

**South Ayrshire Council**

**Report by Head of Legal and Regulatory Services  
to South Ayrshire Council  
of 1 March 2023**

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**Subject: Review of Political Decision Making Structure,  
Working Groups and Outside Bodies**

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**1. Purpose**

1.1 The purpose of this report is to seek consideration of changes to the Political Decision Making Structure, composition of Working Groups and list of Outside Bodies.

**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 addition of Age Concern and SOPA to the list of approved Outside Bodies and agrees that the Council is represented on these bodies by a member of the Conservative Group;**

**2.1.4 requests that the Independents confirm their representative for Cabinet and Group Leaders for their Groups to the Service and Partnerships Performance Panel, Outside Bodies and Working Groups as identified in paragraphs 4.1, 4.2 and 4.3 ;**

**2.1.5 approves the changes to the composition of Working Groups as outlined at 4.3;**

**2.1.6 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;**

**2.1.7 requests that the Head of Legal and Regulatory Services arranges publication of the revised Scheme of Delegation incorporating any proposed amendments; and**

**2.1.8 notes the update in respect of Freeport (Scotland) Limited.**

### 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 on 26 May 2022.
- 3.2 Appointments to approved lists of Working Groups and Outside Bodies were also made on 26 May 2022. Copies of the current lists are attached (Working Groups - [Appendix 2](#); Outside Bodies – [Appendix 3](#)).
- 3.3 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 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 - Independent Member; and
- Merge Service and Performance and Partnerships Panels – Chair (Labour Group) and increase membership to 8 Elected Members including Chair; and
- Membership of the new Service and Partnerships Performance Panel, to comprise members as follows: Labour (1), SNP (4) and Conservative (3).

#### 4.2 *Outside Bodies*

4.2.1 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).

4.2.2 It is proposed that the Council:

- adds Age Concern and SOPA to the list of Outside Bodies;
- approves a Conservative member as the Council's representative (as Older People's Champion); and
- requests that the Conservative Group confirms the Conservative representative.

#### 4.3 *Working Groups*

4.3.1 It is proposed that the Council:

- agrees that membership of the Planning Liaison Group be increased to 8 members and appoints a Conservative Councillor as the additional member;

- agrees that membership of the Equality and Diversity Forum be increased to 5 members and appoints a Labour Councillor as the additional member; and
- agrees that the Budget Working Group be removed from the list of approved working groups.

4.4 Group Leaders are requested to confirm the representatives for their Groups to the Service and Partnerships Performance Panel as set out in paragraph 4.1 and to the Working Groups referred to in paragraph 4.3.1 above.

4.5 Revisions to the 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 4](#) (changes marked in **bold** text) and responsibilities of the Portfolio Holder for Developing South Ayrshire at [Appendix 5](#).

#### 4.7 **Freeport (Scotland) Limited**

4.7.1 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):

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

4.7.2 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 Officers have taken King's Counsel (KC) legal advice which has confirmed that where the decisions on the recommendations which relate to the changes to the Political Decision Making Structure, composition of Working Groups and list of Outside Bodies result in a tied vote that the decision falls to be decided by the Provost's casting vote in accordance with the provisions of Standing Order 28.3. .

5.2 There are no procurement implications arising from this report.

### 6. **Financial Implications**

6.1 The proposals outlined in this report will require amendments to Members' remuneration and these are outlined in a separate report to this meeting.

### 7. **Human Resources Implications**

7.1 Not applicable.

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## **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 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 6](#).

## **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 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 Leadership Panel in the 'Council and Leadership Panel Decision Log' at each of its meetings until such time as the decision is fully implemented:

<b><i>Implementation</i></b>	<b><i>Due date</i></b>	<b><i>Managed by</i></b>
Publish details of membership of Panels, Working Groups and Outside Bodies	10 March 2023	Service Lead – Democratic Governance
Publish updated meeting timetable	10 March 2023	Service Lead – Democratic Governance
Updated Scheme of Delegation to be published and notified to employees	10 March 2023	Head of Legal and Regulatory Services

