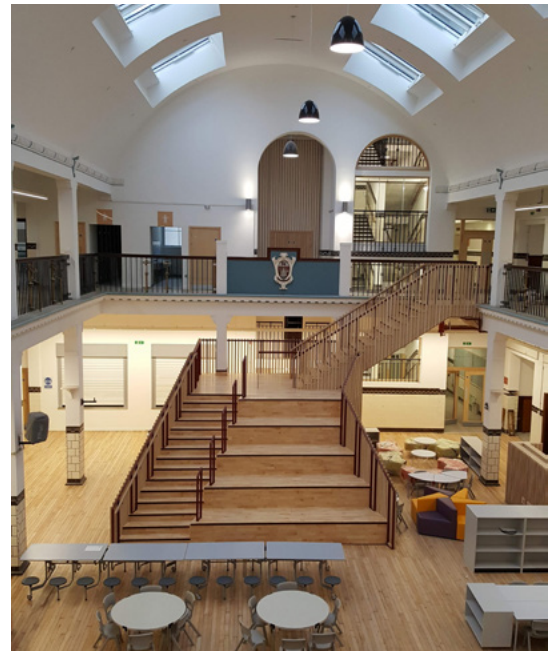


Awards and Accolades 2021/22

The new Ayr Grammar Primary School project was the winner of the 'Award for Conservation' from the Glasgow Institute of Architects in November 2021 at their annual GIA Awards.

In making their decision, judges praised the school in their assessment, saying: **"Rather than let this fine building languish, or redevelop for residential or commercial use, South Ayrshire Council seized a fantastic opportunity to create a new community focused development that allowed them to preserve the original use on the site, and expand the offer to the wider community."**

The project also received a commendation in the Education category at the awards, following the full refurbishment of a Grade B-Listed building.



APSE winners of Best Property Maintenance department in UK

South Ayrshire Council's Property Maintenance department were invited to the APSE (Association of Public Service Excellence) in December 2021 to the yearly performance awards in the category of Best Property Maintenance provider / department in the UK, we were up against 5 other local authorities throughout the UK which included 2 from Scotland, 1 from Wales and 2 from England.

We have in the past won the most improved property maintenance provider 3 times over the last 7 years but this is the first time we have won best. This achievement is down to the hard work of the full team at Property Maintenance and the dedication to ensure we really care in what we do.

To win this award is excellent and to be the best in the UK it does not just get any better than this, we have come a long way recently and we will endeavour to keep this performance up.

External Scrutiny

During 2021/22 Scottish Legal Aid Board - Scottish National Standards for Information Providers Audit.

Each year the Scottish Housing Regulator (SHR) publishes an 'Engagement Plan' for all Social Landlords. In 2021/22, SHR engaged with the Council about its services for people who are homeless.

Next Steps

The Council will focus on the following key areas to ensure that we remain committed in our drive to improve and deliver:

- Transformational Change – this has started with the changes in the Management Structure.
- Cost-of-Living Crisis – the Council will continue to work with partners and other stakeholders to explore how best to support those most in need, and we will do what we can to tackle those suffering from poverty and inequality, with particular emphasis on tackling Child Poverty.
- Affordable Housing and Homelessness – we will accelerate the provision of affordable housing across the Council area in an effort to reduce the pain of homelessness, and we will support Ukrainian refugees settle in South Ayrshire.
- Tackling the Climate Emergency – By encouraging Active Travel and investment in Green Infrastructure including electric vehicle charging points and improved insulation in our homes, we will contribute to reducing carbon emissions.
- Skills and Education – We will develop skills pipelines and a connected education system to link people to new job opportunities associated with Ayrshire Growth Deal, whilst supporting business development and innovation for the creation of new jobs and employment opportunities.

Appendix 1

Service Recovery and Improvement Actions 2021 (progress)

Fair and Effective Leadership

Title	Assessment of Progress
Further develop the Council's Internet site to advertise upcoming letting opportunities to help match demand for commercial premises with available properties	In progress
Continue to develop and improve the community planning process.	On target
Implement the agreed Social Lettings service to reduce homelessness and help tenancy sustainment	Completed
Improve youth employment outcomes for young people accessing our services	Completed
Maximise employment opportunities for young people in the local community by offering a minimum of 4 new trade apprenticeships every year.	On target

Closing the Gap

Title	Assessment of Progress
Improve outcomes for young people that are care experienced through youth work	Completed
Development of 'Team Around the Community' approach for Wallacetown	In progress
Improve adult employment outcomes for adults accessing our services	Completed
Support schools and young people to actively participate in the Duke of Edinburgh's Award with a particular focus on hard to reach groups	Completed
Ensure barriers to participation are removed for care experienced, care leavers and young carers	Completed
Increase Education Benefits entitlement using existing benefits data to ensure maximised awards	On target

Grow well, life well, age well

Title	Assessment of Progress
Ensure our youth work programmes target our most vulnerable communities	Completed
Develop and deliver a range of leadership opportunities for young people to develop their skills for employment and further/higher education	Completed
Recruit, retain and develop a network of volunteers and coaches to delivery and support school and community sport in South Ayrshire	Completed
Provide a range of person-centred health referral programmes that maintain or improve a persons' health and quality of life	Completed
Work in partnership to help protect vulnerable adults, those living with dementia, businesses and the more general population from scams	On target

South Ayrshire works

Title	Assessment of Progress
Develop and deliver Town Centre Investment programme in the 5 towns	Completed
Implementation of the Regional Economic Strategy	Completed
Develop full business cases for the Ayrshire Growth Deal Aerospace and Space programme	Completed
Support and engage with the licensed trades including work with Taxi operators and Private Hire operators' Forum and the Licensing Forum	Delayed due to COVID
Work with North and East Ayrshire Councils and the Scottish and UK governments to support the development and implementation of the Ayrshire Growth Deal's project (shared commitment).	On target
Establish Safety Advisory Group for stadia and safety at sports grounds	On target

Stand up for South Ayrshire

Title	Assessment of Progress
Use social media and digital applications to make it easier for residents and employees to ask questions and give us their feedback, ideas and suggestions.	Completed
Work with colleagues to improve stakeholder engagement	In progress
Continue to upgrade path networks within parks and open space.	In progress
Maximise biodiversity opportunities with use of plant material and altered maintenance regimes where possible.	In progress
Deliver the Craigie Additional Sporting Facility	On target
Deliver the new Sacred Heart Primary School	Completed
Deliver new build Early Years Centres at Struthers PS and Troon PS	On target

A better place to live

Title	Assessment of Progress
Develop and continually improve the processes for managing empty houses, minimising the time they are empty and the rent loss to the Council	On target
Deliver the Housing Internal Modernisation Programme	Completed
Prestwick Educational Campus	On target
Maybole Community Campus	On target
Riverside Public Events Space	On target
Waggon Road Affordable Housing	Completed
Fort Street Affordable Housing	Completed
Ladyland Road Affordable Housing	Completed
Prestwick Main Street	Completed
Tarbolton PS Affordable Housing	Completed
Mainholm Affordable Housing	On target
Riverside Flats Affordable Housing	On target
Provide business development opportunities and technology that facilitates innovation and transformational change	Completed

Appendix 2

LGBF Overview Report - Mapped to Council Plan Outcomes

1. Fair and effective leadership				
Measure	2018/19	2019/20	2020/21	Status
Cost of support services as a percentage of the council's total gross expenditure	4.4%	4.0%	3.7%	↑
Percentage of the highest paid 5% employees who are women	58.67%	60.29%	69.96%	↑
The gender pay gap	3.8%	2.5%	2.0%	↑
Cost of collecting council tax per dwelling	£7.42	£6.94	£5.49	↑
Sickness absence days per teacher	5.2	5.1	3.2	↑
Sickness Absence Days per Employee (excluding teachers)	9.3	10.2	8.8	↑
Percentage of income due from council tax received by the end of the year	95.8%	94.9%	94.1%	↓
Percentage of invoices sampled that were paid within 30 days	96.0%	95.4%	94.5%	↓

