

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

22 June 2023

Dear Councillor

SOUTH AYRSHIRE COUNCIL

You are requested to participate in a meeting of South Ayrshire Council to be held **on Thursday 29 June 2023 at 10.00 a.m.** for the purpose of considering the undernoted business.

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

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 meetings.

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

- (i) 1 March 2023
- (ii) 14 June 2023 (Special)

(copies herewith).

(b) Minutes of Panels.

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

- (i) Appeals Panel of [9 December 2022](#) and [23 February 2023](#).
- (ii) Audit and Governance Panel of [22 February](#) and [22 March 2023](#).

- (iii) Cabinet of [15 February](#), [14 March](#), [29 March \(Special\)](#), [25 April](#) and [23 May 2023](#).

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

- o Minutes of 25 April 2023 – “Code of Conduct for Employees - Conflict of Interest Policy”

(copy of minute excerpt herewith).

- (iv) Chief Officers' Appointments/Appraisal Panel of [22 November](#), [5 December](#), [6 December](#) and [8 December 2022](#) and [26 May 2023](#).
- (v) Local Review Body of [31 January](#), [14 March 2023](#) and [18 April 2023](#).
- (vi) Partnerships Panel of [8 February 2023](#).
- (vii) Regulatory Panel – Licensing of [16 February](#), [16 March](#) and [27 April 2023](#).
- (viii) Regulatory Panel – Planning of [2 February](#) and [30 March 2023](#).
- (ix) Service and Partnerships Performance Panel – [18 April](#) and [16 May 2023](#)
- (x) Service and Performance Panel of [10 January](#) and [7 February 2023](#).
- (xi) Ayrshire Shared Services Joint Committee of [10 March 2023](#).

4. Employer Supported Policing Initiative - Police Scotland – Submit report by Chief Executive (copy herewith).
5. Appointments to Panel – Submit report by Head of Legal and Regulatory Services (copy herewith).
6. Representation on and Remit of Working Groups – Submit report by Head of Legal and Regulatory Services (copy herewith).
7. Representation on Outside Bodies – Submit report by Head of Legal and Regulatory Services (copy herewith).
8. Appointments to Convention of Scottish Local Authorities – Submit report by Head of Legal and Regulatory Services (copy herewith).
9. Schedule of Meetings – Submit report by Head of Legal and Regulatory Services (copy herewith).
10. South Ayrshire Charitable Trust – Submit report by Head of Legal and Regulatory Services (copy herewith).
11. Standing Orders Relating to Meetings – Submit report by Head of Legal and Regulatory Services (copy herewith).
12. Standing Orders Relating to Contracts – Submit report by Head of Legal and Regulatory Services (copy herewith).
13. Future Operating Proposals - Customer Services – Submit report by Director of Strategic Change and Communities (copy herewith).

14. Service Plans – Submit joint report by Director of Strategic Change and Communities (copy herewith).
15. Proposed Ward Capital Projects 2023 to 2027 – Submit report by Depute Chief Executive and Director of Housing, Operations and Development (copy herewith).
16. Transfer of the Former St Ninians School Site from the General Fund to the Housing Revenue Account – Submit report by Depute Chief Executive and Director of Housing, Operations and Development (copy herewith).
17. Review of South Ayrshire Integration Scheme – Submit report by Director of Health and Social Care (copy herewith).
18. Notices of Motion:

- (a) Moved by Councillor Bob Pollock, seconded by Councillor Martin Kilbride:-

“Council acknowledges the detrimental effect disposable vapes have on the environment and their increasing use particularly by young people and the consequent concern that this is encouraging an increasing nicotine dependence in this group as well as the potential negative health impacts for young people using these products.

Council asks the Chief Executive to write a letter following Council to the Scottish and UK Governments requesting that single use vapes are banned and to report back any response she receives to members.”

- (b) Moved by Councillor Peter Henderson, seconded by Councillor Hugh Hunter:-

“The Council Chief Executive is requested to write to Baroness Virginia McVea, Chief Executive Officer of the Maritime and Coastguard Agency, UK Department of Transport, to confirm the opposition by South Ayrshire Council to the proposed Closure of Ballantrae Coast Guard Station and Portpatrick Coast Guard Station in South West Scotland.

The Coast Guard Station in Ballantrae covers the Area from Girvan to Stranraer and is equipped with Rescue equipment and full time trained and Auxiliary staff, they have a vehicle and equipment to rescue anyone in difficulty on the coast and also assist the RNLI in rescue operations. It is proposed to remove the vehicle and equipment and trained personnel from this station. The area is remote coastline and the only maritime rescue capability will be via Lifeboat from Stranraer or Girvan. The expected effect will be a loss of employment and skills from our Coast, the potential greater endangering of lives and with the growing Tourist trade in Active travel, walking and sea activities in this area a slower response and therefore greater risk to members of the public if any accidents occur. It is worth noting that a lifeboat is not equipped and carries no cliff rescue equipment and it is our view that the time taken for personnel to travel to this area from Girvan or Stranraer could be the difference between a successful rescue or death. The Ballantrae Coast Guard have a long history and record of life saving and rescues which will be lost to the community and visitors. It is most concerning that in addition it is understood the nearest Manned Coast Guard station will be Belfast.

The Proposal by HM Coast Guard is in our view ill thought out and a needless cost saving that is opposed by the local community and visiting public, will cut job opportunities and places the area at increased risk from accidents etc.”

- (c) Moved by Councillor Alec Clark, seconded by Councillor Peter Henderson:-

“Given the proposed closure of The Bank of Scotland in Girvan , the Chief Executive Mrs Eileen Howat is requested to write to The Head of the Lloyds Banking Group to express the disappointment of South Ayrshire Council at the loss of physical branch banking services to not only the residents of Girvan and South Carrick but also to other towns within South Ayrshire which will lead to the nearest Bank Branch to remain open being in the County Town of Ayr. The Bank of Scotland in Girvan provides essential face to face services for a generation of people who are not online, for those of the most vulnerable in our society such as residents of North Park Court who have learning difficulties, for those in our outlying rural villages who will now have to travel up to thirty three miles for full physical banking Services. It is also a major blow for retail footfall and Town Centre Regeneration. The possibility of a shared banking Hub in no way compensates for a full face to face service which dedicated staff have provided over the years some of whom now face a very uncertain future. This is of course a sign of the times which has affected many towns all over the UK. However no cognizance is or has been taken of the decimating effect this policy of closing branches has on our high streets and the fact it has a detrimental and socially isolating effect on many within the local communities. The closing of the branch is not in line with the promises made by marketing strap lines used by the Bank of Scotland such as “The Bank that cares about Communities” and Is “By Your Side”. I would ask for your support on this issue.”

- (d) Moved by Councillor Julie Dettbarn, seconded by Councillor Hugh Hunter:-

“South Ayrshire Council is fully committed to achieving the best possible outcomes for each and every one of our Children & Young People. We have a special responsibility for those who require direct support from us, including Care Experienced Young People and Young Carers.

Council recognises that the Scottish Government’s enhanced bursary for Care Experienced Young People enables many young people to continue their education into college or university and achieve the best possible start to their adult lives.

Council recognises that Young Carers often experience difficulties accessing further education as their caring responsibilities may significantly impact on their ability to access student employment to support their studies.

Council requests the Chief Executive to write to the First Minister to ask the Scottish Government to consider extending the enhanced bursary to Young Carers to ensure they benefit from equal access to further education and are recognised for, and not disadvantaged by, their significant contribution in providing care and support to their loved ones.”

- (e) Moved by Councillor Craig Mackay, seconded by Councillor William Grant:-

“Council notes the clear benefits to health and social interaction from having accessible and well-equipped outdoor play areas. While acknowledging that significant improvements have been made across South Ayrshire in recent years, many small play areas within residential areas remain in need of upgrading, or additional equipment installed to enable use by less able-bodied children.

As a Scottish Government priority funding is being made available to councils, but with an expectation this will be supplemented from other sources.

Council recognises that small pockets of funding, when they from time to time become available from underspends, developer contributions and other sources, can quickly make a big difference to a play area. However no transparent process is in place to identify which community play areas should be prioritised within each ward.

Council notes that it is a requirement of the new Local Development Plan Regulations that a Play Sufficiency Assessment is completed which reviews play areas based on the condition and range of equipment available, RPII inspection reports, SIMD data and includes consideration of the priorities identified through community consultation processes, and that officers shall present a report to Council on 12 October 2023 identifying the funding and staffing required and the associated timelines to complete this work .Officers are requested to produce as part of this exercise an ongoing priority list of "shovel-ready" improvements that could be implemented in each ward as and when funding becomes available.

Council further requests that officers consider as part of this exercise and the preparation of the Supplementary Guidance for Developer Contributions how to maximise developer contributions where on site provision for outdoor play is unable to be included within a site and include their proposals in a future report to Cabinet.”

19. Formal Questions.

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

/Webcasting

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SOUTH AYRSHIRE COUNCIL.

Minutes of a hybrid webcast meeting
on 1 March 2023 at 10.00 a.m.

Present in County Buildings: Councillors Iain Campbell (Provost), Kenneth Bell, Laura Brennan-Whitefield, Ian Cavana, Alec Clark, Brian Connolly, Chris Cullen, Ian Davis, Julie Dettbarn, Mark Dixon, Martin Dowey, 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: Councillor Ian Cochrane.

Attending in County Buildings: E. Howat, Chief Executive; M. Newall, Depute Chief Executive and Director of Housing, Operations and Development; L. McRoberts, Director of Education; J. Bradley, Director of Strategic Change and Communities; C. Caves, Head of Legal and Regulatory Services; T. Baulk, Head of Finance, ICT and Procurement; L. Reid, Assistant Director – Strategic Change; C. Cox, Assistant Director – Housing, Operations and Development; W. Wesson, Chief HR Adviser; C. Iles, Service Lead – Planning and Building Standards; L. Kerr, Service Lead – Destination South Ayrshire; K. Anderson, Service Lead – Policy, Performance and Community Planning; J. Tait, Service Lead – CLD & Employability and Skills; M. Alexander, Service Lead – Housing Services; B. Harris, Co-ordinator (Health and Wellbeing); K. Gallagher, Team Leader (Golf, Sport and Leisure); A. Valenti, Quality Improvement Manager; J. McClure, Committee Services Lead Officer; A. Gibson, Committee Services Officer; C. Buchanan, Committee Services Officer; C. Griffiths, Committee Services Assistant; C. McCallum, Committee Services Assistant; and E. Moore, Committee Services Assistant.

Attending Remotely: T. Eltringham, Director of Health and Social Care; and K. Dalrymple Assistant Director - Housing and Operations.

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 part of this meeting would be broadcast live;
- (4) advised that opinion had been sought from King's Counsel (KC) in respect of the use of the Provost's casting vote and he would be presiding over this meeting on the basis of this advice which had been circulated to all Members;
- (5) reminded all Members that all Councillors must respect the Provost, fellow Councillors and Council employees during this meeting; and
- (6) referred to Standing Order No. 15.4 which stated that "the decision of the Provost on all matters within his/her powers shall be final and shall not be open to questions or discussion".

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 meeting of Council.

(1) Minutes of 15 December 2022.

Provost Campbell, seconded by Councillor Kilpatrick, moved the [Minutes](#) of South Ayrshire Council of 15 December 2022 as a correct record.

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.

Decided: by a majority, to approve the Minutes of 15 December 2022 and authorise these minutes to be signed as a correct record.

A Member commented that Members should be asked of any inaccuracies within the previous Minutes as a Member had not agreed the unopposed Motion, however, had not moved an Amendment to the Minutes; and the Head of Legal and Regulatory Services advised that, by not agreeing the unopposed Motion, this then gave Members the opportunity to abstain when voting For or Against the Motion which they were entitled to do.

(2) Minutes of previous meetings of Panels.

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

- (i) Audit and Governance Panel of [7 December 2022](#) and [25 January 2023](#).
- (ii) Cabinet of [29 November 2022](#); and [17 January 2023](#).

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 17 January 2023 entitled "Treasury Management Mid-Year Report 2023-24"; (copy of [minute excerpt](#) herewith).

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.

Decided: by a majority, to approve the recommendations as contained in 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 17 January 2023 entitled "Procurement Strategy Update 2023/24" (copy of [minute excerpt](#) herewith).

Decided: to approve the recommendations as contained in the 'C' paragraph.