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

**Report to South Ayrshire Council (Special) of 26 May 2023 – [Representation on Working Groups, Etc](#)**

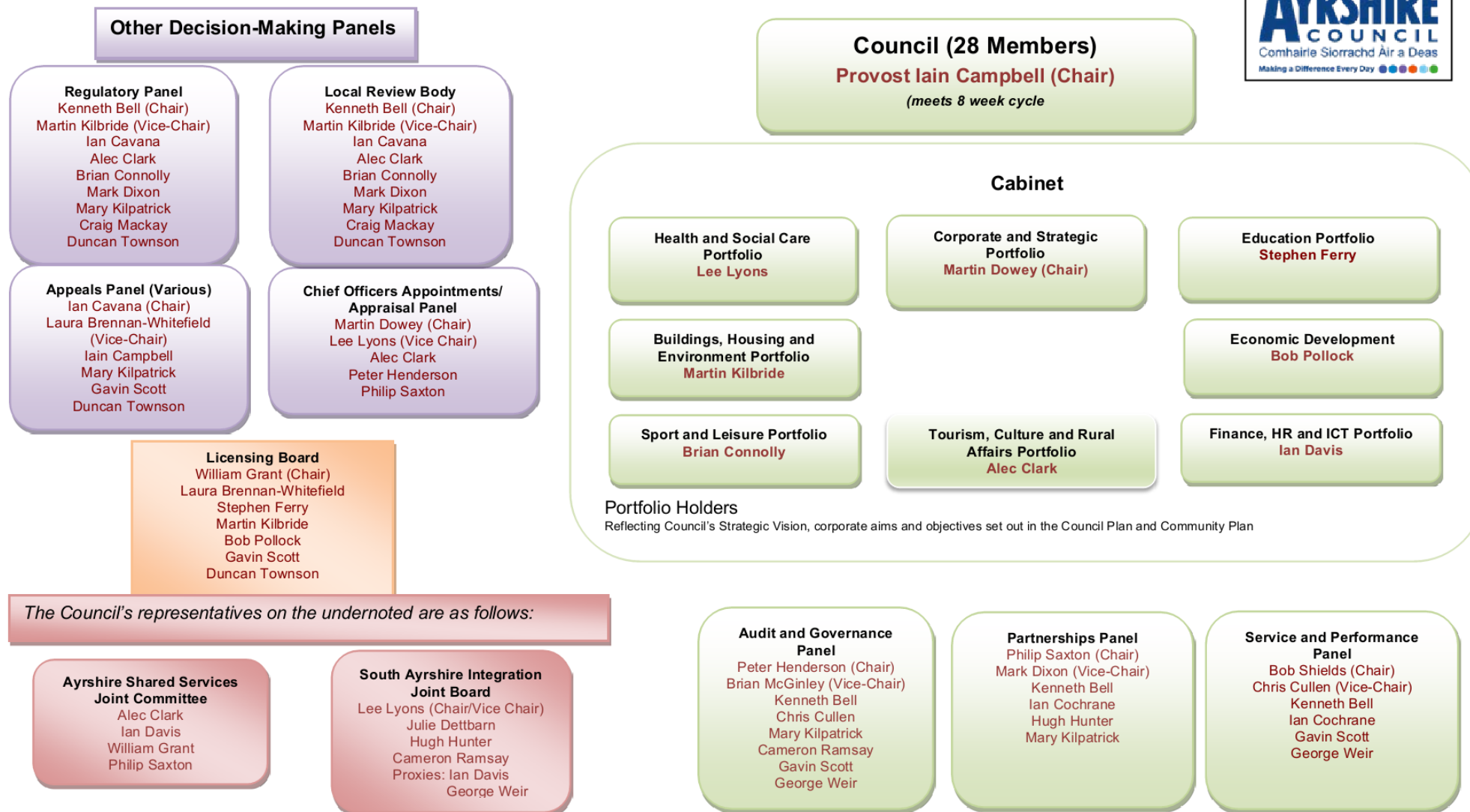
**Report to South Ayrshire Council (Special) of 26 May 2022 – [Representation on Outside Bodies](#)**