2. Closing the Gap

Measure	2018/19	2019/20	2020/21	Status
Percentage of pupils gaining 5+ awards at level 5	69%	70%	73%	↑
Percentage of pupils gaining 5+ awards at level 6	36%	41%	47%	↑
Percentage pupils in 20% most deprived areas getting 5+ awards at level 5	46%	44%	52%	↑
Percentage pupils in 20% most deprived areas getting 5+ awards at level 6	15%	21%	26%	↑
Percentage of school leavers going into positive and sustained destinations (Initial survey)	94.0%	98.4%	98.3%	↑
Overall average total tariff score for pupils in the senior phase (S6 based on the S4 cohort)	923	966	1060	↑
The average total tariff score for pupils in the senior phase (S6 based on the S4 cohort) Quintile 1	635	614	741	↑
The average total tariff score for pupils in the senior phase (S6 based on the S4 cohort) Quintile 2	837	887	910	↑
The average total tariff score for pupils in the senior phase (S6 based on the S4 cohort) Quintile 3	946	978	1020	↑
The average total tariff score for pupils in the senior phase (S6 based on the S4 cohort) Quintile 4	1089	1243	1200	↑
The average total tariff score for pupils in the senior phase (S6 based on the S4 cohort) Quintile 5	1211	1231	1376	↑
% of P1, P4 and P7 pupils combined achieving expected CFE Level in Literacy	80%	N/A	68%	↓
% of P1, P4 and P7 pupils combined achieving expected CFE Level in Numeracy	84%	N/A	77%	↓
Literacy Attainment Gap (P1,4,7 Combined) - percentage point gap between the least deprived and most deprived pupils	21.46%	N/A	22.5%	↓
Numeracy Attainment Gap (P1,4,7 Combined) - percentage point gap between the least deprived and most deprived pupils	17.86%	N/A	15.87%	↑
School Attendance Rates (per 100 pupils)	92.64%	N/A	91.5%	↓
School Attendance Rates for Looked After Children (per 100 Looked After Children)	88.0%	N/A	90.0%	↑
School Exclusion Rates (per 1000 pupils)	17.41	N/A	14.91	↑
School Exclusion Rates for Looked After Children (per 1000 looked after children)	103.33	N/A	73	↑
LGBF Participation Rate for 16–19-year-olds in education, training or employment (per 100)	91.6%	91.4%	91.8%	↑
% of children living in poverty (after housing costs)	24.61%	24.83%	20.59%	↑

3. Grow well, live well, age well

Measure	2018/19	2019/20	2020/21	Status
% of children meeting developmental milestones at their 27–30-month review	86%	86%	83%	↓
% of funded Early Years Provision which is graded good or better	97.9%	95.9%	95.7%	↓
Percentage of people aged 65 and over with long-term care needs who receiving personal care at home	61.36%	58.29%	58.34%	↓
Percentage of adults supported at home who agree that their services and support had an impact in improving or maintaining their quality of life	N/A	81.23%	N/A	?
% of adults supported at home who agree that they are supported to live as independently as possible	N/A	82.33%	N/A	?
% of adults supported at home who agree that they had a say in how their help, care or support was provided	N/A	74.95%	N/A	?
% of carers who feel supported to continue in their caring role		37.41%	N/A	?
Rate of readmission to hospital within 28 days per 1,000 discharges	126.87	122.44	128.39	↓
Proportion of care services graded good or better	80.14%	79.51%	78.5%	↓
Number of days people spend in hospital when they are ready to be discharged ,per 1,000 population (75+)	1,353.51	1,699.45	886.36	↑

4. South Ayrshire works

Measure	2018/19	2019/20	2020/21	Status
Percentage of unemployed people assisted into work from Council operated / funded Employability Programmes	7.0%	19.6%	7.9%	↓
Average time in weeks taken to deliver a commercial planning application decision	6.5	7.6	7.9	↓
Percentage of the Council's procurement spent on local small/medium enterprises	26.6%	25%	27.2%	↑
No of business gateway start-ups per 10,000 population	21	20.7	11.9	↓
Proportion of people earning less than the living wage	22.6%	21.8%	14.4%	↑
Proportion of properties receiving superfast broadband	93%	94%	94%	↑
Town Centre Vacancy Rates	18%	16%	17%	↓
Immediately available employment land as a % of total land allocated for employment purposes	53.2%	78.0%	83.8%	↑
Gross Value Added (GVA) per capita	£22,195	£21,961	£18,816	↓
Claimant Count as a % of Working Age Population	4%	4.2%	7%	↑
Claimant Count as a % of 16-24 Population	5.33%	5.53%	9.54%	↑

5. Stand up for South Ayrshire

Measure	2018/19	2019/20	2020/21	Status
Percentage of adults satisfied with libraries (Scottish Household Survey)	82.6%	81.9%	N/A	?
Percentage of adults satisfied with parks and open spaces (Scottish Household Survey)	91.7%	91.0%	N/A	?
Percentage of adults satisfied with leisure facilities (Scottish Household Survey)	77.6%	76.2%	N/A	?
Percentage of adults satisfied with museums and galleries (Scottish Household Survey)	78.1%	76.1%	N/A	?
Percentage of adults satisfied with local schools (Scottish Household Survey)	83%	79%	N/A	?

6. A better place to live

Measure	2018/19	2019/20	2020/21	Status
Street Cleanliness Index - Percentage Clean	89.2	84.1	89.8	↑
Percentage of adults satisfied with refuse collection services (Scottish Household Survey)	82.0%	77.0%	N/A	?
Percentage of adults satisfied with street cleaning services (Scottish Household Survey)	61.4%	51.1%	N/A	?
Percentage of council dwellings that meet the Scottish Housing Quality Standard (SHR)	97.6%	97.7%	89.4%	↓
Percentage of council houses that are energy efficient outwith those that are exempt or in abeyance	92.0%	92.5%	92.8%	↑
CO2 emissions area wide per tonne, per capita	3.7	3.69	3.13	↑
CO2 emissions area wide: emissions within scope of LA per tonne, per capita	5.59	5.55	4.93	↑

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درخواست کرنے پر یہ معلومات ناپینا افراد کے لئے ابھرے حروف، بڑے حروف یا آڈیو میں مہیا کی جاسکتی ہے اور اسکا مختلف زبانوں میں ترجمہ بھی کیا جاسکتا ہے۔ رابطہ کی تفصیلات نیچے فراہم کی گئی ہیں۔

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ਇਹ ਜਾਣਕਾਰੀ ਮੰਗ ਕੇ ਬੋਲ, ਵੱਡੇ ਅੱਖਰਾਂ ਅਤੇ ਸਣਨ ਵਾਲੇ ਰਪ ਵਿਚ ਵੀ ਲਈ ਜਾ ਸਕਦੀ ਹੈ, ਅਤੇ ਇਹਦਾ ਤਰਜਮਾ ਹੋਰ ਬੋਲੀਆਂ ਵਿਚ ਵੀ ਕਰਵਾਇਆ ਜਾ ਸਕਦਾ ਹੈ। ਸੰਪਰਕ ਕਰਨ ਲਈ ਜਾਣਕਾਰੀ ਹੇਠਾਂ ਦਿੱਤੀ ਗਈ ਹੈ।

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Faodar am fiosrachadh seo fhaighinn, le iarrtas, ann am braille, clò mòr no clàr fuaim agus tha e comasach eadar-theangachadh gu grunn chànanan. Tha fiosrachadh gu h-ìosal mu bhith a' cur fios a-steach.

South Ayrshire Council
Contact Centre
0300123 0900

South Ayrshire Council

**Report by Director of Strategic Change and Communities
to South Ayrshire Council
of 15 December 2022**

Subject: Best Value Action Plan – Update

1. Purpose

- 1.1 The purpose of this report is to advise Council of the progress made in delivering the improvement actions identified in the Best Value Assurance Report and to seek agreement for a new Terms of Reference for the Best Value Member/ Officer Working Group.