- (iii) Local Review Body of [29 August 2022](#), [4 October 2022](#) and [6 December 2022](#)
- (iv) Partnerships Panel of [21 September 2022](#).
- (v) Regulatory Panel – Licensing of [1 December 2022](#), [14 December 2022 \(Special\)](#) and [19 January 2023](#)
- (vi) Regulatory Panel – Planning of [17 November 2022](#), [13 December 2022 \(Site Visit\)](#) and [14 December 2022](#)
- (vii) Service and Performance Panel of [22 November 2022](#).

Section 112 of the Local Government Finance Act 1992

The Chief Executive

- (1) referred to the note on the agenda calling the meeting, to the effect that Members were subject to the provisions of Section 112 of the Local Government Finance Act 1992 which provided that a Member of the Council could not vote on a range of Council Tax issues, including setting or adjusting the rate of Council Tax, if he or she was three months or more in arrears with payment of Community Charge (Poll Tax) or two months in arrears with Council Tax;
- (2) indicated that if Section 112 applied to any Member, he or she was required to disclose that fact; and
- (3) gave the opportunity to any Member to disclose the fact that Section 112 applied to him or her and indicated that failure to disclose was also an offence.

No Members so declared.

4. Revenue Estimates 2023/24, Capital Estimates 2023/24 to 2034/35 and Carbon Budget 2023/24

There was submitted a [report](#) (issued) of 22 February 2023 by the Head of Finance, ICT and Procurement advising of the issues to be considered in setting revenue budgets for 2023/24, setting capital budgets for 2023/24 to 2034/35 and setting a Carbon Budget for 2023/24; and recommending that the Council

- (1) notes the funding proposal as outlined by the Deputy First Minister and Cabinet Secretary for Covid Recovery's letter of 15 December 2022 (attached as Appendix 2 to the report);
- (2) notes the requirements in relation to protecting Teacher numbers, pupil support staff and learning hours as outlined in the Parliamentary statement by the Cabinet Secretary for Education and Skills on 7 February 2023 and confirmed in the letter from the Deputy Director: Workforce, Infrastructure and Digital of 9 February 2023 (attached as Appendix 3 to the report);
- (3) notes that the funding levels included within Finance Circular 11/2022 remained provisional until the Finance Order was approved in March/ April 2023;
- (4) presents and approves budget proposals for revenue and capital for 2023/24 taking account of the conditions of the settlement that need to be met and incorporating:
 - (a) planned net revenue expenditure on services for 2023/24;

- (b) the level of reserves and fund balances held and contributions to/from these;
 - (c) the appropriate Band D Council tax levy for 2023/24 and associated level of bad debt provision for non-collection of Council Tax;
 - (d) the proposed capital programme for 2023/24 and beyond and associated debt charge implications; and
 - (e) consideration of the financial projections for 2024/25;
- (5) note the required remuneration for Basic Councillors and the Leader of the Council, as determined by The Local Governance (Scotland) Act 2004 (Remuneration), Amendment Regulations 2023, and include appropriate budget provision for all Elected Member remuneration for 2023/24;
- (6) presents and approves proposals for Common Good budgets for 2023/24; and
- (7) presents a Carbon Budget for the period 2023/24 in support of the Council's policies on Climate Change.

Councillor Davis, seconded by Councillor Pollock, moved that the Council approve the proposals of the [Conservative and Independent Members](#) (issued), accept the recommendations at (1) to (7) above and that a report be submitted to a future meeting of Cabinet outlining the process to be followed in allocating the investments in each Council ward on place planning and community led projects; on the investment in Ayr Town Centre; and on the investment into the regeneration of Girvan.

By way of Amendment, Councillor Henderson, seconded by Councillor Grant, moved that the Council approve the proposals of the [SNP Group](#) and accept the recommendations at (1) to (7) above.

Point of Order

A Point of Order was raised by Councillor Lyons that Councillor Henderson had referred to the UK Government when moving his budget when this was not relevant to a local authority budget; and Provost advised that this should not be a political statement when moving a budget.

By way of Counter Amendment, Councillor McGinley, seconded by Councillor Saxton, moved that the Council approve the proposals of the [Labour Group](#) and accept the recommendations at (1) to (7) above.

Discussion took place in relation to the three budgets submitted including the challenges faced in producing these budgets; resource pressures; the excellent work of Council employees ensuring services continued to be provided within limited resources; the various proposed savings within each of the budgets and the impact of these savings; the investments within each of the budgets; and the disappointment that the Council could not agree a single cross-party budget.

Questions were raised by various Members and responded to: by Councillor Davis in relation to the refurbishment of the Citadel; and how the impact of the budget savings would be monitored; by the Head of Finance, ICT and Procurement in relation to settlement funding changes; by Councillor Dowey and the Director of Strategic Change and Communities in relation to utilising Stables Café; and by Councillor Davis and the Director of Strategic Change and Communities in relation to Community Halls.

Following questions from various Members, the Chief Executive confirmed that the Council had a No Compulsory Redundancy Policy.

Point of Order

A Point of Order was raised by Councillor Pollock that Councillor Henderson had referred to the investment in Golf Courses and this matter was being discussed at item 13 on the agenda. Councillor Henderson responded that the investment in golf courses was contained within the Conservative and Independent Members' budget, therefore, could be discussed at this point.

Adjournment

Due to technical issues, the time being 11.35 a.m., the Council agreed to adjourn for fifteen minutes.

Resumption of Meeting

The time being 11.50 a.m., the meeting resumed.

A Member requested a roll-call vote.

Point of Order

Councillor Henderson outlined that himself and Councillor McGinley had not had the opportunity to sum up; and the Head of Legal and Regulatory Services advised that, in terms of Standing Order No. 20.10, the mover of a motion shall have a right of reply at the close of the debate on the motion, immediately before it is put to the vote, however, the mover of an amendment or counter amendment has no right of reply to the debate on that amendment or counter amendment.

In accordance with the terms of the Council's Standing Orders, the Council then firstly proceeded to vote on the terms of the Counter-Amendment by Councillor McGinley and seconded by Councillor Saxton and the Amendment moved by Councillor Henderson and seconded by Councillor Grant.

The Head of Legal and Regulatory Services took the vote by calling the roll as follows:-

Iain Campbell	Abstain
Mary Kilpatrick	Abstain
Kenneth Bell	Abstain
Laura Brennan-Whitefield	Amendment
Ian Cavana	Counter Amendment
Alec Clark	Abstain
Ian Cochrane	Amendment
Brian Connolly	Abstain
Chris Cullen	Amendment
Ian Davis	Abstain
Julie Dettbarn	Amendment
Mark Dixon	Amendment
Martin Dowey	Abstain
Stephen Ferry	Abstain
William Grant	Amendment

Peter Henderson	Amendment
Hugh Hunter	Abstain
Martin Kilbride	Abstain
Lee Lyons	Abstain
Craig Mackay	Amendment
Brian McGinley	Counter Amendment
Bob Pollock	Abstain
Cameron Ramsay	Counter Amendment
Philip Saxton	Counter Amendment
Gavin Scott	Abstain
Bob Shields	Abstain
Duncan Townson	Counter Amendment
George Weir	Amendment

Five Members voted for the Counter-Amendment and nine Members voted for the Amendment with fourteen Members abstaining. The Amendment was accordingly declared to be carried and became the substantive Amendment.

The Council then proceeded to vote on the terms of the Motion moved by Councillor Davis and seconded by Councillor Pollock and the substantive Amendment moved by Councillor Henderson and seconded by Councillor Grant.

The Head of Legal and Regulatory Services then took the vote by calling the roll as follows:-

Iain Campbell	Motion
Mary Kilpatrick	Motion
Kenneth Bell	Motion
Laura Brennan-Whitefield	Amendment
Ian Cavana	Amendment
Alec Clark	Motion
Ian Cochrane	Amendment
Brian Connolly	Motion
Chris Cullen	Amendment
Ian Davis	Motion
Julie Dettbarn	Amendment
Mark Dixon	Amendment
Martin Dowey	Motion
Stephen Ferry	Motion
William Grant	Amendment
Peter Henderson	Amendment
Hugh Hunter	Motion
Martin Kilbride	Motion
Lee Lyons	Motion
Craig Mackay	Amendment
Brian McGinley	Amendment
Bob Pollock	Motion
Cameron Ramsay	Amendment
Philip Saxton	Amendment
Gavin Scott	Motion
Bob Shields	Motion
Duncan Townson	Amendment
George Weir	Amendment

Fourteen Members voted for the Amendment and fourteen for the Motion. Provost then exercised his casting vote in favour of the Motion and the Council, having thanked the Head of Finance, ICT and Procurement and his staff for their assistance during the budget setting,

Decided:

- (i) to accept the recommendations in the report by the Head of Finance, ICT and Procurement and to approve the proposals of the Conservative and Independent Members;
- (ii) to record its appreciation of the work undertaken on the Revenue Estimates 2023/24, Capital Estimates 2023/24 to 2034/35 and Carbon Budget 2023/24 by the Head of Finance, ICT and Procurement and his Finance team and all Officers involved in the process; and
- (iii) that a report be submitted to a future meeting of Cabinet outlining the process to be followed in allocating the investments in each Council ward on place planning and community led projects; on the investment in Ayr Town Centre; and on the investment into the regeneration of Girvan.

5. Treasury Management and Investment Strategy 2023/24

There was submitted a [report](#) (issued) of 22 February 2023 by the Head of Finance, ICT and Procurement seeking approval of the proposed Treasury Management and Investment Strategy for financial year 2023/24.

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

Comments were made by Members in relation to the Council benefiting from higher interest rates; the need to borrow when interest rates were lower; the volatility of the financial market; and the PWLB rates; and the Head of Finance, ICT and Procurement advised that he regularly took advice from the Council's financial advisers; that he would know more over the next few months as interest rates settled, however, it depended on the Bank of England interest rates.

The Council, having thanked the Head of Finance, ICT and Procurement and his staff for the work undertaken,

Decided: to approve the draft Treasury Management and Investment Strategy for 2023/24 (attached as Appendix 1 to the report).

6. Rent Setting and Housing Revenue Account (HRA) – Revenue Budget 2023/24 and Capital Budget 2023/24 to 2027/28

There was submitted a joint [report](#) (issued) of 20 February 2023 by the Depute Chief Executive and Director of Housing, Operations and Development and the Head of Finance, ICT and Procurement confirming rent setting for 2023/24; and seeking approval of the proposed Housing Revenue Account (HRA) Revenue Budget for 2023/24 and the proposed 5-year Capital Budget for 2023/24 – 2027/28.

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

Questions were raised by Members in relation to:-

- (1) HRA Debt, the estimated future debt and the implications of this; and the Service Lead – Housing Services advised that, within Appendix 1 of the report was an entry for “Financing Costs” of £4.257m which represented 12.7% of the overall budget and that, as part of the last review of the business plan a debt affordability level of 35% had been set within the business plan which gave manoeuvrability over the course of the HRA business plan;
- (2) an entry in the budget regarding investment in footpaths for 2023/24, however, there had been no investment since then; and the Service Lead – Housing Services advised that the 2023/24 entry was historical where there had been specific funding granted for upgrade work with a view to adoption of those footpaths by ARA; and that, in the overall HRA Capital budget there was a line for environmental improvements and any footpath issues would be picked up through that;
- (3) there being no figure highlighted for window replacement; and the Service Lead – Housing Services advised that there was no entry in 2023/24, however, the Cabinet, at its meeting of 15 February 2023, had agreed a commitment towards a contribution for window replacement of £950,000; and
- (4) how the Council would be publicising the “buy back programme”; and the Service Lead – Housing Services advised that there was £800,000 within the Capital budget which was supported by the funding from the Scottish Government for this programme; and that a high number of enquiries had been received regarding the programme, however, he would investigate making more information available on the Council website in relation to this.

Comments were made by Members in relation to:-

- (a) no rent increase was ever welcomed, however, the 1.5% rent increase was gratifying with the current rate of inflation; and that the engagement with tenants had been worthwhile and it was hoped this engagement continued; and
- (b) the necessity for the Council to make representation to ARA regarding allocating funding for repair of footpaths as the footpaths in South Ayrshire were deteriorating and unless addressed there would be more accidents due to uneven, broken footpaths.

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.

A Member requested a Roll Call Vote, however, the Head of Legal and Regulatory Services advised that a Roll Call Vote required to be requested prior to the vote commencing.