**[Scheme of Delegation](#)**

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**Date: 23 February 2023**

## Political Decision Making Structure



## Working Groups

Working Group	Nos	Representative(s)	Officer(s)
1st Tier Joint Consultative Committee	5	Iain Campbell, Martin Dowey, Peter Henderson, Lee Lyons and Cameron Ramsay	Eileen Howat, Mike Newall, Jane Bradley, Lyndsay McRoberts, Tim Eltringham, Catriona Caves, Tim Baulk, Wendy Wesson and Carol Boyd
Ayrshire Growth Deal/Levelling Up Fund/Shared Prosperity Fund Member/Officer Working Group	5	Brian Connolly, Peter Henderson, Lee Lyons, Brian McGinley and Bob Pollock	Jane Bradley
Best Value Member/ Officer Working	5	Brian Connolly, Martin Dowey, Ian Davis, Peter Henderson and Brian McGinley	Eileen Howat, Mike Newall and Kevin Anderson
Budget Working Group	5	Brian Connolly, Ian Davis, Martin Dowey, One SNP Member and One Labour Member	Eileen Howat, Mike Newall, Jane Bradley, Tim Eltringham, , Lyndsay McRoberts, Tim Baulk and Tom Simpson
Community Planning Board	3	Peter Henderson (Chair), Alec Clark and Martin Dowey	
Community Safety Partnership	3	Chris Cullen, Ian Davis and Stephen Ferry	
Community Wealth Building Member/ Officer Working Group	4	Martin Dowey, Ian Davis, Peter Henderson and Hugh Hunter	Louise Reid, Theo Leijser and David Alexander
Cost of Living Crisis Member/Officer Working Group	5	Ian Cavana, Ian Davis, Julie Dettbarn, Hugh Hunter and Lee Lyons	Mike Newall
Equality and Diversity Forum	4	Laura Brennan-Whitefield, Ian Davis, Hugh Hunter and Bob Shields	
External Risk Member/ Officer Working Group	5	Ian Davis, Mark Dixon, Peter Henderson, Mary Kilpatrick and Bob Shields	Catriona Caves, Mike Newall and Theo Leijser
Gypsy/ Traveller Member/ Officer Working Group	6	Alec Clark, Julie Dettbarn, Martin Dowey, Martin Kilbride, William Grant and Bob Shields	Mike Newall and Michael Alexander
Lifelong Learning Partnership	3	Stephen Ferry, Bob Pollock and George Weir	
Multi-Agency Partnership to Tackle Violence Against Women and Children	3	Laura Brennan-Whitefield, Ian Cavana and Ian Davis	
Planning Liaison Group	7	Ian Cavana, Alec Clark, Brian Connolly, Martin Kilbride, Mary Kilpatrick, Craig Mackay and Duncan Townson	Louise Reid and Craig Iles
Significant Capital Projects Member/ Officer Working Group	5	Ian Cochrane, Chris Cullen, Ian Davis, Bob Pollock and Duncan Townson	Louise Reid and Derek Yuille
Sounding Board for Ayr Town Centre	4	Martin Dowey, Lee Lyons, Bob Shields and George Weir	Eileen Howat

<b>Working Group</b>	<b>Nos</b>	<b>Representative(s)</b>	<b>Officer(s)</b>
South Ayrshire Cycling Forum	3	Kenny Bell, Craig Mackay and Cameron Ramsay	
South Ayrshire Local Access Forum	3	Alec Clark, Ian Davis and Craig Mackay	
Sustainable Development and Climate Change Member/Officer Working Group	5	Ian Cochrane, Martin Dowey, Peter Henderson, Hugh Hunter and Martin Kilbride	Eileen Howat, Mike Newall, Louise Reid, Tom Burns and Kenny Dalrymple
Station Hotel Member/Officer Working	5	Chris Cullen, Martin Dowey, Lee Lyons, Brian McGinley and Bob Shields	Mike Newall
Trauma Informed Member/Officer Working Group	4	Kenny Bell, Julie Dettbarn, Stephen Ferry and Brian McGinley	

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**Outside Bodies**

<b>Outside Body</b>	<b>Nos</b>	<b>Member Representative(s)</b>	<b>Officer Representative(s)</b>
Armed Forces and Veterans Champion	1	Iain Campbell	
Ayr Gaiety Partnership Board	1	Brian Connolly (as Director)	
Ayr United Football Academy Limited	1	Brian Connolly	
Ayrshire and Arran Health Board (subject to Ministerial approval)	1	Lee Lyons (as Director)	
Ayrshire Area Support Team/ Children's Hearings Scotland	1	William Grant	
Ayrshire Community Wealth Building Commission	2	Martin Dowey (as Leader) and Bob Pollock	Director of Strategic Change and Communities
Ayrshire Engineering Alliance	1	Peter Henderson (as an Observer)	
Ayrshire Flood Steering Group	1	Bob Pollock	
Ayrshire Economic Joint Committee	3	Martin Dowey, Peter Henderson and Bob Pollock	
Ayrshire Economic Joint Committee Sub-Committee	1	Bob Pollock	
Ayrshire Economic Partnership	3	Martin Dowey, Peter Henderson and Bob Pollock	
Ayrshire Valuation Joint Board (South Ayrshire – Chair)	5	Hugh Hunter (Chair) Iain Campbell, Mark Dixon, Bob Shields and Cameron Ramsay	Clerk: Service Lead – Democratic Governance Treasurer: Head of Finance, ICT and Procurement