2. Recommendation

2.1 It is recommended that the Council:

- 2.1.1 notes the progress made towards addressing the recommendations made by Audit Scotland in South Ayrshire's Best Value Assurance Report ([Appendix 1](#)); and**
- 2.1.2 agrees the updated Terms of Reference for the Best Value Member/ Officer Working Group([Appendix 2](#)).**

3. Background

- 3.1 The Local Government in Scotland Act 2003 places statutory duties on Councils in relation to Best Value. The audit of Best Value is a continuous process that forms part of the annual audit of every Council. Findings are reported each year through the Annual Audit Report.
- 3.2 In addition, the Controller of Audit will present a Best Value Assurance Report to the Accounts Commission at least once during the five-year audit appointment for each Council. Audit Scotland published the Council's [Best Value Assurance Report published](#) in October 2021.
- 3.3 In response to the recommendations in the report, an [action plan](#) was developed by officers and agreed by Council in December 2021. Members agreed that progress on the action plan should be reported to the Audit and Governance Panel quarterly.
- 3.4 In January 2022, Leadership Panel agreed to extend the existing Council Plan (2018-22) by no more than one year to allow new Members the opportunity to contribute to the development of a new plan. It is anticipated that the new Council Plan will be agreed by Cabinet by March 2023.

3.5 The Best Value Member/ Officer Working Group met on 1 November and agreed to provide an update on the Best Value Action Plan to Council in December 2022. The group also agreed to develop updated terms of reference for approval by Council.

4. Proposals

4.1 Members are invited to consider the attached update ([Appendix 1](#)) on progress of the Best Value Action Plan and offer feedback to officers.

4.2 As the action plan nears completion, it is important that the Council continues to monitor and scrutinise key aspects of Best Value. With this in mind, an updated Terms of Reference for the Best Value Member/ Officer Working Group has been developed. It is proposed that the group continues to monitor progress on areas such as:

Area of Focus	Example of Scrutiny/ Monitoring Activity
Community Planning	Review of performance data
Performance reporting	Ensuring KPI's have targets, monitoring how performance is reported to the public
Workforce Planning	Ensuring planning is embedded and resources are in place to meet key aspects of BV
Community Engagement	Monitor strategic drive for participatory budgeting and community empowerment
Elected member training	Identify areas for further training/ development

4.3 It is also proposed that existing and emerging themes highlighted by Audit Scotland are considered in a South Ayrshire context, including:

- Child Poverty;
- Leadership and culture;
- Digital exclusion;
- Covid recovery; and
- Continuous improvement.

4.4 The proposed Terms of Reference for the Best Value Member/ Officer Working Group are attached as [Appendix 2](#).

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 Not applicable.

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 Rejecting the recommendations may impact on the reputation of the Council.

9. Equalities

9.1 The proposals in this report allow scrutiny of performance. The report does not involve proposals for policies, strategies, procedures, processes, financial decisions and activities (including service delivery), both new and at review, that affect the Council's communities and employees, therefore an equality impact assessment is not required.

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 Dowey, 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 Director of Strategic Change and Communities 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
Adoption of the new Terms of Reference for the Best Value Member/ Officer Working Group	February 2023	Service Lead- Policy, Performance and Community Planning

Background Papers [Audit Scotland - Best Value Assurance Report - October 2021](#)

[Best Value Assurance Report - Action Plan 2021-22](#)

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Date: 5 December 2022

Best Value Assurance Report - Action Plan 2021-22

Generated on: 23 November 2022

Recommendation 1 The Council should confirm that it has the capacity and skills required to increase its pace of improvement in key aspects of Best Value, such as community empowerment, financial and workforce planning and transformation Where appropriate external support should be sought from other Councils, or the Improvement Service, to help with focussing its areas of improvement. (paragraph 119)

Action	Managed By	Progress	Original Due Date	Current Due Date	Latest Note
Secure additional funding to add temporary resources to key areas of Best Value	Eileen Howat	90%	31-Dec-2022	31-Dec-2022	Management restructure approved 9 September 2022 includes permanent additional resources and refocus on key areas of Best Value. Any additional temporary resources required will be considered as BVAR action plan progresses.
Engage the Improvement Service on aspects of Best Value	Eileen Howat	100%	31-Dec-2022	31-Dec-2022	Assistance from IS has been secured in respect of development of Council Plan and Workforce Planning and further engagement planned in respect of change. It is intended that officers will continue to engage as appropriate with IS on aspects of Best Value.

Recommendation 2 The Council prepare both medium and long-term financial plans. The plans should consider changes to both income and expenditure, identify both budget gaps and set out the actions necessary to address those gaps. There should also be a clear linkage to Council priorities (paragraph 62)

Action	Managed By	Progress	Original Due Date	Current Due Date	Latest Note
Develop a Long-Term Financial Outlook (LTFO) that draws together all known factors which affect the Council's financial position and its financial sustainability over the longer term (i.e., a ten-year period). The LTFO will be refreshed bi-annually	Tim Baulk	100%	31-Dec-2022	31-Dec-2022	The Long Term Financial Outlook (LTFO) and Medium Term Financial Plan (MTFP) was considered and approved by Leadership Panel in 2021.
Develop a Medium-Term Financial Plan (MTFP) that provides a clear understanding of the anticipated resources available to the Council in the short and medium term (i.e. three years) in order to deliver its priorities and objectives. The MTFP will be updated annually	Tim Baulk	100%	31-Dec-2022	31-Dec-2022	Plan developed and approved

Ensure clear and continued linkage between the LTFO and MTFP with other key strategic documents, including the Council Plan, Workforce Plan, Long Term Financial Linkage evidenced in future strategic developments. Executive Leadership Team (ELT) and Corporate Leadership Team (CLT) Ongoing and aligned to Council Plan and Workforce Plan Strategy and Treasury Management Strategy	Corporate Leadership Team; Executive Leadership Team	60%	31-Dec-2022	31-Mar-2023	Further engagement planned with Administration following IS session on developing Council Plan and during preparation of 2023/24 budget. The new Council Plan will be developed to sit alongside key corporate strategies such as our Workforce Plan and LTFO.
.Develop a public-facing communication plan to publicise and explain the significant financial challenges facing the Council for the foreseeable future	Tim Baulk; Jane Bradley	80%	31-Mar-2022	31-Mar-2023	A communications plan has been developed and the first in a series of videos have been developed to support this.
Develop a clear understanding of public needs, preferences, and priorities through a robust and recurring engagement process, aligned with the local government electoral cycle	Jane Bradley	60%	31-Dec-2022	31-Mar-2023	The Thriving Communities team have structures in place to support consultation and engagement with communities at the appropriate time when the Council plan is being developed.
Develop processes to support Elected Member[s] in setting clear, prioritised objectives based on the Council Plan and the projected needs of the public, including service redesign, reduction, and cessation where appropriate	Kevin Anderson	60%	31-Dec-2022	31-Mar-2023	Discussions have taken place with the Improvement Service who are supporting the Council in developing the priorities. The first elected member briefing event took place on 11 October with the Corporate Leadership Team and Councillors attending in person and online. It is anticipated that the new Council Plan will be approved by Cabinet in March 23.
Engage with external partners (e.g. Improvement Service) to ensure that the design and delivery of community engagement improvement actions are effective and reflects best practice	Jane Bradley	100%	31-Mar-2022	31-Mar-2022	Thriving Communities are liaising with the HSP, 3RD Sector and other CPP partners to improve community engagement across CPP. It is proposed that the existing CPP Communities Reference Group is refreshed and called Community Engagement Coordination Group. (Proposal Attached). Internally improvements have already taken place, this includes the established consultation officer's group, engagement with Community Councils and the roll out of Place Standards toolkit. Initial meetings have taken place with the Improvement Service and a presentation was delivered by them to Senior Management. Early engagement has commenced in relation to best practice engagement activity.