The Council, having thanked the Service Lead – Housing Services for his work on this matter,

Decided:

- (i) to note the decision taken by South Ayrshire Council on 20 January 2021 which approved increases of 1.5% per annum for rent and other charges, and specific rent setting provisions for new build housing for the 3 year period from 2021/22 to 2023/24. In accordance with the statutory requirements, arrangements were in place to notify tenants of their 2023/24 rental charge which would be effective from 6 April 2023;

- (ii) to include 1 bedroom new build flats within the rent freeze provision for other new build properties for 2023/24;
- (iii) to approve the 2023/24 HRA Revenue Budget outlined in section 4.6 of the report and [Appendix 1](#) and the proposed 5 year Capital Budget as outlined in section 4.8 of this report and [Appendix 2](#); and
- (iv) to note the requirements as outlined in paragraph 4.7 of the report to review and update the Housing Revenue Account Business Plan and conduct consultation with tenants on rent setting proposals for 2024/25 onwards.

7. Review of Political Decision Making Structure, Working Groups and Outside Bodies

There was submitted a [report](#) (issued) of 23 February 2023 by the Head of Legal and Regulatory Services seeking approval of changes to the Political Decision Making Structure, composition of Working Groups and list of Outside Bodies.

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

Councillor Henderson, seconded by Councillor Grant, moved an Amendment (tabled) as follows:-

“It is recommended that Council agrees existing recommendations 2.1.1, 2.1.5, 2.1.6, 2.1.7 and 2.1.8 as they are set out in the paper and substitutes the following amended recommendations:-

- (1) that paragraph 2.1.2 should read “approves the creation of an additional Portfolio Holder for Developing South Ayrshire with oversight of future developments and special projects – SNP Member and deletes the proposals contained in the second and third bullet points in Paragraph 4.1 of the Paper;
- (2) that paragraph 2.1.3 should read “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 SNP Group and replaces the word “Conservative “ where it appears in paragraph 4.2.2 with the word “SNP”; and
- (3) that paragraph 2.1.4 should read “requests that SNP confirm their representative for Cabinet and Group Leaders, for their Groups, to the Outside Bodies and Working Groups as identified in paragraphs 4.1, 4.2 and 4.3.

Councillor Saxton, seconded by Councillor Cavana, moved a Counter Amendment (tabled) as follows:-

“that the Council agrees recommendations 2.1.1, 2.1.3, 2.1.5, 2.1.6, 2.1.7 and 2.1.8 and the following amended recommendations:-

- (a) that paragraph 2.1.2 should read “approves the creation of an additional Portfolio Holder for Developing South Ayrshire with oversight of future developments and special projects – Labour and nominates the representative for Labour Councillor as Brian McGinley and deletes the proposals contained in the second and third bullet points in Paragraph 4.1 of the Paper; and
- (b) requests that Group Leaders confirm their representatives, for their Groups, to the Outside Bodies and Working Groups as identified in paragraphs 4.1, 4.2 and 4.3.

Councillor Henderson advised that he would withdraw paragraph (1) above of his Amendment regarding paragraph 2.1.2 of the report, in favour of Councillor Saxton's paragraph (a) above regarding paragraph 2.1.2 of the report; and subsequently amend paragraph (3) above of Councillor Henderson's Amendment accordingly. This was accepted by Councillor Saxton who subsequently agreed to withdraw his Counter Amendment.

Comments were made by Members in relation to:-

- (i) both scrutiny panels should be retained at this time and not merged while responses were awaited on the Best Value Audit report; that there would be a democratic deficit if the Council was not seen to be adequately scrutinising matters; and that it was to the benefit of all constituents that all Council decisions were scrutinised appropriately;
- (ii) 2.1.3 of the report, the SNP Group believed that the SNP Councillor appointed to Age Concern and SOPA should remain as the Council's representative due to the experience gained, the relationships established and the work carried out to date;
- (iii) whilst accepting the advice of the KC, meetings should be democratic; a Labour Councillor would be an asset to Cabinet; and merging the two scrutiny panels would be a risk to the Council;
- (iv) Age Concern and SOPA had requested that the Depute Provost be the Council's representative on their organisation; and that Councillor Shields would bring a great deal of life experience to the Cabinet;
- (v) that the Labour Group were willing to work with the Administration in every way to impart their experience; and that there had been a lack of consultation in relation to this report;
- (vi) that the South Ayrshire Sports Council Executive and the South Ayrshire Waste and Environment Trust no longer existed; and the Chief Executive advised that she would take this on board and update the list of Outside Bodies;
- (vii) the need for separate reports in relation to changes to Panel membership and changes of Outside Bodies/Working Groups membership; that the legal advice being issued to Members two days prior to the Council meeting which did not allow sufficient time for Members to prepare an Amendment to the report; and that the recommendation within the report was not a change to the political decision making structure but was creating a position of Portfolio Holder for a named individual;
- (viii) that the KC advice had been received by all Members well in advance of this meeting;
- (ix) concerns regarding the very detailed questions put to the KC which had gone beyond clarifying the Standing Orders and were clearly a search for a loophole in the Standing Orders; that the report due to be considered at the Council meeting in December 2022 which had been withdrawn had named a Councillor to be the Portfolio Holder, however, this report now stated an Independent Member; and that this was not in the spirit of these long-standing Standing Orders;
- (x) noting thanks to the Head of Legal and Regulatory Services for protecting the Council's name and democracy in her duties; being happy to accept the advice of the KC; supporting the suggestion that the schedule of meetings be examined to possibly increase the frequency of the new Panel; and suggesting that the public may appreciate having representation on Cabinet from an Independent Member for impartial decision making;

- (xi) that having an Independent Member on Cabinet would not be an erosion of democracy but would in fact be strengthening democracy; that the scrutiny panels were only reducing from three panels to two; and that the business of scrutiny panels was not efficient at times as some panels had little business which was not a good use of officers' time, therefore, merging the panels was a better use of resources;
- (xii) whilst accepting KC's advice, the four Independent Members were not a party; and the Head of Legal and Regulatory Services advised that KC's advice made it clear that the Independents could agree who would represent them in this case; and, should they not agree on which Independent Member represented them, this would then be decided by the matter being referred to Council in terms of the Standing Orders for a decision to be taken by lot ; and
- (xiii) that the three scrutiny panels were for distinct different purposes; that the time each panel took depended on the nature of the business on the agenda; that democracy had to be served and had to be seen to be served; and that other Local Authorities with Independent Members had a Group and a designated leader of that group;

Questions were raised by Members in relation to:-

- (A) whether Audit Scotland had been consulted on the merging of two scrutiny panels and whether it had been considered in terms of best value as best practice for the Council, as constructive challenge was integral to democracy and gave every Councillor the opportunity to monitor the administration's progress and highlight areas of concern; and Councillor Dowe advised that advice had been taken on this matter. ;
- (B) whether the administration would consider reviewing the cycle of meetings with a view to increasing the frequency of meetings of the new Panel within the cycle and increase the membership of the Panel if appropriate; and the Head of Legal and Regulatory Services advised that this was a matter for Council to decide on, however, Partnerships Panel had been cancelled on a number of occasions due to lack of business for the agenda; and that, to ensure proper scrutiny took place, the Council required to assess how the new Panel progressed and call Special meetings if it was felt they were required; and
- (C) as the KC's advice was clear that a Group could be named and not an individual, did the KC's advice still stand as an individual had been named several times at this meeting; and the Head of Legal and Regulatory Services advised that the advice did still stand as the individual was being nominated from the Independents, should this report be approved.

In relation to comments made by Members regarding the KC advice, the Head of Legal and Regulatory Services advised

- (I) that she had been asked for legal advice from the Administration and had provided an opinion, thereafter, proposals had been put forward which differed from that and she therefore took legal advice from a KC on those proposals which it was her responsibility to do;
- (II) that she shared the opinion of both memorials that were submitted and the Opinions received from KC ; however, it was open to Members to take alternative legal advice if they so wished;

- (III) that she had shared the legal advice with Members as soon as it was available; and
- (IV) that Standing Orders and the advice of the KC were being followed; that the advice given by the KC was regarding a procedural matter only; and that any Member was entitled to seek further legal advice on this matter if they so wished.

Following a comment by Councillor Pollock which was deemed inappropriate, Councillor Pollock agreed to retract this comment.

Councillor Davis moved that the Council Move to Vote and that the vote be undertaken by roll-call.

The Head of Legal and Regulatory Services then took the vote by calling the roll as follows:-

Iain Campbell	Motion
Mary Kilpatrick	Motion
Kenneth Bell	Motion
Laura Brennan-Whitefield	Amendment
Ian Cavana	Amendment
Alec Clark	Motion
Ian Cochrane	Amendment
Brian Connolly	Motion
Chris Cullen	Amendment
Ian Davis	Motion
Julie Dettbarn	Amendment
Mark Dixon	Amendment
Martin Dowey	Motion
Stephen Ferry	Motion
William Grant	Amendment
Peter Henderson	Amendment
Hugh Hunter	Motion
Martin Kilbride	Motion
Lee Lyons	Motion
Craig Mackay	Amendment
Brian McGinley	Amendment
Bob Pollock	Motion
Cameron Ramsay	Amendment
Philip Saxton	Amendment
Gavin Scott	Motion
Bob Shields	Motion
Duncan Townson	Amendment
George Weir	Amendment

Fourteen Members voted for the Amendment and fourteen for the Motion. Provost then exercised his casting vote in favour of the Motion and the Council, having considered the contents of the report

Decided:

- (aa) to approve the amendments to the Political Decision Making Structure as outlined at 4.1;

- (bb) to approve the addition of Age Concern and SOPA to the list of approved Outside Bodies and agree that the Council be represented on these bodies by a member of the Conservative Group;
- * subsequently agreed as Councillor Mary Kilpatrick (as Older People's Champion)
- (cc) to request 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 of the report;
- * subsequently agreed that Councillor Bob Shields be the Portfolio Holder for Developing South Ayrshire and the new Service and Partnerships Performance Panel comprise of the following Members:- Councillors Phil Saxton (Chair), Chris Cullen (Vice Chair), Kenneth Bell, Ian Cochrane, Mark Dixon, Mary Kilpatrick, Gavin Scott and George Weir.
- (dd) to approve the changes to the composition of Working Groups as outlined at 4.3;
- * subsequently agreed that Councillor Kenneth Bell be added to the membership of the Planning Liaison Group; and that Councillor Cameron Ramsay be added to the membership of the Equality and Diversity Forum
- (ee) to request that the Head of Legal and Regulatory Services make revisions to the proposed timetable of Panel meetings for the period August 2023 to June 2024;
- (ff) to request that the Head of Legal and Regulatory Services arrange publication of the revised Scheme of Delegation incorporating any proposed amendments; and
- (gg) to note the update in respect of Freeport (Scotland) Limited.

Time of Meeting

The time being 1.30 p.m., Provost, seconded by Councillor Hunter moved that Council agree to continue the meeting beyond 2.00 p.m. as the business of the meeting was not likely to be completed by 2.00 p.m., in accordance with Standing Order No. 6.2.

Following an enquiry from a Member on whether this Motion required Standing Orders to be suspended and a two thirds majority achieved, the Head of Legal and Regulatory Services confirmed that this was not the case.

A Member commented that, if this vote was not carried out with a two thirds majority required, it was not a democratic decision; and the Head of Legal and Regulatory Services advised that the Standing Orders did not state that a two thirds majority was required, however, Members may wish to review the Standing Orders in relation to this matter.

Fourteen Members voted for the Motion and fourteen Members voted against the Motion. Provost then exercised his casting vote for Motion and the

Decided: to continue the meeting beyond 2.00 p.m. in accordance with Standing Order No. 6.2.

Adjournment

The time being 1.40 p.m. the Council to adjourn for ten minutes.

Resumption of Meeting

The time being 1.50 p.m., the meeting resumed.

8. Members' Remuneration

There was submitted a [report](#) (issued) of 23 February 2023 by the Head of Legal and Regulatory Services seeking approval of changes to the Members' Remuneration.

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

Point of Order

A Point of Order was raised by Councillor McGinley on paragraph 4.3 of the report regarding the Depute Provost being a Senior Councillor as page 2 of the Standing Orders stated that the Depute Provost was defined as "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" which he stated indicated that the Depute Provost could not be a Member with no position and that a payment was already provided for the post of Depute Provost; the Head of Legal and Regulatory Services advised that it was not outlined within the Standing Orders that the Depute Provost required to be a Chair; and the Chief Executive further advised that it was a decision for the Council to make regarding which positions attracted a senior Councillor allowance, that the definition of Depute Provost did not determine that they were not entitled to be deemed a Senior Councillor and that up to fourteen Councillors could be Senior Councillors.