<b>Outside Body</b>	<b>Nos</b>	<b>Member Representative(s)</b>	<b>Officer Representative(s)</b>
Bill Barr South Ayrshire Enterprise Award Trust	1	Stephen Ferry (as a Trustee)	
British Red Cross Disaster Fund Appeal (The Council's Disaster Fund)	4 (including Provost)	Iain Campbell (as Provost) Laura Brennan-Whitefield, Martin Dowey, Lee Lyons, Duncan Townson	
Business Loans Scotland	1 (plus Proxy)	Peter Henderson Proxy: Bob Pollock	
CK Marr Educational Trust	4	Craig Mackay, Bob Pollock and Philip Saxton	Director of Education
Clyde Marine Planning Partnership	1	Iain Campbell	Strategic Planner
Community Justice Ayrshire Board	1 (plus Substitute)	Julie Dettbarn Substitute: Stephen Ferry	
David Elder Edward's Trust	2 (Portfolio Holder and Provost)	Iain Campbell (as Provost) Alec Clark (as Portfolio Holder)	Director of Strategic Change and Communities
Energy Agency – South Ayrshire	3	Martin Kilbride (Chair) Craig Mackay, Philip Saxton (as Directors)	
Fairtrade	1	Martin Kilbride	
Freeport (Scotland) Ltd	N/A	N/A	Depute Chief Executive and Director of Housing, Operations and Development; and Assistant Director – Planning and Development (as Directors)
Galloway and Southern Ayrshire Biosphere Scottish Charitable Incorporated Organisation (Partnership Board)	1 (plus Substitute)	Alec Clark Substitute: Martin Kilbride (as Charitable Trustee)	

<b>Outside Body</b>	<b>Nos</b>	<b>Member Representative(s)</b>	<b>Officer Representative(s)</b>
Glasgow Prestwick International Airport Consultative Committee	2	Ian Cochrane, Bob Pollock	Depute Chief Executive and Director of Housing, Operations and Development
Industrial Communities Alliance	2	Martin Dowey, Peter Henderson	
Lowland Reserve Forces' and Cadets' Association	1 (Provost)	Iain Campbell (as Provost)	
Maclaurin Bequest	4 (including Provost)	Iain Campbell (as Provost) Martin Dowey, Mary Kilpatrick, Duncan Townson (as Curators)	
McKechnie Institute Trust, Girvan	3	Alec Clark, Peter Henderson, Gavin Scott (as Members of Ward 8)	
Scotland Excel	1 (plus Substitute)	Peter Henderson Substitute: Lee Lyons	
Scottish Council Committee on Radioactive Substances	1	Craig Mackay	Team Leader (Trading Standards and Environmental Health) (Gordon Lauder)
Skypath Aerospace Training Community Interest Company (CIC)	n/a	n/a	Co-ordinator, Economy and Regeneration (as Board Member)
South Ayrshire Sports Council Executive	2	Brian Connolly, Chris Cullen	
South Ayrshire Waste and Environment Trust	1	Martin Kilbride	
South West Scotland Community Rail Partnership Limited	1	Peter Henderson	
Strathclyde Concessionary Travel Scheme Joint Committee	1	Ian Cochrane	
Strathclyde Partnership for Transport	1 (plus Depute)	Duncan Townson Depute: Gavin Scott	

<b>Outside Body</b>	<b>Nos</b>	<b>Member Representative(s)</b>	<b>Officer Representative(s)</b>
Strathclyde Pension Fund – Pension Board Employer Representative		Ian Davis	
Supplier Development Programme Board	1	Peter Henderson	
SWHub Territory Partnering Board	1	N/A	Depute Chief Executive and Director of Housing, Operations and Development
Hub SW Ayr DBFM Co Limited; Hub SW Ayr Holdco Limited; Hub SW QMA DBFM Co Limited; Hub SW QMA Holdco Limited	1	N/A	Depute Chief Executive and Director of Housing, Operations and Development
Thomas Davidson Trust	3	Alec Clark, Peter Henderson, Gavin Scott (as Members of Ward 8)	Head of Legal and Regulatory Services
Town Twinning Forum	1 (plus Depute)	Iain Campbell Depute: Mary Kilpatrick	
West of Scotland Archaeological Service Joint Committee	1	Gavin Scott	
West of Scotland European Forum	1 (plus Substitute)	Martin Dowey Substitute: Lee Lyons	
West of Scotland Road Safety Forum	1	Bob Pollock	Manager, Neighbourhood Services
Youth Champion	1	Cameron Ramsay	

October 2022

## 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, Working Groups and Outside Bodies
Lead Officer (Name/Position/Email)	Catrina Caves, Head of Legal and Regulatory Services – catrina.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)	-	-

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)
<b>Eliminate unlawful discrimination, harassment and victimisation</b>	Low
<b>Advance equality of opportunity</b> between people who share a protected characteristic and those who do not	Low
<b>Foster good relations</b> 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

<b>Is a full Equality Impact Assessment required?</b> (A full Equality Impact Assessment must be carried out if impacts identified as <b>Medium and/or High</b> )	<del>YES</del> <b>NO</b>
<b>Rationale for decision:</b>  <b>This report seeks Council approval of changes to the political decision making structure, working groups and outside bodies. Their decision on this has no specific equality implications</b>	
<b>Signed :</b> Catriona Caves	<b>Head of Service</b>
<b>Date:</b> 21 February 2023	