Recommendation 3 The Council should improve and embed workforce planning, so that service workforce plans are developed consistently across the Council. The plans should include clear links to the Council's priorities and to its strategic change programme. (paragraph 77)

Action	Managed By	Progress	Original Due	Current Due	Latest Note
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			Date	Date	
Convene a Corporate Working Group to develop a workforce plan for 2022-25 that links to the Council's strategic priorities and improvement areas in relation to Best Value	Eileen Howat	100%	31-Dec-2021	31-Dec-2021	Complete, a workforce planning group has been convened.
Workforce Plan Implementation	Jane Bradley	100%	31-Mar-2022	31-Mar-2022	The draft workforce plan was considered at Service and Performance panel in October 2022 and is now being progressed to Cabinet in November 2022.

Recommendation 4 The Council should make sure that its transformation work is fully aligned and integrated to its covid recovery planning work and improve its approach to its Strategic Change Programme by: • Adding greater detail about individual projects • Setting clear timelines for each project • Developing a benefits realisation tracker to assess whether the Council has achieved its aims. (paragraphs 123 and 124)

Action	Managed By	Progress	Original Due Date	Current Due Date	Latest Note
Update Leadership Panel on the development and delivery of the South Ayrshire Way Strategic Change Programme	Stuart MacMillan	100%	31-Dec-2022	31-Dec-2022	To date, the following updates have been provided: <ul style="list-style-type: none"> • Leadership Panel - 15 February • Service and Improvement Panel - 29 March • Cabinet - 14 June An update will also go to the Service Improvement Panel in October.
Development of a Communications Strategy including the roll out of key messages to staff, stakeholders, partners and the public on the launch of the Change Programme; key themes and outputs and the benefits that will be achieved	Stuart MacMillan	100%	31-Mar-2022	31-Mar-2022	Communication Strategy approved and implemented, and updates provided to the Strategic Change Executive
Implementation of internal effective mechanisms for reporting programme progress and in particular tracking benefits	Stuart MacMillan	100%	31-Mar-2022	31-Mar-2022	Benefits Realisation Plan has been approved by Strategic Change Executive (26 August 2021). It was also shared at Service and Performance Panel on 29 March 2022 which noted the approach that the Council is taking to benefit realisation and implementing trackers.
Continue to progress the delivery of projects, focussing on moving projects from the scoping/exploratory phase and into delivery	Stuart MacMillan	100%	31-Mar-2022	31-Mar-2022	There will be a continued focus on moving projects into implementation.
Review governance arrangements across the Council to integrate its approach to transformation and	Louise Reid	75%	31-May-2022	31-May-2023	Governance arrangements have been embedded in place for the Strategic Change Programme as managed

change; avoid duplication, promote recovery from covid and inform best practice					by Place Directorate together with timelines for all change programme projects and benefits tracker in place. Some scoping work has been undertaken to identify transformational activity across the Council and map governance arrangements. Wider Governance arrangements will be required to identified, adopted and integrated across whole Council for strategic change activity that sits out with the change programme managed by Place Directorate. This A route map will be developed to integrate the Councils approach to transformation and change, avoid duplication and promote recovery from Covid and inform best practice. will require to be identified and implemented by the new administration and Chief Executive.
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Recommendation 5 The Council needs to build on the Service Recovery and Improvement Plans and the Community Engagement Strategy to ensure that future community engagement and consultation is consistent, and fully involves communities to develop how Council services will operate in the future in response to the Covid-19 pandemic, in order that real change and outcomes can be delivered. (paragraphs 25 and 112)

Action	Managed By	Progress	Original Due Date	Current Due Date	Latest Note
Establish a new Thriving Communities service has been established to lead community engagement across South Ayrshire	Jane Bradley	100%	31-Mar-2022	31-Mar-2022	A new Thriving Communities service has been established and implementation of new structure and formation of community based locality teams is ongoing
An annual log of all consultations and engagement will be published	Jane Bradley	75%	31-Dec-2022	31-Mar-2023	Officers group established who will now log consultations. Information will be published in April 2023 and annually thereafter in line with reporting cycle.
Thriving Communities will be responsible for engaging with local communities to help develop local place plans – November – March 2022 already underway and planned	Jane Bradley	75%	31-Dec-2022	31-Dec-2022	The Consultation Reference Group met on 22nd September 2022 and will meet again on 18th January 2023. The group discussed recent consultations, issues and challenges and consultations that are scheduled over the next six months. The meeting wasn't well attended, services represented include Thriving Communities, Education, Legal and Asset Management. The six months progress report on consultations will be sent out in October requesting information and encouraging services to utilise the Consultation Reference Team site and attend the meeting in January. The annual log of consultations will be collated in April 2023.

					<p>Thriving Communities have now completed the latest round of Place Planning engagement sessions. The opportunity to provide online feedback has now closed. The data/information is with Economy and Regeneration Place Planning Officers to develop and publish plans that can be shared with communities.</p> <p>Ayr North – Plan Published 2020 Girvan Plan Published 2022 Annbank / Mossblown / Tarbolton / Coylton – Engagement Sessions Complete Monkton – Engagement Sessions Complete Dundonald – Engagement Sessions Complete Loans – Engagement Sessions Complete Symington - - Engagement Sessions Complete South Carrick Villages – Engagement Sessions Complete Prestwick - Engagement Sessions Complete Maybole and North Carrick – Place Planning Carried out by NCCBC Troon – Troon Together Responsible for Place Planning</p>
A new online platform will be launched in January 2022 and will provide an opportunity for residents to let public services and community groups know what is important to the people of South Ayrshire	Jane Bradley	100%	31-Jan-2022	31-Jan-2022	South Ayrshire Community Conversations' (Consul) Training has been rolled out to internal officers and 3rd sector partners. The platform will be piloted in July 2022 as part of the consultation to amend the Community Council Boundaries in North Carrick.
A new officers group will be established to support and improve consultation across the organisation. We will continue to work alongside the Consultation Institute to improve our consultation processes	Jane Bradley	100%	31-Jan-2022	31-Jan-2022	Officers group established and officers commenting on the Teams channel already provide support and guidance for colleagues. Training for Consul has been rolled out.

Recommendation 6 The Council should improve performance reporting, by: • Setting targets for its KPIs • Including a summary of performance against KPIs in its performance reports to Members • Increasing the frequency of reports to Elected Members • Making performance reports more accessible to the public (paragraphs 32, 47 and 51)

Action	Managed By	Progress	Original Due Date	Current Due Date	Latest Note
Explore options for the future iterations of the Council Plan with Members and community planning partners and consider how reporting could be improved	Mike Newall	75%	31-Dec-2022	31-Dec-2022	A Council Plan Priorities Workshop took place on 11th October 2022 with Elected Members and Chief Officers to consider the priorities for the Council in the development of the new Council Plan. The workshop was facilitated by the Improvement Service and generated a range of priorities for consideration. Elected Members

					will confirm to officers their preferred priorities to be taken forward.
As part of the development of the new Council Plan a greater emphasis will be on measuring outcomes	Mike Newall	70%	31-Dec-2022	31-Dec-2022	It was agreed at the Council Plan Priorities Workshop that took place on 11th October 2022 that the confirmed priorities that will be published within the new Council Plan will have specific and measurable outcome that will define the benefits of the priorities.
Review the performance monitoring framework to improve public performance reporting	Mike Newall	100%	28-Feb-2022	28-Feb-2022	The review of the Performance Monitoring Framework was approved at the Service and Performance Panel that took place on Tuesday 8th February 2022.