Following a question from a Member on whether there could be a challenge by Vice-Chairs of Panels in terms of the Equalities Act, the Head of Legal and Regulatory Services advised that she would respond to the Member in writing; and the Chief Executive further advised that paragraph 3.2 of the report confirmed that it was for the Council to determine which posts were Senior Councillor posts and the remuneration attributed to that post as there were different rates for different posts. A Member advised that paragraph 9 of the report addressed this issue.

A comment was made by a Member that the post of Depute Provost was a senior position, that the Depute had to represent the Provost at events and may have to Chair the Council meeting; that when a previous Member had been Depute Provost, they had also been a Portfolio Holder and received one additional payment..

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.

The Council, having considered the contents of the report

Decided: by a majority, to approve the revisions to Members' Remuneration as outlined at paragraphs 4.2 and 4.3 of the report.

Councillors Dettbarn, Henderson and McGinley left the meeting during consideration of the above item.

9. **Appointments to Panels, Working Groups, Etc**

There was submitted a [report](#) (issued) of 23 February 2023 by the Head of Legal and Regulatory Services seeking approval to make alterations to the lists of Panels, Working Groups, etc.

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

The Council

Decided:

- (1) to note that Councillor Bob Pollock replace Councillor Ian Davis on the Ayrshire Shared Services Joint Committee, as outlined at paragraph 4.1.1 of the report;
- (2) to note that Councillors Julie Dettbarn and Duncan Townson, respectively, replace Councillors Peter Henderson and Brian McGinley as the SNP and Labour members on the Best Value Member/ Officer Working Group, as outlined in paragraph 4.1.2 of the report;
- (3) to note that Councillor Craig Mackay replace Councillor Ian Cochrane on the Sustainable Development and Climate Change Member/Officer Working Group, as outlined in paragraph 4.1.3 of the report; and
- (4) to request that officers make the required amendments to the lists of Panels and Working Groups to reflect these changes.

10. **Station Hotel Update.**

There was submitted a [report](#) (issued) of 23 February 2023 by the Depute Chief Executive and Director of Housing, Operations and Development providing an update on matters relating to the Station Hotel in Ayr; and seeking approval for the continuation of funding for the protective measures in place at the building until the end of September 2023 and for the appointment of an external expert to support the development of a programme of works for the demolition of the southern wing of the building and for securing all necessary permissions for doing so.

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

Comments were made by Members in relation to:-

- (1) the monies being spent on this Hotel when finances were already tight; and that any groups or organisations with a credible plan for the Hotel and the finances for this should contact the Council timeously as time was now running out;
- (2) the frustration felt by Members at the monies which required to be spent to ensure public safety;
- (3) being happy to support this report to ensure a conclusion was imminent;
- (4) the importance of the Government bodies and rail company meeting with the Council to reach a conclusion; and

- (5) the monies already spent on keeping the Hotel safe and that the Council had to follow Best Value for the public pound.

A question was raised by a Member in relation to the meeting of the Strategic Governance Group of 14 November 2022 which had requested a meeting with the Transport Minister Jenny Gilruth and whether there had been a response to this request; and the Depute Chief Executive and Director of Housing, Operations and Development advised that no response had been received and that the next meeting of the Strategic Governance Group would take place on 9 March 2023 and this request would be made again to the Strategic Stakeholders following that meeting.

A full discussion took place regarding the terms of Councillor Dowey's Motion and, following a suggested amendment to the Motion by Councillor Cullen, Councillor Dowey accepted a change to the Motion to amend 2.1.3 of the report to read "to note the ongoing engagement with interested action groups and potential developers of the building and that officers then develop the proposals to be considered at a Special Council meeting in September 2023".

The Council

Decided:

- (a) to agree funding of £500,000 from uncommitted reserves to continue the building encapsulation until the end of September 2023; to carry out works to future-proof the encapsulation to extend the lifetime of the protective measures; and to appoint an external expert to support the development of a programme of works for the demolition of the southern wing of the building and for securing all necessary permissions for doing so;
- (b) to note the activity undertaken by the stakeholders and the Ayr Station Hotel Strategic Governance Group on the Atkin's Phase 2 Option Appraisal Review;
- (c) to note the ongoing engagement with interested action groups and potential developers of the building and that officers then develop the proposals to be considered at a Special Council meeting in September 2023; and
- (d) to request that officers submit an update report to the Cabinet in September 2023.

11. LDP2 Supplementary Guidance Site Design Brief: South East Ayr

There was submitted a [report](#) (issued) of 20 February 2023 by the Depute Chief Executive and Director of Housing, Operations and Development seeking approval to publish the draft Local Development Plan 2 Supplementary Guidance Site Design Brief for South East Ayr for public consultation.

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

Comments were made by Members in relation to:-

- (1) this document being a draft which would then go out to public consultation and also to landowners and developers for comment; the additional jobs this would provide in the area; and thanking officers for the work carried out on this document;
- (2) the need to bring this matter to a conclusion;
- (3) who would pay for the upgrade of the development of the A77 trunk road going through this development as this required to be done, otherwise the development was unsustainable; and
- (4) that, for a development of this size, infrastructure was vital as a school, footpaths and shops were required in creating a sustainable community; that the developers were proposing to create a convenience store which was not suitable and would force people to travel further for shopping; the requirement to have facilities in place at an early stage; and seeking assurances that, following the public consultation, agreement would be reached on conditions that were watertight; and the Service Lead – Planning and Building Standards advised that the intention was to ensure delivery of all key elements were tied into the development so they were funded and brought forward at the appropriate time to ensure there was an appropriate development for all residents.

Decided: to approve the draft Site Design Brief for South East Ayr for public consultation.

12. **Council Plan 2023-28.**

There was submitted a [report](#) (issued) of 22 February 2023 by the Director of Strategic Change and Communities seeking approval of the Council Plan for 2023-2028.

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

Comments were made by Members in relation to:-

- (1) the Council Plan building on the work which had taken place over the last few years;
- (2) ensuring that the agenda for the Council meeting in June 2023 had fewer items of business to allow each item to be considered fully, particularly the action plans which would merit close scrutiny;
- (3) ensuring that those people with a disability would be a large part of the consultation process; and
- (4) commending this document which highlighted that South Ayrshire was an attractive area and a lovely place to live.

The Council, having thanked the Director of Strategic Change and Communities and her staff for their work on this Plan

Decided:

- (a) to approve the Council Plan for 2023-2028 attached as Appendix 1 to the report; and
- (b) to note that, following approval, service plans based on the agreed outcomes would be developed by each service area and made available for scrutiny by Members at the Council meeting in June 2023.

13. Golf Strategy 2022-2032

There was submitted a [report](#) (issued) of 20 February 2023 by the Director of Strategic Change and Communities providing an update on progress made with the implementation of the Golf Strategy; and seeking approval to provide an additional £5m investment for a programme of works to upgrade Darley and Belleisle Golf Courses.

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

Councillor Brennan, Whitefield, seconded by Councillor Weir, moved an Amendment namely:-

“it is recommended that the Council:

- (1) considers the progress made by officers in the implementation of the Golf Strategy (a full update report is outlined in Appendix 1); and
- (2) requests officers to present a report to Council providing detailed reasons for the requirement to allocate £5m from the Capital Programme to invest in a programme of works to upgrade Darley and Belleisle Golf Courses and setting out how long it will take to recoup the capital investment prior to the allocation of these sums to the Capital Programme for such programme of works.”

Comments were made by Members in relation to:-

- (a) the public money being spent on the two golf courses during the cost of living crisis and with a constrained budget; that detailed information on the capital investment of £5m should be justified with an in-depth business case; if the administration were so confident that this investment would provide value for money for the people of South Ayrshire, they should clearly evidence this before spending the monies; and whether the economic impact assessment would have a positive impact on those most economically disadvantaged;
- (b) that upgrading facilities for staff should be a priority as the current staff facilities were not fit for purpose;
- (c) that the residents of South Ayrshire may not understand the rationale behind this programme of works; and
- (d) the important role golf had to play in South Ayrshire to improve the health and wellbeing of residents; that golf courses would also have paths for everyone to walk and enjoy the green spaces; that the monies were earmarked primarily for Darley and Belleisle Golf Courses to improve them and market them as a tourist attraction with the aim being to bring money back into the Council; and that financial targets had been achieved for this year which could be improved upon next year.

Questions were raised by a Member on the progress made on the works to resolve the flooding issues and the works to find alternative staff quarters; and the Co-ordinator (Health and Wellbeing) advised that works had been undertaken in relation to flooding with the fairways now in a very good condition; and that he was currently liaising with Professional Design Services examining the suitability of a building to replace the current building which had roof damage to create staff accommodation and storage for machinery, however, the costs had significantly exceeded the £500,000 estimated costs.

The Council, having considered the progress made by officers in the implementation of the Golf Strategy (a full update report outlined in [Appendix 1](#)),

Decided: to approve the allocation of £5m from the capital programme to invest in a programme of works to upgrade Darley and Belleisle Golf Courses (as outlined in [Appendix 2](#)).

Councillor Dowey left the meeting at this point.

14. **Formal Questions.**

In terms of Council Standing Order No. 26.2, there were submitted [Formal Questions](#) from Councillors McGinley, Dettbarn and Mackay, along with responses which were made available to all Members.

- (1) Councillor Mackay raised a supplementary question in relation to his Formal Question as follows:-
- my concern is related to the Active Travel Strategy which I understand was due to be published after it was approved in March 2022 but was then held off until after the Council election and has now sat on a shelf awaiting Councillor Dowey writing the introductory page. The Strategy was meant to be overseen by quarterly meetings of the Active Travel Forum but so far we have only seen the renaming of the Forum to the Cycle Forum. Could someone advise when the Active Travel Strategy will be live?

In the absence of Councillor Dowey, Councillor Lyons advised that a response would be submitted in writing to Councillor Mackay. A response was subsequently provided to Councillor Mackay on 29 March 2023 by the Chief Executive advising that the Active Travel Strategy had been launched and providing a link to this document: [South Ayrshire Active Travel Strategy 2022 \(ayrshireroadsalliance.org\)](https://www.southayrshire.gov.uk/active-travel-strategy-2022)

Councillor Dowey re-joined the meeting at this point.

Exclusion of press and public.

Following a vote on whether the remaining item of business on the agenda should be considered in private, in terms of Standing Order No. 19.9, there was no general agreement, therefore, the Council moved to a vote for or against the Motion.

Decided: by a majority, to agree to consider the following item of business in private.

The Council resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded during consideration of the remaining item of business on the grounds that it involved the likely disclosure of exempt information in terms of paragraph 8 of Part 1 of Schedule 7A of the Act.

15. Public Engagement on Relocation of Troon Early Years Centre.

There was submitted a report (issued – members only) of 20 February 2023 by the Director of Educational Services seeking agreement to undertake a public engagement process on the relocation of Troon Early Years Centre.

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

A full discussion took place in relation to this report and questions were raised and responded to by the Director of Education; the Service Lead – Destination South Ayrshire; the Service Lead – CLD & Employability and Skills and the Quality Improvement Manager.

The Council

Decided:

- (1) to agree to officers undertaking an engagement process on the relocation of Troon Early Years Centre; and
- (2) to request that officers bring a report on the outcome of the engagement process to Council on 12 October 2023.

16. Consideration of Disclosure of the above confidential report.

Following advice from the Head of Legal and Regulatory Services, the Council

Decided: to authorise the disclosure under Standing Order 32.4 of the following report:-

- Public Engagement on Relocation of Troon Early Years Centre.

17. Closing Remarks.

The Provost thanked all in attendance for their contribution.

The meeting ended at 3.15 p.m.

SOUTH AYRSHIRE COUNCIL (SPECIAL).

Minutes of a hybrid webcast meeting
on 14 June 2023 at 10.00 a.m.

Present in County Buildings: Councillors Iain Campbell (Provost), Laura Brennan-Whitefield, Ian Cavana, Alec Clark, Ian Davis, Martin Dowey, William Grant, Peter Henderson, Hugh Hunter, Martin Kilbride, Lee Lyons, Brian McGinley, Bob Pollock, Cameron Ramsay, Philip Saxton, Gavin Scott, and Duncan Townson.

Present Remotely: Councillors Kenneth Bell, Brian Connolly, Chris Cullen, Julie Dettbarn, Mark Dixon, Stephen Ferry, Mary Kilpatrick, Craig Mackay and George Weir.

Apologies: Councillors Ian Cochrane (due to connectivity issues) and Bob Shields.

Attending in County Buildings: E. Howat, Chief Executive; M. Newall, Depute Chief Executive and Director of Housing, Operations and Development; C. Caves, Head of Legal and Regulatory Services; J. McClure, Committee Services Lead Officer; A. Gibson, Committee Services Officer; C. Griffiths, Committee Services Assistant and C. McCallum, Committee Services Assistant.

1. Provost.

The Provost

- (1) welcomed everyone to the meeting;
- (2) intimated that apologies had been received from Councillor Bob Shields; and
- (3) outlined the procedures for conducting this meeting and advised that this meeting would be broadcast live.

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. Appointment of Chief Officers Appointments/Appraisal Panel

There was submitted a [report](#) (issued) of 8 June 2023 by the Head of Legal and Regulatory Services seeking approval to make alterations to the membership of the Chief Officers' Appointments/ Appraisal Panel.

Councillor Henderson referred to paragraph 3.2 of the report and outlined that he would like it noted that he was retiring and not resigning as member of Girvan and South Carrick.

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

The Council

Decided:

- (1) to note that, following Councillor Peter Henderson's retiral as member for Girvan and South Carrick, Councillor William Grant would replace Councillor Henderson as the SNP member of the Chief Officers' Appointments/ Appraisal Panel; and
- (2) to request that officers make the required amendments to the list of Panels to reflect this change.

4. Formal Questions

The Council noted that no Formal Questions had been submitted.

5. Closing Remarks.

The Provost thanked all in attendance for their contribution.

The meeting ended at 10.08 a.m.

**EXCERPT FROM THE MINUTES OF
THE CABINET
OF 25 APRIL 2023**

C

Finance, HR and ICT.

Code of Conduct for Employees - Conflict of Interest Policy.

There was submitted a report (issued) of 14 April 2023 by the Head of Legal and Regulatory Services seeking approval for the revised Code of Conduct for Employees.

The Cabinet

Decided: to approve the revised Code of Conduct for Employees, as detailed in Appendix 1 of the report.

South Ayrshire Council

**Report by Chief Executive
to South Ayrshire Council
of 29 June 2023**

**Subject: Employer Supported Policing Initiative – Police
Scotland**

1. Purpose

- 1.1 The purpose of this report is to advise Members about the Employer Supported Policing (ESP) programme which would allow the Council to formally support employees to become voluntary Special Constables across all Ayrshire Local Authorities.

2. Recommendation

2.1 It is recommended that the Council:

- 2.1.1 commits to becoming an Employer Supported Policing Partner; and**
- 2.1.2 approves the provision of paid special leave of up to 5 days (pro-rata) to use towards training; and**
- 2.1.3 requests officers to update the Special Leave Policy.**

3. Background

- 3.1 Police Scotland approached all Scottish Councils, via COSLA, to encourage local authorities to sign up to their Employer Supported Policing programme. The Special Constabulary is a part-time, volunteer body consisting of voluntary officers with identical powers to that of police officers. As a special constable, employees work alongside police officers in their spare time. The benefit of this is that they enhance their own skills and abilities, give back to and keep the community safe. Employees can work full time and be a Special Constable volunteering for 96 hours per year or a few hours a week. They could be doing anything from policing a football match to assisting at a road accident. Special constables also police major sporting and public events and provide a bridge between the Police Service and the public, representing both the community within the police service and the police service within local communities.
- 3.2 Police Scotland have identified that volunteering as a Special Constable will allow staff to build upon their personal and professional development, becoming skilled in: Leadership, Management, Team working, Problem solving and Conflict management. Special Constables are trained to the same standard as regular officers. The training is free of charge and is performed over 6 days (from Friday to Saturday) at the Scottish Police College.

3.3 Police Scotland have confirmed that Special Constables would not be called out in emergencies. Where possible, Volunteer Constables can agree their own shift out with their normal working hours.

3.4 Police Scotland have advised that should there be a large group signing up they would work with their national recruitment team to bring any required assessment centres to a location in Ayrshire.

4. Proposals

4.1 It is proposed that South Ayrshire Council becomes an Employer Supported Policing Partner.

4.2 To sign up as a partner, the Council would update its Special Leave Policy to allow up to 5 days (pro-rata) of paid special leave towards training with the Police.

4.3 An awareness event to inform employees about the Scheme will be arranged in conjunction with Police Scotland.

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 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 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 Ian Davis, Portfolio Holder for Finance, Human Resources and ICT, and the contents of this report reflect any feedback provided.
- 13.3 Consultation has taken place with the Trade Unions and they are supportive of the proposals as laid out in Section 4 of the report.

14. Next Steps for Decision Tracking

- 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>
Update Special Leave Policy to add provision of 5 days paid leave for Police volunteering.	31 August 2023	Chief HR Adviser

Background Papers None

Person to Contact **Wendy Wesson, Chief HR Adviser**
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612186
E-mail wendy.wesson@south-ayrshire.gov.uk

Date: 16 June 2023

**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	Employer Supported Policing Initiative – Police Scotland
Lead Officer (Name/Position/Email)	Wendy Wesson, Chief HR Adviser – wendy.wesson@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 impacts on a small number of staff in a positive way. The requested decision on this has no specific equality implications	
Signed : Wendy Wesson	Service Lead
Date: 25 May 2023	

South Ayrshire Council

**Report by Head of Legal and Regulatory Services
to South Ayrshire Council
of 29 June 2023**

Subject: Appointments to Panels

1. Purpose

1.1 The purpose of this report is to seek approval to make alterations to the membership of Panels.

2. Recommendation

2.1 It is recommended that the Council:

2.1.1 notes the changes in the representatives nominated by the Conservative Group, Independent Members and the SNP Group identified in [Appendix 1](#);

2.1.2 approves the appointment of Cllr Julie Dettbarn as the Chair of the Audit and Governance Panel;

2.1.3 requests that officers make the required amendments to the list of Panels to reflect these changes; and

2.1.4 considers any other amendments which might be required to membership of Panels.

3. Background

3.1 In terms of para 11.1 of the Council's Scheme of Delegation, amendment of the membership of the Cabinet and other Panels, Committees and Sub-Committees is reserved to Council.

4. Proposals

4.1 At a special meeting on 26 May 2022, the Council approved a number of appointments.

4.2 The Conservative Group, Independent Members and the SNP Group have requested amendments to appointments as outlined in [Appendix 1](#).

4.3 Members are also asked to approve the appointment of Cllr Julie Dettbarn as the Chair of the Audit and Governance Panel.

4.4 Members may wish to consider any other amendments which might be required to membership of Panels.

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 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 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 Priority 4 of the Council Plan: Efficient and effective enabling services.

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 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
Make arrangements for payment of salaries to reflect decision	7 July 2023	Service Lead – Democratic Governance
Publish details of membership of Panels	7 July 2023	Service Lead – Democratic Governance

Background Papers **Report to South Ayrshire Council (Special) of 26 May 2022 – [Appointments to Panel](#)**
[South Ayrshire Council \(Special\) – 26 May 2022 - Minutes](#)
[Scheme of Delegation](#)

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

Date: 16 June 2023

Proposed Amendments to Member Appointments

<i>Proposed by</i>	<i>Panel</i>	<i>Current Member</i>	<i>Proposed Member</i>
Conservative Group	Licensing Board	Stephen Ferry	Lee Lyons*
Independent Members	Local Review Body	Brian Connolly	Hugh Hunter
Independent Members	Regulatory Panel	Brian Connolly	Hugh Hunter
SNP Group	Audit and Governance Panel	Peter Henderson (Chair)	Julie Dettbarn
SNP Group	Ayrshire Shared Services Joint Committee	William Grant	Craig Mackay

* Councillor Lyons will require to undertake appropriate training before becoming a member of the Licensing Board

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	Appointments to Panels
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 approval to make alterations to the list of Panels. Their decision on this has no specific equality implications	
Signed : Catriona Caves	Head of Service
Date: 12 April 2023	

South Ayrshire Council

Report by Head of Legal, HR and Regulatory Services to South Ayrshire Council of 29 June 2023

Subject: Representation on and Remits of Working Groups

1. Purpose

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

2. Recommendation

2.1 It is recommended that the Council:

2.1.1 reviews the list of Working Groups and approves the proposed changes to representation (as outlined in [Appendix 1](#)); and

2.1.2 approves the amended remits and titles where appropriate.

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 Independent Members have requested a change to their representation on the Planning Liaison Group.

- 3.3 Councillor Peter Henderson has intimated his retiral as Elected Member for Girvan and South Carrick with effect from 30 June 2023.

4. Proposals

- 4.1 It would be appropriate for the Council to revise Elected Member representation on Working Groups identified in light of the request from the Independent Members and Councillor Henderson's intimation of retiral.

- 4.2 It would also be appropriate for the Council to consider appointing officers to those Working Groups identified as still current and to approve the amended remits and titles where appropriate. Proposed changes are outlined in [Appendix 1](#).

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 There are no financial implications arising from this report.

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 in some cases hinder the efficient operation of Council business.

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 Priority 4 of the Council Plan: Efficient and effective enabling services.

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 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:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Notification of appointments to all relevant external groups and officers	31 July 2023	Service Lead – Democratic Governance

Background Papers **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: 21 June 2023

Proposed Changes to the List of Working Groups

Working Group Title	Proposed Change to Title/ Remit	Reason	Proposed Change of Representation
1st Tier Joint Consultative Committee			Councillor William Grant to replace Councillor Peter Henderson
Ayrshire Growth Deal/ Levelling Up Fund/ Shared Prosperity Fund Member / Officer Working Group	Change of title to External Funding Member/ Officer Working Group	This is to reflect the various external funding streams that become available without being specific about the title of these	Councillor George Weir to replace Councillor Peter Henderson Mike Newall and George Hunter to be added
Best Value Member/ Officer Working Group			Jane Bradley and Lyndsay McRoberts to be added
Community Planning Board			Councillor Julie Dettbarn to replace Councillor Peter Henderson as Chair Jane Bradley and Kevin Anderson to be added
Community Safety Partnership	Remove from list	No longer required – covered by Community Planning Strategic Delivery Partnership	
Community Wealth Building Member/ Officer Working Group			Councillor William Grant to replace Councillor Peter Henderson George Hunter and Jamie Tait to be substituted for Louise Reid and Theo Leijser

Working Group Title	Proposed Change to Title/ Remit	Reason	Proposed Change of Representation
Cost of Living Crisis Member/Officer Working Group	Change of title to Financial Inclusion Member/ Officer Working Group	This is to reflect the wider agenda of sustainable financial inclusion and not a response to what is perceived to be a current crisis.	George Hunter, Gillian Farrell, Nicola Gemmell and Jamie Tait to be added
Equality and Diversity Forum			Kevin Anderson to be added
External Risk Member/ Officer Working Group	Remove from list	No longer required – primarily focused on Brexit	
Gypsy/ Traveller Member/ Officer Working Group			Tom Burns to be added
Lifelong Learning Partnership	Remove from list	No longer required – covered by Local Employability Partnership	
Multi-Agency Partnership to Tackle Violence Against Women and Children			Kevin Anderson to be added
Planning Liaison Group			Councillor Hugh Hunter to replace Councillor Brian Connolly Chris Cox to be substituted for Louise Reid
Significant Capital Projects Member/ Officer Working Group			Mike Newall and George Hunter to be added
Sounding Board for Ayr Town Centre			
South Ayrshire Cycling Forum	Remove from list	No longer required – covered under Sustainable Development Group	
South Ayrshire Local Access Forum			

Working Group Title	Proposed Change to Title/ Remit	Reason	Proposed Change of Representation
Sustainable Development and Climate Change Member/ Officer Working Group	Change of title to Sustainable Development Member/ Officer Working Group ; and merge with South Ayrshire Cycling Forum	Both groups have similar agenda	Councillor Ian Cochrane to replace Councillor Peter Henderson Jane Bradley, Kevin Anderson and Lorna Jarvie to be substituted for Eileen Howat, Mike Newall, Louise Reid and Kenny Dalrymple
Station Hotel Member/Officer Working			
Trauma Informed Member/Officer Working Group			Kevin Anderson to be added

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	Representation on and Remit of 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)	-	-

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 the Council's approval to appoint or nominate representatives to the List of Working Groups and to approve the proposed amended remits and titles Members' decision on this has no specific equality implications	
Signed : Catriona Caves	Head of Service
Date: 13 April 2023	

South Ayrshire Council

**Report by Head of Legal and Regulatory Services
to South Ayrshire Council
of 29 June 2023**

Subject: Representation on Outside Bodies

1. Purpose

1.1 The purpose of this report is to seek approval to make alterations to the lists of Outside Bodies.

2. Recommendation

2.1 It is recommended that the Council:

2.1.1 removes Skypath Aerospace Training Community Interest Company (CIC) from the list of Outside Bodies;

2.1.2 approves amendment to the officer representative on the Glasgow Prestwick International Airport Consultative Committee;

2.1.3 notes the changes in the representatives nominated by the SNP Group identified in 4.3; and

2.1.4 considers any other amendments which might be required to representation on Outside Bodies.