Recommendation 7 To help them carry out their roles, including their responsibilities under Best Value, Elected Members should take advantage of the learning and development opportunities provided by the Council. The Council should continue to work with Elected Members to understand and address reasons for variable uptake of training (paragraph 30)

Action	Managed By	Progress	Original Due Date	Current Due Date	Latest Note
Conversion of all training to on-line Coast training courses and production of online Member's pack	Catriona Caves	95%	28-Feb-2022	31-Aug-2022	Induction training has been uploaded as Coast training courses and ICT finalising process to allow members access to recordings of members briefings .Process being implemented for Briefings being held by Teams Briefings for the new Schedule of briefings.confirmation awaited from ICT on the format as to how members can access Member Briefings on-line after in person training. This will then be implemented after recess for new Briefing Schedule. On-line induction pack completed and uploaded on members area
Consideration of medium for delivery of training – ie by Hybrid training where Members can be both present in person and attending on-line	Catriona Caves	100%	31-May-2022	31-Aug-2022	Members are able to access training both in Hybrid and in person. On occasion there are some sessions which are run as purely in person sessions.
Return to PDP and personalisation of training needs with new Members intake	Catriona Caves	80%	30-Apr-2022	31-Dec-2022	Meetings with improvement service are complete by 5 November and then more experienced members are to have one to ones with OD/Member services before Christmas and new members thereafter.
Further develop new Member induction training	Catriona Caves	100%	30-Apr-2022	30-Apr-2022	A timetable of Induction Training was completed and an electronic new member's induction pack provided to all members and uploaded on a freshly designed new members page on the Core (the Council's intranet)
Report to Service and Performance Panel on training that is delivered with details of Member attendance	Catriona Caves	95%	31-Dec-2022	31-Dec-2022	Draft report complete and will be heard at Service and Performance Panel in January 2023.

South Ayrshire Council Best Value Member/ Officer Working Group: Draft Terms of Reference

Title of Group	South Ayrshire Council Best Value Member/ Officer Working Group
Reporting Arrangements	Quarterly updates to Audit and Governance Panel
Strategic Links	<ul style="list-style-type: none"> • Audit Scotland • CoSLA • Scottish Government • UK Government • Community Planning • South Ayrshire's Best Value Assurance Report
Remit of Group	<p>To support the development of South Ayrshire's approach to meeting key aspects of Best Value. Areas of focus will include:</p> <ul style="list-style-type: none"> • Delivery of South Ayrshire's Best Value Action Plan • Council Plan and Community Planning • Performance and outcomes reporting • Medium and long term financial plans • Workforce Plan Strategy • Transformation Strategy • Treasury Management Strategy • Community Engagement Strategy • Elected Member training and development <p>The group will also consider existing and emerging themes highlighted by Audit Scotland, such as (but not limited to):</p> <ul style="list-style-type: none"> • Child Poverty • Leadership and culture • Digital exclusion • Covid recovery • Continuous improvement
Agenda	<p>The agenda for each meeting will include:</p> <ul style="list-style-type: none"> • Attendance/Apologies • Record of previous meeting • Action log/matters arising • Update on the Council's Best Value Action Plan (until complete)

	<ul style="list-style-type: none"> • Focus on specific key aspects of Best Value and/or Best Value themes (as directed by the group) • AOCB
Frequency of Meetings	Quarterly meetings
Record of Proceedings	A minute and action log will be completed and disseminated to the group.
Chair and Vice-Chair	To be decided at next meeting
Core Membership	<ul style="list-style-type: none"> • Cllr Martin Dowey • Cllr Peter Henderson • Cllr Brian Connolly • Cllr Brian McGinley • Eileen Howat - Chief Executive • Mike Newall - Depute Chief Executive and Director of Housing, Operations and Development • Jane Bradley – Director of Strategic Change and Communities • Kevin Anderson – Service Lead: Policy, Performance and Community Planning • Administrative Support – Officer from Policy, Performance and Community Planning Service <p>Additional officer representation will be required dependent on the topics being discussed</p>
Administrative Support	Officer from Policy, Performance and Community Planning Service
Confirmation of attendance	Recorded within the minutes of each meeting

South Ayrshire Council

**Report by Director of Strategic Change and Communities
to South Ayrshire Council
of 15 December 2022**

Subject: New Leisure Centre Project

1. Purpose

- 1.1 The purpose of this report is to provide Members with a further update on the New Leisure Centre Project including the response from HubSW to the Stage 2 rejection letter.

2. Recommendation

2.1 It is recommended that the Council:

2.1.1 notes the further update on the response from HubSW to the Stage 2 rejection letter; and

2.1.2 provides instructions on how officers should proceed.

3. Background

- 3.1 On 13 October 2022, a report was presented to South Ayrshire Council with an update on the New Leisure Centre Project including details of abortive costs should the project not proceed, the acquisition of the Arran Mall and the options available to the Council in response to the Stage 2 submission from HubSW.

- 3.2 Members agreed that given the project is now £7m over budget, that Council should reject the Stage 2 submission from HubSW on the basis it does not meet the Affordability Cap Approval Criteria prescribed by the HubSW Agreement and asked Officers to provide a report to Members detailing the response from HubSW to the rejection notice for their consideration.

- 3.3 On 17 October 2022, a letter was issued to HubSW informing them of the Council's decision to reject the Stage 2 submission.

4. Proposals

- 4.1 The rejection of the Stage 2 submission triggered a process in which there was a requirement for the Council to work together with HubSW to address the reasons for the failure to meet the Affordability Cap Approval Criteria. HubSW were then required to produce a revised Stage 2 Submission 'in good faith' which they must re-submit to the Council within 30 Business Days of the rejection.

4.2/

- 4.2 To facilitate the collaborative approach to addressing the failure to meet the Affordability Cap Approval Criteria, Officers from the Council (including SAC Leisure) met with HubSW on 2 separate occasions to discuss the revised proposals and provide feedback from an operational and aspirational perspective.
- 4.3 The 30 Business Days have now elapsed and HubSW have issued the Council with a revised Stage 2 Report. To achieve the required savings and present a proposal that does now meet the Affordability Cap Approval Criteria on the basis that Financial Close is reached by 31 March 2023, HubSW have proposed a revised design with several key elements reduced/removed. The original and revised plans are contained in [Appendix 1](#) for reference. In summary they are proposing the following changes:
- a. The rear of the former Hourstons Dept Store will be demolished to create space for the new build element, but the revised proposals do not allow for the refurbishment of the remaining historic building which would have contained several key spaces, including consultation rooms, studios, multi-use spaces and staff facilities. Instead, these have been relocated to the new build element and reduced in size and/or numbers.
 - b. To create space in the new build element to accommodate those spaces that have been displaced from Hourstons, the revised proposals have:
 - reduced the size of the main pool from 8 lanes to 6;
 - reduced the offering in the 'fun water' zone including the removal of flumes;
 - removed the soft play zone;
 - reduced the size of the wet changing area;
 - reduced spectator seating capacity from 150 to 100; and
 - overall, the floorspace of the leisure centre has been reduced by 20%.
- 4.4 Following the resubmission of the Stage 2 Report from HubSW, the Council now has a further 60 Business Days to either accept or reject the revised Stage 2 Submission in accordance with the terms of the Territory Partnering Agreement (TPA).
- 4.5 If the Council accepts the revised Stage 2 submission, the new project will have Stage 2 Approval (as per the usual process). If the Council decides to reject the revised Stage 2 Submission, then the Stage 2 process and subsequently the development of the project will come to an end. Unlike the previous Stage 2 rejection by the Council on the grounds that the submission did not meet the Affordability Cap Approval Criteria, if the Council were to reject the resubmitted Stage 2 then it would be on the grounds that the project does not meet the Specific Requirements and each of the Relevant Participant(s)' other requirements (including for the avoidance of doubt: design quality; sustainability; and terms and conditions of the Project Agreement) as identified at the time the project became a Stage 1 Approved Project.
- 4.6 If the revised Stage 2 proposals are rejected and HubSW wishes to challenge the rationale for the rejection, then they will have a further 10 Business Days to take the matter to the Dispute Resolution Process (DRP) should they wish to do so. If HubSW do not take the rejection of the revised Stage 2 Submission to the DRP or if they do but the DRP decides that the rejection is valid, then no further action is required from HubSW or the Council and the Council does not have to pay HubSW's Project Development Fees. If the DRP determines that the revised Stage 2 Submission did

meet the Approval Criteria and should not have been rejected on that basis, then the Council must reject the Stage 2 Submission for 'other reasons'. Rejection for 'other reasons' would entitle HubSW to payment of the Stage 2 Project Development Fees. These fees equate to £980,441 and have not been paid to date.