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 Councillor Peter Henderson has intimated his retiral as Elected Member for Girvan and South Carrick with effect from 30 June 2023.

4. Proposals

4.1 *Skypath Aerospace Training Community Interest Company (CIC)*

4.1.1 At its meeting on 20 October 2021, the Council approved the appointment of the Co-ordinator, Economy and Regeneration, as the Council's representative on Skypath Aerospace Training CIC (as Board member).

4.1.2 At its meeting on 14 March 2023, the Cabinet noted that this officer had tendered his resignation and requested that a report be submitted to June Council seeking removal of Skypath from the approved list of Outside Bodies. It is, therefore, proposed that removal is agreed.

4.2 **Glasgow Prestwick International Airport Consultative Committee**

4.2.1 At its meeting on 22 October 2022, the Council approved the appointment of the Director of Housing, Operations and Development as officer representative on the Glasgow Prestwick International Airport Consultative Committee.

4.2.2 It is proposed that the officer representative be amended to the Assistant Director – Communities.

4.3 The SNP Group has requested amendments to representation to replace Councillor Peter Henderson as outlined below:

Panel	Proposed Member
Ayrshire Engineering Alliance	George Weir (as Observer)
Ayrshire Economic Joint Committee	William Grant
Ayrshire Economic Partnership	William Grant
Business Loans Scotland	George Weir
Industrial Communities Alliance	George Weir
Scotland Excel	Chris Cullen
South West Scotland Community Rail Partnership Limited	William Grant
Supplier Development Programme Board	Chris Cullen

4.4 The Ward 8 representative to replace Councillor Peter Henderson on the McKechnie Institute Trust, Girvan, and the Thomas Davidson Trust will be confirmed following the by-election in September 2023.

4.5 Members may wish to consider any other amendments which might be required to representation on Outside Bodies.

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 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 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 enabling services through the delivery of sound decision making and governance.

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 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>
Publish details of representation on Outside Bodies	7 July 2023	Service Lead – Democratic Governance

Background Papers [Scheme of Delegation](#)

[South Ayrshire Council – 7 October 2021 - Minutes](#) (Item 5, Pages 3 to 4)

Report to South Ayrshire Council of 22 October 2022 – [Representation on Outside Bodies](#)

Report to Cabinet of 14 March 2023 – Skypath Aerospace Training CIC (Members only)

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: 19 June 2023

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)	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 approval to make alterations to the list of Outside Bodies. Their decision on this has no specific equality implications	
Signed : Catriona Caves	Head of Service
Date: 12 June 2023	

South Ayrshire Council

**Report by Head of Legal and Regulatory Services
to South Ayrshire Council
of 29 June 2023**

Subject: Appointments to Convention of Scottish Local Authorities

1. Purpose

1.1 The purpose of this report is to seek the Council's approval to make alterations to the list of representatives on the Convention of Scottish Local Authorities.

2. Recommendation

2.1 It is recommended that the Council:

2.1.1 notes the change in the representative nominated by the SNP Group identified in para 4.2 as the SNP representative on the Convention of Scottish Local Authorities (COSLA); and

2.1.2 considers any other amendments which might be required to COSLA representation.

3. Background

3.1 The Council is currently represented on COSLA's Convention and has four places, with a named substitute for each member. The COSLA Constitution **requires** that delegations reflect the balance of party political representation within the Council.

3.2 At its meeting on 19 May 2022, the Council agreed that the proposed membership of COSLA comprise Conservative, Labour, SNP and Independents (later confirmed as Councillors Martin Dowey, Peter Henderson, Brian McGinley and Brian Connolly).

4. Proposals

4.1 On 7 June 2023, Councillor Peter Henderson intimated his intention to retire with effect from 30 June 2023.

4.2 The SNP Group has requested that Councillor William Grant replaces Councillor Henderson as the SNP representative on COSLA.

4.3 Members may wish to consider any other amendments which might be required to representation on COSLA.

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 Rejecting the recommendations will result in the Council not being represented on COSLA.

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 enabling services through the delivery of sound decision making and governance.

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:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Notify COSLA of the change of representation on Convention	7 July 2023	Service Lead – Democratic Governance

Background Papers **None**

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: **16 June 2023**

**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 Convention of Scottish Local Authorities
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)	-	-

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 the Council's approval to amend representation on COSLA's Convention. Their decision on this has no specific equality implications	
Signed : Catriona Caves	Head of Service
Date: 9 June 2023	

South Ayrshire Council

Report by Head of Legal and Regulatory Services to South Ayrshire Council of 29 June 2023

Subject: Schedule of Meetings

1. **Purpose**

- 1.1 The purpose of this report is to submit for approval a proposed timetable of meetings from August 2024 to June 2025 and amend the frequency of meetings of the Local Review Body.

2. **Recommendation**

2.1 **It is recommended that the Council:**

- 2.1.1 **approves the timetable of Council, Cabinet and Panel meetings from August 2024 to June 2025 as detailed in [Appendix 1](#);**
- 2.1.2 **approves the proposed changes to meetings of the Local Review Body 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 2025 onwards to a future meeting of the Council.**

3. **Background**

- 3.1 The Council is required to set a timetable of meetings for itself, Cabinet and Panels.
- 3.2 Members of the Local Review Body have requested that the frequency of meetings be changed from 3-weekly to 4-weekly.

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 of the Local Review Body from October 2023 to June 2024 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 Priority 4 of the Council Plan: Efficient and effective enabling services.

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 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	7 July 2023	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: 16 June 2023

Proposed Schedule of Meetings

August 2024 to June 2025

2024			
Schools re-open Thursday 15 August and Friday 16 August 2024 (in-service days) and Monday 19 August (pupils)			
Week 1			
Tuesday 20 August	10.00 am	Service and Partnerships Performance Panel	
Wednesday 21 August	10.00 am	Licensing Board	
Week 2			
Tuesday 27 August	10.00 am	Cabinet	
Thursday 29 August	10.00 am	Regulatory Panel – Licensing	
Week 3			
Tuesday 3 September	2.00 pm	Local Review Body	
Wednesday 4 September	10.00 am	Audit and Governance Panel	
Week 4			
Wednesday 11 September	10.00 am	Appeals Panel	
Thursday 12 September	10.00 am	Regulatory Panel - Planning	
Week 5			
Tuesday 17 September	10.00 am	Service and Partnerships Performance Panel	
Thursday 19 September	10.00 am	Licensing Board	
Friday 20 and Monday 23 September 2024 - Public Holidays			
Week 6			
Wednesday 25 September	10.00 am	Cabinet (Education)	
Thursday 26 September	10.00 am	Regulatory Panel – Licensing	
Week 7			
Tuesday 1 October	2.00 pm	Local Review Body	
Wednesday 2 October	10.00 am	Audit and Governance Panel	
Week 8			
Tuesday 8 October	10.00 am	Appeals Panel	
Wednesday 9 October	10.00 am	Regulatory Panel - Planning	
Thursday 10 October	10.00 am	South Ayrshire Council	
Recess - Schools Close on Friday 11 October 2024 and re-open on Monday 21 October 2024 (in-service day) and Tuesday 22 October 2024 (pupils)			

2024			
Week 1			
Tuesday 22 October	10.00 am	Service and Partnerships Performance Panel	
Thursday 24 October	10.00 am	Licensing Board	
Week 2			
Tuesday 29 October	10.00 am	Cabinet	
Thursday 31 October	10.00 am	Regulatory Panel – Licensing	
Week 3			
Tuesday 5 November	2.00 pm	Local Review Body	
Wednesday 6 November	10.00 am	Audit and Governance Panel	
Week 4			
Wednesday 13 November	10.00 am	Appeals Panel	
Thursday 14 November	10.00 am	Regulatory Panel - Planning	
Week 5			
Tuesday 19 November	10.00 am	Service and Partnerships Performance Panel	
Thursday 21 November	10.00 am	Licensing Board	
Week 6			
Tuesday 26 November	10.00 am	Cabinet (Education)	
Thursday 28 November	10.00 am	Regulatory Panel – Licensing	
Week 7			
Tuesday 3 December	2.00 pm	Local Review Body	
Wednesday 4 December	10.00 am	Audit and Governance Panel	
Week 8			
Tuesday 10 December	10.00 am	Appeals Panel	
Wednesday 11 December	10.00 am	Regulatory Panel - Planning	
Thursday 12 December	10.00 am	South Ayrshire Council	
<p>Recess - Schools Close on Friday 20 December 2024 and re-open on Monday 6 January 2025</p>			

2025			
Week 1			
Tuesday 14 January	10.00 am	Service and Partnerships Performance Panel	
Thursday 16 January	10.00 am	Licensing Board	
Week 2			
Tuesday 21 January	10.00 am	Cabinet	
Thursday 23 January	10.00 am	Regulatory Panel – Licensing	
Week 3			
Tuesday 28 January	2.00 pm	Local Review Body	
Wednesday 29 January	10.00 am	Audit and Governance Panel	
Week 4			
Wednesday 5 February	10.00 am	Appeals Panel	
Thursday 6 February	10.00 am	Regulatory Panel - Planning	
<i>Schools Close on Friday 7 February 2025 and re-open on Tuesday 11 February 2025 (in-service day) Wednesday 12 February 2025 (pupils return)</i>			
Week 5			
Tuesday 11 February	10.00 am	Service and Partnerships Performance Panel	
Thursday 13 February	10.00 am	Licensing Board	
Week 6			
Tuesday 18 February	10.00 am	Cabinet (Education)	
Thursday 20 February	10.00 am	Regulatory Panel - Licensing	
Week 7			
Tuesday 25 February	2.00 pm	Local Review Body	
Wednesday 26 February	10.00 am	Audit and Governance Panel	
Week 8			
Tuesday 4 March	10.00 am	Appeals Panel	
Wednesday 5 March	10.00 am	Regulatory Panel - Planning	
Thursday 6 March	10.00 am	South Ayrshire Council	
Week 1			
Tuesday 11 March	10.00 am	Service and Partnerships Performance Panel	
Thursday 13 March	10.00 am	Licensing Board	
Week 2			
Tuesday 18 March	10.00 am	Cabinet	
Thursday 20 March	10.00 am	Regulatory Panel – Licensing	

2025			
Week 3			
Tuesday 25 March	2.00 pm	Local Review Body	
Wednesday 26 March	10.00 am	Audit and Governance Panel	
Week 4			
Wednesday 2 April	10.00 am	Appeals Panel	
Thursday 3 April	10.00 am	Regulatory Panel - Planning	
Recess - Schools close on Friday 4 April 2025 and re-open on Tuesday 22 April 2025			
Friday 18 April 2025 – Public Holiday			
Monday 21 April 2025 – Public Holiday			
Week 5			
Tuesday 22 April	10.00 am	Service and Partnerships Performance Panel	
Thursday 24 April	10.00 am	Licensing Board	
Week 6			
Wednesday 30 April	10.00 am	Cabinet (Education)	
Thursday 1 May	10.00 am	Regulatory Panel - Licensing	
Monday 5 May 2025 – Public Holiday			
Week 7			
Tuesday 6 May	2.00 pm	Local Review Body	
Wednesday 7 May	10.00 am	Audit and Governance Panel	
Week 8			
Wednesday 14 May	10.00 am	Appeals Panel	
Thursday 15 May	10.00 am	Regulatory Panel - Planning	
Week 1			
Tuesday 20 May	10.00 am	Service and Partnerships Performance Panel	
Thursday 22 May	10.00 am	Licensing Board	
Schools close on Friday 23 May 2025 and re-open on Tuesday 27 May 2025 (in-service day)			
Wednesday 28 May 2025 (pupils return)			
Monday 26 May 2025 – Public Holiday			