- 4.7 Members should be aware that the revised proposals deviate significantly from those the public were consulted on and subsequently approved by Leadership Panel in August 2021. It should also be noted that the Council agreed to several concessions at the time including the removal of the main games-hall from the project in exchange for the enhanced swimming offering and agreed to increase the funding for the project by £4m.
- 4.8 The aspiration for the new leisure centre was to provide a facility with the correct balance between sport and leisure that would be more flexible and could see significant increases in participation at all levels. The new building would also be a 'destination' for families to spend more leisure time together in a town centre location. The revised proposals would see a noticeable diminishment of these aspirations.
- 4.9 Members should also be aware that planning consent was granted for the previously approved proposals in March 2022. As to whether the proposed changes to those approved plans are material or non-material considerations, it has not yet been established. HubSW are of the opinion that the revisions to the design of the approved development are considered modest and non-material in nature. An application seeking approval for the proposed Non-Material Variations (NMV) would require to be submitted to SAC for consideration in due course. If these changes are subsequently considered Material by the Planning Authority, then a new planning application will be required.
- 4.10 Members are asked to consider the proposals in the revised Stage 2 Submission as shown in [Appendix 1](#) and summarised in paragraph 4.3; note the comments from Officers in paragraphs 4.7 to 4.9 in relation to the impact of these changes; note the options available to the Council in response to the revised Stage 2 Submission as described in paragraphs 4.4 to 4.6; and provide instructions on how officers should proceed.

5. Legal and Procurement Implications

- 5.1 The Council has appointed specialist legal advisors (Shepherd and Wedderburn) to develop the project agreements with HubSW to deliver the project. They have provided legal advice on the Council's obligations and rights with regards to the Stage 2 submission review process.
- 5.2 The DRP (as referenced in paragraph 4.6) is set out in Schedule 21 of the Territory Partnering Agreement. To summarise, and subject always to the right of either party to take a dispute to court proceedings, the parties shall first consult in good faith to come to agreement. That is then escalated to senior management/shareholders from the relevant parties. Failing agreement there, the parties can agree to refer the dispute to mediation, but that does not prevent either party finally taking the dispute to arbitration.
- 5.3 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 The new leisure centre development is an approved identified project within the General Services Capital Programme with a budget of £44,997,239. To date a total of £1,681,720 has been spent on the project and funded from this budget (£968,018 for

project development fees as detailed in paragraph 6.2 and £713,700 for other project related costs as detailed in paragraph 6.6, leaving £43,315,519 unspent.

- 6.2 A considerable amount of development work has already been undertaken on the project for which fees were due and have been paid. This equates to £968,018 and is broken down as follows:

Paid to date	Amount
Strategic Support Services (SSS) Fees	£105,777
Stage 1 Fees	£478,876
Sub Total	£584,653
Surveys and Investigative Works (Arran Mall)	£237,042
Sub Total	£821,695
Surveys and Investigative Works (Hourstons)	£146,323
Total	£968,018

- 6.3 If the project was not to proceed, then the costs associated with Strategic Support Services (SSS) and Stage 1 Fees (£584,653) would be classified as abortive as they are specific to the design development of the new leisure centre.
- 6.4 The output from the surveys and investigative works carried out on Arran Mall could be utilised in the future if the Council proceeds with the site acquisition and develops the site for an alternate use, so this sum (£237,042) would not necessarily be considered an abortive cost.
- 6.5 The output from the surveys and investigative works carried out on Hourstons (which the Council owns) could also be utilised in the future if the Council proceeds with an alternate use, so again this sum (£146,323) would not necessarily be considered an abortive cost.
- 6.6 In addition, the Council has also incurred other project-related costs including the non-returnable deposit for the Arran Mall, in-house staff costs and statutory consent fees, totalling £713,700. With the exception of the non-returnable deposit for the Arran Mall, which would not be considered an abortive cost if the site is acquired for a different use, these costs would also be considered abortive should the project not proceed.

7. Human Resources Implications

- 7.1 Not applicable.

8. Risk

8.1 Risk Implications of Adopting the Recommendations

- 8.1.1 Not proceeding with the project may impact on the reputation of the Council by failing to meet the commitments set out in the previously agreed Ayr Town Centre Strategy and Action Plan with regards to the development of the Leisure Centre.
- 8.1.2 There is a risk that the revised proposals are not considered Material by the Planning Authority and a new planning application would then be required to be submitted which would add a significant delay to the project.

8.2 **Risk Implications of Rejecting the Recommendations**

8.2.1 If the revised Stage 2 submission is rejected, then HubSW is entitled to refer the matter to dispute resolution. That said, the remedies only apply where the resolution is that the Approval Criteria were met by the re-submitted Stage 2 Submission, which, in relation to the Participants Requirements, is highly unlikely in this case.

9. **Equalities**

9.1 This report provides an update on the progress of a recent Council report which was assessed for potential equality impacts and the relevant documentation is attached in [Appendix 2](#).

10. **Sustainable Development Implications**

10.1 **Considering Strategic Environmental Assessment (SEA)** - The proposals in this report do not represent a qualifying plan, programme, policy or strategy for consideration for SEA. There exists therefore no obligation to contact the Scottish Government Gateway and no further action is necessary. An SEA has not been undertaken.

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 6 of the Council Plan: A Better Place to Live/ Enhanced environment through social, cultural and economic activities.

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 Kilbride, Portfolio Holder for Buildings, Housing and Environment, and Councillor Brian Connolly, Portfolio Holder for Sport and Leisure, and the contents of this report reflect any feedback provided.

14. **Next Steps for Decision Tracking Purposes**

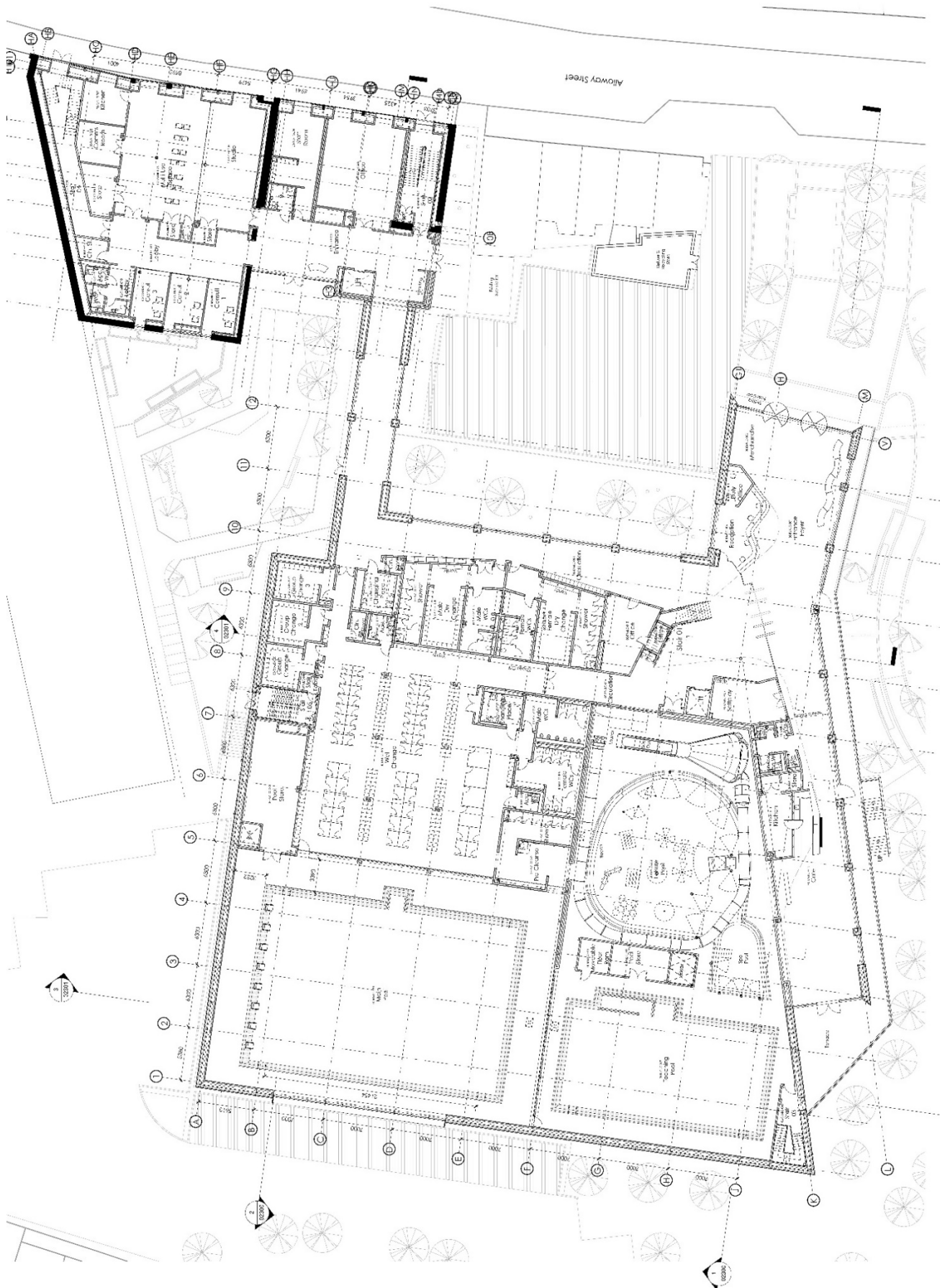
14.1 If the recommendations above are approved by Members, the Director of Strategic Change and Communities will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Implement instructions provided	To be confirmed	Service Lead – Special Property Projects

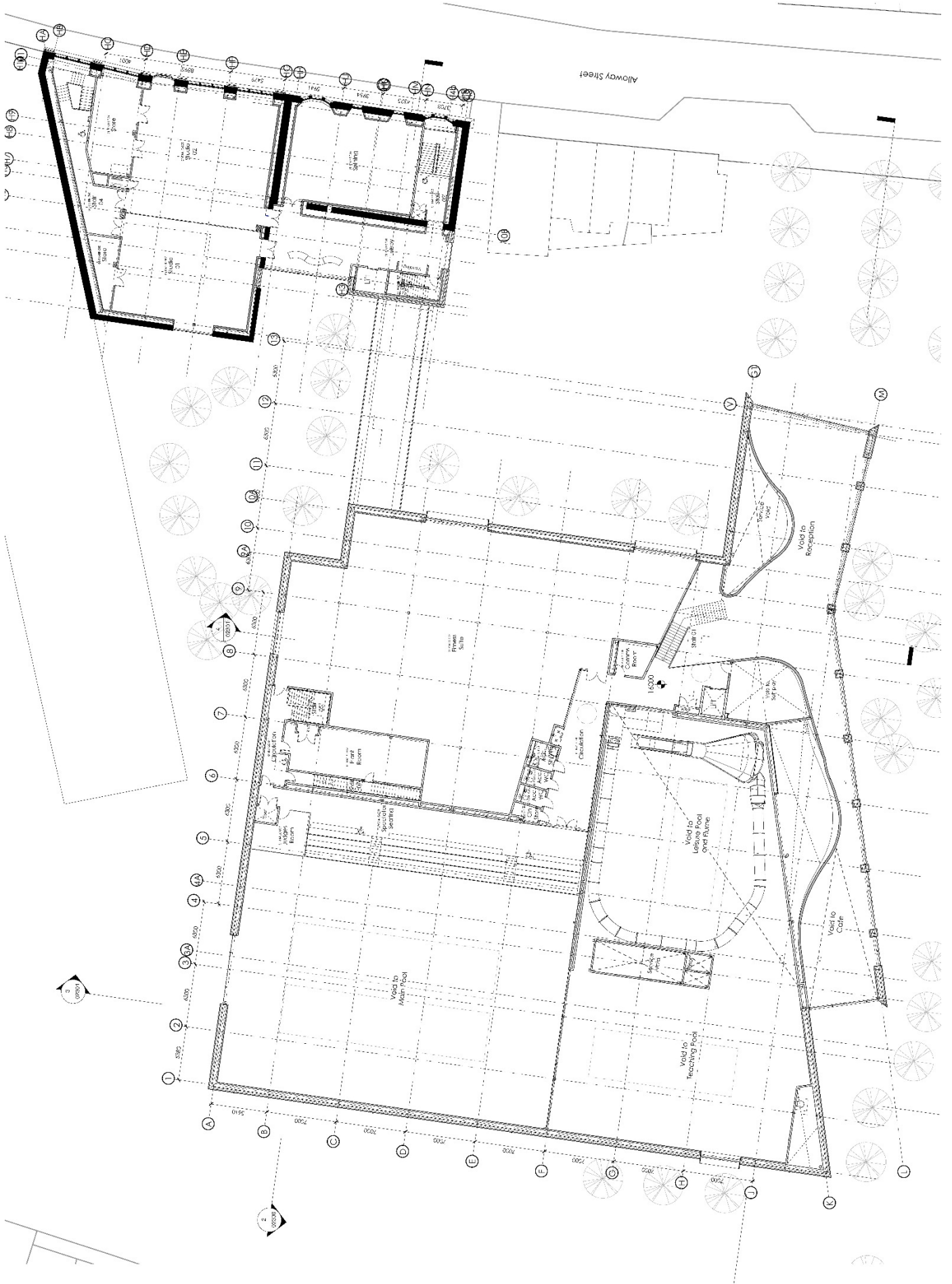
Background Papers **Report to South Ayrshire Council of 13 October 2022 – [New Leisure Centre Project](#)**

Person to Contact **Derek Yuille – Service Lead - Special Property Projects
County Buildings, Wellington Square, Ayr KA7 1DR
Phone 01292 612820
Email derek.yuille@south-ayrshire.gov.uk**