2025			
Week 2			
Wednesday 28 May	10.00 am	Cabinet	
Thursday 29 May	10.00 am	Regulatory Panel - Licensing	
Week 3			
Tuesday 3 June	2.00 pm	Local Review Body	
Wednesday 4 June	10.00 am	Audit and Governance Panel	
Thursday 5 June	10.00 a.m.	Regulatory Panel (Planning)	
Week 4			
Tuesday 10 June	10.00 am	Service and Partnerships Performance Panel	
Wednesday 11 June	10.00 am	Appeals Panel	
Thursday 12 June	10.00 am	Licensing Board	
Week 5			
Tuesday 17 June	10.00 am	Cabinet (Education)	
Thursday 19 June	10.00 am	Regulatory Panel - Licensing	
Week 6			
Tuesday 24 June	10.00 am	Regulatory Panel - Planning	
Tuesday 24 June	2.000 pm	Local Review Body	
Wednesday 25 June	10.00 am	Audit and Governance Panel	
Thursday 26 June	10.00 am	South Ayrshire Council	
Recess			
<i>Schools close on Friday 27 June 2025</i>			

Proposed Changes to Schedule of Meetings

Local Review Body

October 2023 to June 2024

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 3			
Tuesday 7 November	2.00 pm	Local Review Body	
Wednesday 8 November	10.00 am	Audit and Governance Panel	
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 3			
Tuesday 23 January	2.00 pm	Local Review Body	
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 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	
2024			
Week 3			
Tuesday 19 March	2.00 pm	Local Review Body	
Wednesday 20 March	10.00 am	Audit and Governance Panel	
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 7			
Tuesday 30 April	2.00 pm	Local Review Body	
Wednesday 1 May	10.00 am	Audit and Governance Panel	
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 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	
Tuesday 25 June	2.00 pm	Local Review Body	
Wednesday 26 June	10.00 am	Audit and Governance Panel	
Thursday 27 June	10.00 am	South Ayrshire Council	

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>

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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? (A full Equality Impact Assessment must be carried out if impacts identified as Medium and/or High)	YES NO
Rationale for decision: This report submits for approval a timetable of Council and Panel meetings from August 2024 to June 2025. Members' decision on this has no specific equality implications	
Signed : Catriona Caves	Head of Service
Date: 10 May 2023	

South Ayrshire Council

Report by Head of Legal and Regulatory Services to South Ayrshire Council of 29 June 2023

Subject: South Ayrshire Charitable Trust

1. Purpose

- 1.1 The purpose of this report is to provide an annual update on the South Ayrshire Charitable Trust and amend the Trust Business Plan for 2023/24 financial year.

2. Recommendation

- 2.1 **It is recommended that the Members as Trustees of South Ayrshire Charitable Trust:**

- 2.1.1 **note the summary of grant funding made by the trust during 2022/23 detailed in [Appendix 1](#); and**
- 2.1.2 **approve the business plan for the running of the trust for the year 2023/24 detailed in [Appendix 2](#).**

3. Background

- 3.1 At the Council meeting of 18 December 2014, Members considered a report concerning the consolidation of sixteen charitable and seven non-charitable trusts into a new trust. The Members were trustees of these historic trusts which were administered by the Council. Members agreed to set up the South Ayrshire Charitable Trust, and to seek charitable status for that trust from the Office of the Scottish Charity Regulator (OSCR). At the Council meeting of 25 June 2015, Members were advised that the South Ayrshire Charitable Trust had been established and given charitable status by OSCR. The purposes of the South Ayrshire Charitable Trust are (a) the prevention and relief of poverty and (b) the relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage.
- 3.2 Transfers of the sixteen charitable and seven non charitable trusts to South Ayrshire Charitable Trust took place on 1 April 2016. The assets transferred remained ring fenced for the geographic area of the trust from which they came. The consolidation of the charitable and non-charitable trusts operated by South Ayrshire Council into the South Ayrshire Charitable Trust has allowed for a simpler management process of the trusts and meaningful disbursement to those in need in South Ayrshire as envisaged by the original benefactors.

- 3.3 The trustees approved a Business Plan on 17 December 2015 for the operation of the South Ayrshire Charitable Trust. In terms of that Business Plan decisions for disbursement of trust funds were delegated to Committees of Trustees who comprised the Councillors for the areas of Ayr; Prestwick and Monkton; Troon; Coylton; Maybole; Barr and Girvan. The Business Plan has been amended in each subsequent year to take account of changes in the amounts held by the trust.
- 3.4 Applications have been invited for grant funding for the last seven years. Funds for Maybole were fully utilised in 2016/17; for Troon and Barr in 2017/18; for Prestwick and Monkton in 2020/21 and for Coylton in 2022/23. Funds for Girvan include external investments in the name of predecessor Trusts and Trustees which are currently inaccessible. Officers are working to resolve these access issues. The Committees of Trustees for Ayr and Coylton met to determine grant applications in 2022. A summary of the grant awards made by each Committee is found in [Appendix 1](#). In total grants were awarded with a total value of £45,450. In the last seven years grants and donations of £700,000 have been made from the trust. A summary of evaluation feedback from Applicants in 2021-22, obtained by Thriving Communities, is also provided in [Appendix 3](#).
- 3.5 Two grants for Ayr were awarded with conditions that required to be met before the sums transferred to the applicants. One grant was awarded in 2020/21 (£10,000) and the other in 2021/22 (£7,500). The funds were ring-fenced, with the applicants having until 31 March 2023 to meet the conditions. Neither applicant met the conditions by 31 March 2023 and the sums have been returned to the Ayr fund.

4. Proposals

- 4.1 Further applications for grant funding will be invited in this financial year. The advertising process and application administration is undertaken by Thriving Communities with support from Legal Services. Given the limited funds available individual limits have been placed on the grant funding for each area. The business plan in [Appendix 2](#) sets out the limits for spending in each area.

5. Legal and Procurement Implications

- 5.1 The recommendations in this report are consistent with legal requirements. Legal advice will continue to be provided as required.
- 5.2 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 In the year 2023/24 there will be no funds available to be spent in Barr, Troon, Maybole, Coylton and Prestwick and Monkton. The remaining Girvan funds (£13,000) are tied up in external investments and other restricted funds which are held in the name of predecessor Trusts and Trustees. Finance officers' efforts to have these assets legally transferred to the Trust were previously delayed by the impact of Covid-19 and although this work resumed last year, the number of separate entities involved in the resolution process and the impact of competing priorities on the ability to pursue them has resulted in further delays. However, until that issue is resolved it may be that no or very limited funds are available for that area. Applications for grants will accordingly be invited for Ayr. The estimated funds available in 2023/24 to be spent on grant funding as follows are:

- Ayr- £17,500

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 not approved, trust resources will not be best utilised for the benefit of residents of South Ayrshire in the coming year.

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 the Council Priority One of 'Spaces and Places' (outcome 'Play, sport and recreation'); Priority Two 'Live, work learn' (outcome 'work and economy'); and Priority Three 'Civic and Community Pride' (outcome 'community engagement').

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 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 '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>
Advertising for grant applications for South Ayrshire Charitable Trust for the year 2023/24	30 August 2023	Service Lead - Thriving Communities

Background Papers **Report to South Ayrshire Council of 18 December 2014 – [Consolidation of Charitable and Non-Charitable Trust Funds Administered by South Ayrshire Council](#)**

Report to South Ayrshire Council of 25 June 2015 – [South Ayrshire Charitable Trust](#)

Person to Contact **Karen Briggs, Service Lead - Legal and Licensing
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612416
E-mail Karen.briggs@south-ayrshire.gov.uk**

Date: 16 June 2023

APPENDIX 1**GRANT PAYMENTS BY SOUTH AYRSHIRE CHARITABLE TRUST IN 2022/23**

	APPLICANT	AWARD
	<u>Coylton</u>	
1.	Individual	£450
	<u>Ayr</u>	
1.	Aberlour Children's Charity	£7,500
2.	AWH PRO-TECT CIC	£7,500
3.	Belmont Family First	£2,000
4.	Christ in Action Food Bank	£1,500
5.	Harbour (Ayrshire)	£2,600
6.	Night Before Christmas Campaign	£7,500
7.	Oshays Brain Domain	£7,500
8.	Riverside Community Trust	£6,593
9.	Wallacetown EYC	£2,307
	Total spend =	£45,450

South Ayrshire Charitable Trust – Business Plan 2023/24

1. The Trust

The South Ayrshire Charitable Trust was established in 2015. The following comments are made regarding the trust deed:

- (a) The trustees are the Councillors of South Ayrshire Council and their statutory successors in office. All trustees will be appointed on an *ex officio* basis.
- (b) The South Ayrshire Charitable Trust is designed to assist and improve the lives of those who are in need because of poverty, age, ill-health, disability, financial hardship or other disadvantage, and who are resident within the South Ayrshire area.
- (c) The funds which made up the initial trust fund came from trusts which were designed to benefit specific geographic areas within South Ayrshire. The funds which originated from these trusts remain ring fenced for these specific geographic areas. The trustees appointed from their number trustees who sit on Committees relative to each of these geographic areas who will decide grant applications for these areas. The trustees for each area can also make donations as they see fit from the funds ring fenced for their area. A minimum of three trustees was appointed for each Committee. The trustees for each Committee are detailed in [Annex 1](#). A quorum of two is sufficient for all decisions regarding the awarding of grants and donations from the trust funds from the said Committees. (hereinafter referred to as 'the Committees').

2. Purposes of the South Ayrshire Charitable Trust

The purposes of the South Ayrshire Charitable Trust are :

- (a) the prevention or relief of poverty; and
- (b) relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage and who are resident in South Ayrshire.

3. Limitation of Value of Funding

The limitation on particular grants and donations is strictly at the discretion of the trustees. The limitation on grants for the year 2023-2024 will be £1000 for Ayr and £1000 for Girvan. No limitation is placed on the donations which can be made from each area. These limits will be reviewed on an annual basis at a meeting of all the trustees.

4. Who can apply for Funding?

Groups, organisations and individuals provided they can demonstrate to the satisfaction of the trustees that the funding will be utilised for the trust purposes. Where the trust funds are ring fenced for a specific geographic area the applicants will require to show to the trustees that the funding will be utilised for the benefit of the residents of the specific geographical area.

5. The Use of Trust Funds

The revenue generated from the capital of the trust fund and where the trustees consider it reasonable the capital of the trust fund will be used to support and improve the lives of residents in South Ayrshire through grants and donations. Possible activities the trust may support could include but are not limited to:

- (a) providing grants and donations to local clubs or organisations which support the poor, the disadvantaged, the disabled, the elderly or the sick; and
- (b) providing grants and donations to purchase items for local hospitals and care homes for projects which will benefit patients and residents.

6. Application for Grants

The trust will be highlighted to groups, organisations and individuals once per annum via the South Ayrshire Council website and other appropriate methods of publication. Prospective applicants will be notified of the funding criteria and how to obtain application forms.

An application form will be completed by the applicant and returned to South Ayrshire Council.

Applications will then be examined by officers and if they are fully completed they will be passed before the relevant Committee of trustees at a meeting for consideration.

The Committees will meet at least on a yearly basis to consider the grant applications and award grants. The decisions on which applications are awarded funding will be at the discretion of the Committees of trustees.

Grants will be issued by South Ayrshire Council from the accounts they hold for the trust. Applicants will be required to provide an evaluation form detailing how grant funds were spent and evidence of spending. If they fail to do so the Committees can decide not to fund future applications.

Annex 1

Ayr

The Committee of trustees will be the Members who represent Wards 3,4 and 5.

Girvan

The Committee of trustees will be the Members who represent Ward 8.

South Ayrshire Charitable Trust – 2021/2022

Evaluations

Ayr Trust Area

1. **Ayrshire Cancer Support** -This charity provide a range of services for people affected by cancer. They provide free transport to people receiving cancer treatment in hospital, free professional mental health support and a range of free complimentary therapies. The grant funding would be used to develop their services by broadening the reach and the referral pathways to their services. In particular the age at which young people can access their service. **Awarded £4,000**

Feedback –

The project outcomes were delivered in full. A Total of 137 people benefitted from the funding.

The transport service meant that:

- People were able to travel safely to hospital for cancer treatment (the transport service complied with all Covid regulations throughout the period)
- Cancer patients and their families were less stressed and anxious
- Individuals on low incomes were able to access healthcare

The marketing programme means that:

- More people are aware of the services
- Cancer patients are better informed

Quote regarding the impact of the services provided through the children and young people support services

“As a group of Outreach Nurture teachers working in South Ayrshire Education, we were very impressed with the support being given to children, young people and their families with Ayrshire Cancer Support. This is such a valuable resource where great care and attention is obviously being given to the future plans for the building and the services which will be available in the months to come.”