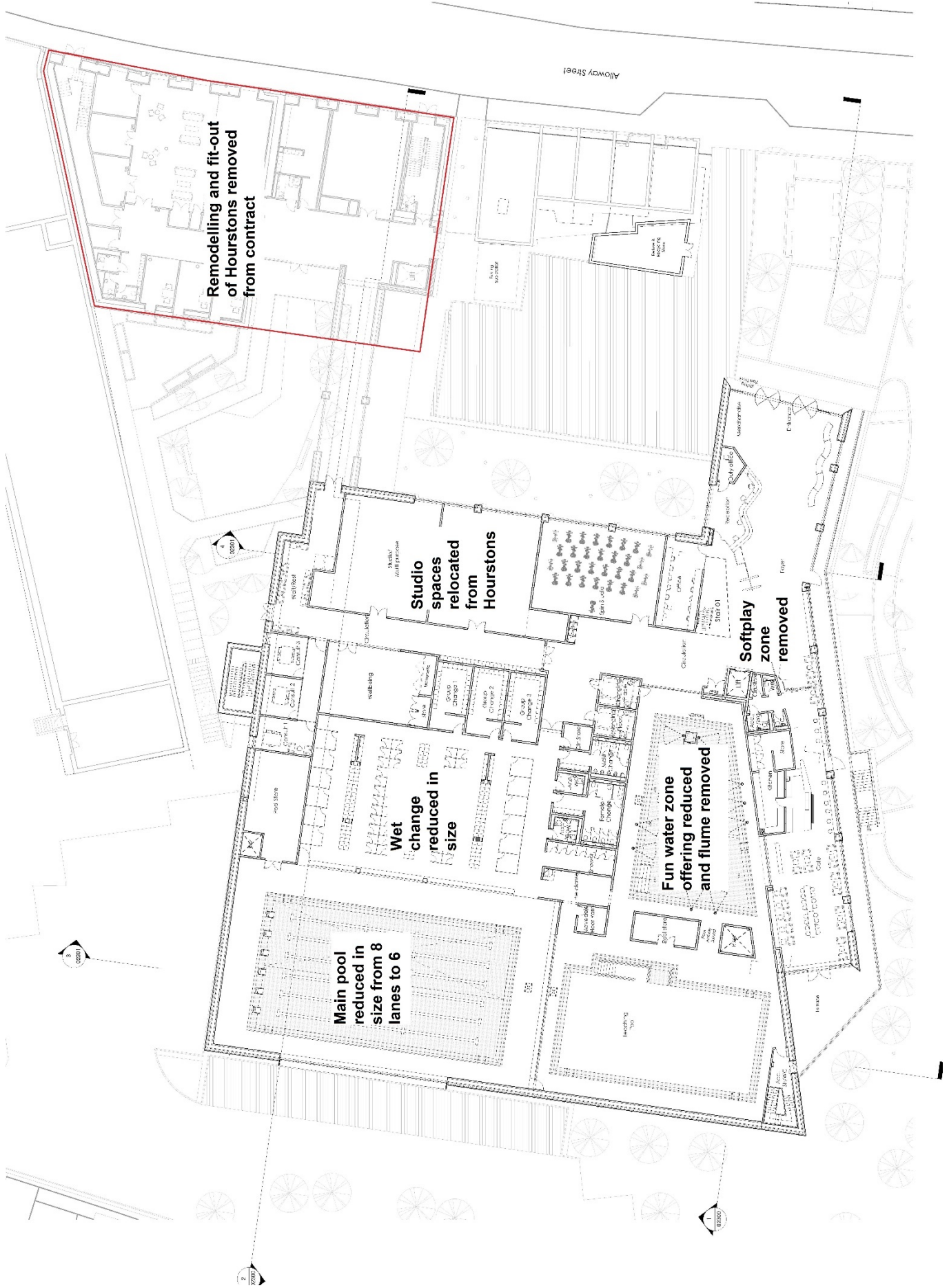
Date: **6 December 2022**



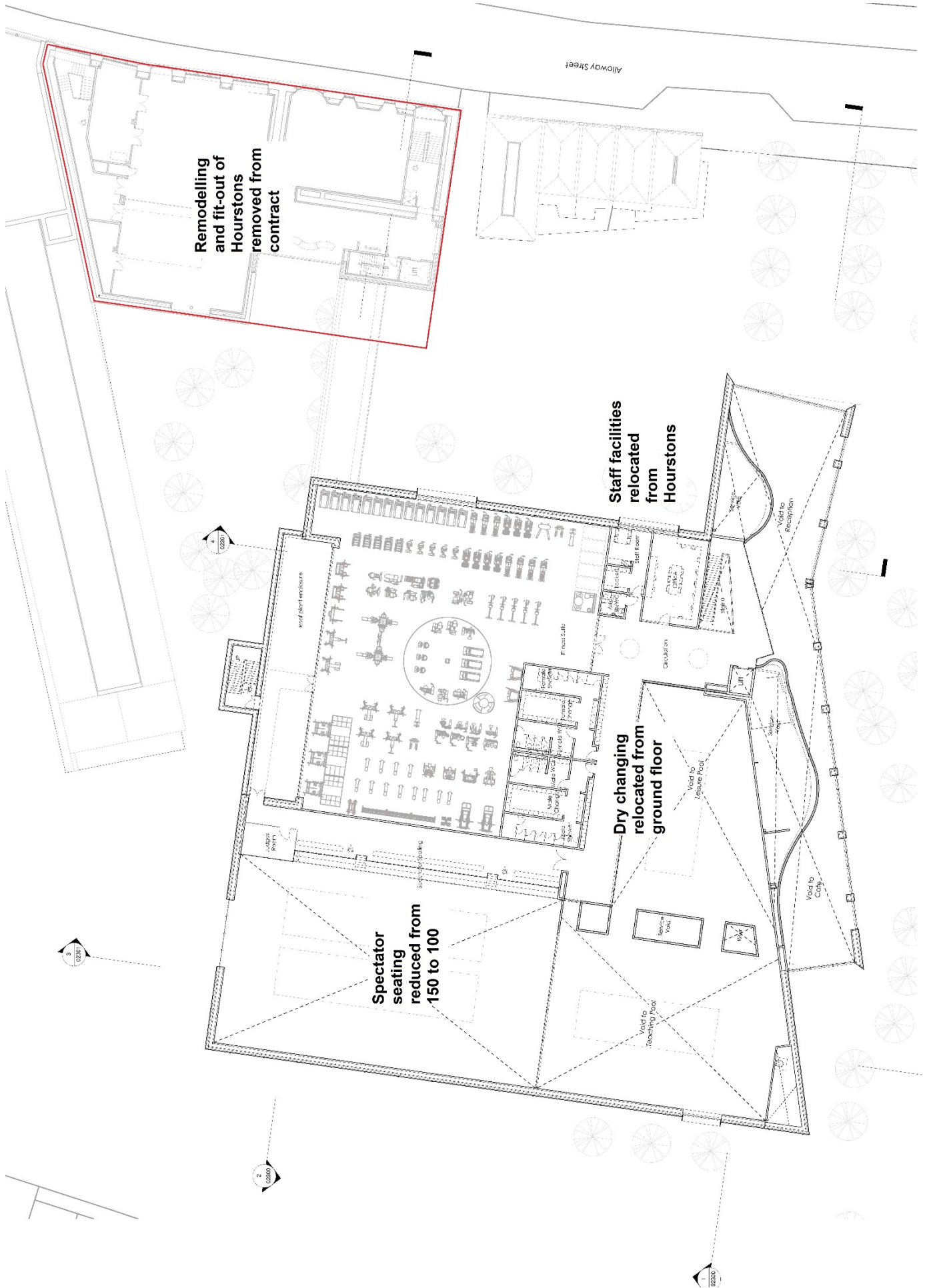
Proposals previously approved in August 2021 - Ground Floor Plan



Proposals previously approved in August 2021 - Upper Floor Plan



Resubmitted proposals November 2022 - Ground Floor Plan



Resubmitted proposals November 2022 - Upper Floor Plan



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	New Leisure Centre
Lead Officer (Name/Position/Email)	Derek Yuille, Service Lead – Special Property Projects – derek.yuille@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	No	No
Disability	No	Yes
Gender Reassignment (Trans/Transgender Identity)	No	No
Marriage or Civil Partnership	No	No
Pregnancy and Maternity	No	No
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	No	No
Religion or Belief (including lack of belief)	No	No
Sex – (issues specific to women & men or girls & boys)	No	No
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	No	No
Thematic Groups: Health, Human Rights & Children's Rights	No	No

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	No	No
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	No	No
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	No	No
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	No	No
Socio-economic Background – social class i.e. parent’s education, employment and income	No	No

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 impact
Advance equality of opportunity between people who share a protected characteristic and those who do not	Low impact
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 impact
Increase participation of particular communities or groups in public life	Low impact
Improve the health and wellbeing of particular communities or groups	Low impact
Promote the human rights of particular communities or groups	Low impact
Tackle deprivation faced by particular communities or groups	Low impact

5. Summary Assessment

<p>Is a full Equality Impact Assessment required? (A full Equality Impact Assessment must be carried out if impacts identified as Medium and/or High)</p>	<p>YES</p> <p>NO</p>
<p>Rationale for decision: The proposal does not have significant positive or negative impact with regards to equality therefore an EQI is not required</p>	
<p>Signed : Derek Yuille Date: 8 July 2022</p>	<p>Service Lead</p>