2. **Vics in the Community** – The charity was established to carry on the works of Whitletts Victoria FC in improving diversionary activities for children in the Ayr North electoral ward. Additionally, since the start of the pandemic they have developed a much stronger community focus and helped to provide over 12,000 meals to the local community, as well as the development of a local food pantry. The funding would be used for support key projects such as diversionary youth work on Friday evenings and enhanced after school activity from 4-6pm for children. They also sought to engage a life coach to offer wellbeing support and extend their Sunday evening clinics. **Awarded £7,500**

Feedback- The funding helped the charity to maintain some of the existing programmes, and introduce new programmes and initiatives.

Sessional coaches were appointed to provide key after school activities at Whitletts activity centre from 4-6pm, providing much needed support in the area where facilities for children are very limited. These were open to all but had a strong focus in children from Lochside, Whitletts and Dalmilling communities. A total of 426 young people under 18 participated and 61 that were 18+. 42 are now active in the weekly teams programme.

Responding to the needs of the community arising from extended work with food and mental health support they were able to provide a life coach for a combination of group and 1:1 support.

A series of specialist training has been delivered allowing the coaches to work on improving core skills.

Impact of the programme – quotes from staff, users and their families

A loves the after school sessions which his son attends every day and A regularly expresses his delight and said a few months ago “It’s as it should be kids out in open spaces meeting friends, playing football and having fun”

J faced the agonising spiral of seeing her son fall into depression and tried to take his own life. Her son was part of one of our Teams Support from our life coach during this funding helped to get him back into a better place and moving forward with a new social circle and J recently commented “Thank you for giving me my son back”

Ed Hanna Trustee said “The community as a whole has faced some challenging times and we have tried to be there to meet needs and respond to issues and thanks to your funding we were able to introduce new programmes and activities which we have progressed on further with long term funding”

- 3. Riverside Community Trust** - This a registered charity which provides a furniture service, uplifting furniture donations, storing them and providing them to people who move from homeless accommodation into the rented sector. They service Newton, Wallacetown, North Harbour, Braehead, Lochside and Whitletts. The grant funding was to be utilised to pay for a co-ordinator to run their furniture service, van running ,and van insurance costs, as well as storage rental. **Awarded £7,500** -

Outcome 1: Arrange 250 uplifts per annum

In the past year they have completed 248 uplifts of furniture.

Outcome 2: Arrange 250 deliveries per annum (a delivery might include a minimum of 3 pieces of living room furniture & 1 item of white goods).

In the past year they have exceeded the agreed target and completed 261 deliveries.

- 4. Individual award (Mr A)**

Mr A applied for funding to purchase a power add on for his wheelchair. This would enable to him to regain is independence and get out to meet with friends. **Awarded £952**

Mr A has utilised the funding to purchase the power add on.

**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 Ayrshire Charitable Trust
Lead Officer (Name/Position/Email)	Karen Briggs, Service Lead-Legal and Licensing- karen.briggs@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
--	--

<p>(A full Equality Impact Assessment must be carried out if impacts identified as Medium and/or High)</p>	<p>NO</p>
<p>Rationale for decision:</p> <p>An Equality Impact Assessment is not required on this occasion as this report is only seeking approval to make decisions relating to the operation of South Ayrshire Charitable Trust (and not to make actual grant awards.</p>	
<p style="text-align: center;"></p> <p>Signed : Service Lead</p> <p>Date: 31.5.23</p>	

South Ayrshire Council**Report by Head of Legal and Regulatory Services
to South Ayrshire Council
of 29 June 2023**

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 30 June 2023 .**

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. (Minor changes have subsequently been made to reflect Cabinet replacing Leadership Panel and updated job titles as a result of the management restructure.)

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;
- 4.1.5 advance notice and competency of motions and amendments;
- 4.1.6 the call-in process; and
- 4.1.7 advice received from King's Counsel in respect of the use of the Provost's casting vote.

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

- 4.3 Subject to approval, it is proposed that the revised Standing Orders Relating to

Meetings are adopted with effect from 30 June 2023.

- 4.4 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/

12. Link to Council Plan

12.1 The matters referred to in this report contribute to enabling services through the delivery of sound decision making and governance.

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	7 July 2023	Head of Legal and Regulatory Services

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

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

Date: 19 June 2023

Standing Orders Relating to Meetings

June 2023



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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 requires to be advised to the Chief Executive in advance of the meeting and requires to 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 requires to be advised to the Chief Executive in advance of the meeting and requires to 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 approximately 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;**

- 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 been 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. **Wherever possible, Members should make all efforts to discuss motions and amendments with the Monitoring Officer in advance of the meeting and submit them in writing to the Clerk rather than tabling these on the day of 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 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.
- 24.2 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.
- 24.3 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.
- 24.4 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.
- 24.5 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).
- 24.6 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.

24.7 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. **If the Provost rules a question out of order, the question will not be answered.**

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.

28.5 **Where any Member has been appointed or nominated to a Panel or the Integration Joint Board or Outside Body by virtue of their position being reserved for a member of a specified Political Group, then any replacement may be nominated by the Group to the Chief Executive. In the case of a reservation for an Independent Member, any replacement may be agreed collectively by the Independent Members and thereafter notified to the Chief Executive. The Chief Executive will advise all Members in writing of these changes and report them to the next Ordinary Meeting of Council for noting. Where a nomination is not received by the Chief Executive within 6 weeks of a vacancy occurring for such a reserved position, then the Chief Executive**

will present a report to the next Ordinary meeting of Council for determination.

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 Deputy 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 meets.
- (13) No action will be taken on decisions taken by the Cabinet , 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 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.

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 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) **No member of the Audit and Governance Panel who has signed a call-in request may take part in the consideration of the call-in request.**

~~(7)~~(8) 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)~~(9) 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)~~(10) 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: _____

Officers to be in attendance

--

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: 1 March 2023	Head of Service

South Ayrshire Council

**Report by Head of Finance, ICT and Procurement
to South Ayrshire Council
of 29 June 2023**

Subject: Standing Orders Relating to Contracts

1. Purpose

- 1.1 The purpose of this report is to seek approval to amend the Council's Standing Orders Relating to Contracts following their most recent review.

2. Recommendation

2.1 It is recommended that the Council:

- 2.1.1 considers the revisions proposed to the Standing Orders Relating to Contracts (summary of proposals contained in Appendix 1); and**
- 2.1.2 approves the revised Standing Orders Relating to Contracts (Appendix 2) and the list of delegations (Appendix 3) with effect from 1 July 2023.**

3. Background

- 3.1 It is a requirement of corporate governance that the Council's Standing Orders Relating to Contracts be kept under review. The last update was approved by Council on 29 June 2022.

4. Proposals

- 4.1 Proposed amendments to the Council's Standing Orders Relating to Contracts for 2023 include revisions reflecting:
- 4.1.1 Minor updates to job titles to reflect the most recent structure within Appendix 3.
- 4.1.2 Change of wording within section 6 in regard to delegations which now clearly state that any contract award may only be approved by an officer with the applicable Purchase to Pay limit.
- 4.1.3 All requests for purchases above the national Procurement threshold of £50,000 must be accompanied by a completed Request for Procurement Action form (RPA).

4.1.4 Additional paragraph at 22.3 to ensure members are updated annually via a members' bulletin containing ICT service and maintenance renewals which are above the Procurement threshold of £50,000.

4.2 The proposed revisions to the Council's Standing Orders Relating to Contracts for 2023 are detailed in a summary table attached as Appendix 1.

4.3 The full, proposed, revised Standing Orders Relating to Contracts for 2023 are attached as Appendix 2, with amendments tracked and highlighted in **bold text**.

4.4 Subject to approval, it is proposed that the revised Standing Orders Relating to Contracts are adopted with effect from 1 July 2023.

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

4.6 Subject to approval, Standing Orders Relating to Contracts refresher training sessions will be organised for all relevant Service Leads and Co-ordinators.

5. Legal and Procurement Implications

5.1 The recommendations in this report are consistent with legal requirements. Legal Services will continue to work closely with Procurement colleagues to support appropriate procurement processes and compliance with both Standing Orders Relating to Contracts and all relevant procurement legislation.

5.2 The implications of this report for the procurement practices of the Council are considerable and have been fully considered.

6. Financial Implications

6.1 Not applicable.

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 Rejecting the recommendations carries the risk that the Council's Standing Orders Relating the Contracts will fail to properly reflect updated procurement processes.

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 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 Priority 2 of the Council Plan: Live Work, Learn in terms of delivering compliant contracts to assist multiple service areas within the Council.

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, Councillor Ian Davis, Portfolio Holder for Finance, Human Resources and ICT, and 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 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:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Updated Standing Orders Relating to Contracts to be published and notified to employees	7 July 2023	Head of Finance, ICT and Procurement

Background Papers **Report to South Ayrshire Council of 29 June 2022 – [Standing Orders Relating to Contracts](#)**

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: 16 June 2023

**Summary of proposed revisions from
Revised Standing Orders Relating to Contracts - 2023**

Page Nr:	SO Reference:	SO Title	Proposed Change
2	1.1	Commencement	Date changes to 2023
8	4.4	Exemptions and Special Arrangements	With the exception of contracts for demolition works which are deemed to be disposals, these Contract Standing Orders shall not apply to any proposals, transactions or contracts regarding the acquisition or disposal of lands or buildings or any interests therein by the Council.
9	6.3	Delegation of Duties under these Standing Orders	Delegated purchasing authority must be reflected in the Council's Purchase to Pay hierarchy held within the ORACLE system. Any contract award may only be approved by an officer with the applicable Purchase to Pay limit.
11	10.2.2	Procedures Prior to Commencing Procurement Exercise	A Request for Procurement Action (in the form made available on the Procurement page on the intranet) has been completed by the Executive Officer and returned to the Service Lead – Procurement for all requirements above £50,000;
11	10.2.4	Procedures Prior to Commencing Procurement Exercise	Where the estimated expenditure of goods, services and works contracts is above £50,000, consultation with the relevant Portfolio Holder(s) has taken place; and
15	19.1	Contracts Register	The Head of Finance, ICT and Procurement shall keep and maintain a register of all awarded contracts having an estimated price or value of or exceeding £50,000. Services must inform the Service Lead – Procurement of any changes, or missing information in regard to data held within the Contracts register pertinent to the service or contract. The register shall be compliant

Page Nr:	SO Reference:	SO Title	Proposed Change
			with the Public Contracts (Scotland) Regulations and the Procurement Reform (Scotland) Act and shall be referred to in these Standing Orders as the 'Contracts Register'.
16	22.3	Authority to Negotiate Contract without Prior Advertisement	<p>If an existing ICT service contract has been determined by the Service Lead ICT Operations not to be readily obtainable other than from the contracted vendor due to an unavailable equivalence in specific technical, intellectual and licensing nature of the service, the Council shall continue to renew the contract on an annual basis with such support and maintenance cost continuing until the Council no longer requires the said ICT systems or service.</p> <p>A list of such existing ICT contracts shall be provided to Elected Members via a written bulletin on an annual basis.</p>
17	24.3	Prevention of Collusion and Corrupt or Illegal Practices	Every contract shall contain a clause entitling the Council to cancel the contract and to recover from the Contractor the amount of any loss resulting from such cancellation if the Contractor or its representative, or persons employed by the contractor or acting on behalf of the contractor (whether with or without the knowledge of the Contractor) shall have committed any offence under the Bribery Act 2010 or have given any fee or reward, the receipt of which is an offence under any legislation pertaining to local authorities; or shall have practised collusion in Tendering for the contract or any other contract with the Council or shall have employed any corrupt or illegal practices either in the obtaining or execution of the contract or any other contract with the Council.
19	24.10.3	Sustainability and Community Benefits	Every contract shall set out the Council's commitment to Fair Work First, the Scottish Government's Fair Work framework and that the Council expects Contractors or suppliers to take a similarly positive approach as part of a fair and equitable employment and reward package for their staff.

Standing Orders Relating to Contracts

July 2023



RESPECTFUL
SUPPORTIVE

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Annex 3: General Powers of Executive Officers under these Standing Orders

Introduction

The Standing Orders Relating to Contracts set out how contracts for all supplies, services and works will be made by or on behalf of the Council. For the avoidance of doubt, the term 'contract' includes any form of agreement, written or unwritten, to which the Council is a party which creates rights and responsibilities for any of the parties involved.

The purpose of the Standing Orders is to ensure that contracts are appropriate for their purpose, provide the right balance between price and quality, and are procured in an open way that demonstrates probity and compliance with the Council's policies.

These Standing Orders apply equally where payment is expected to be received by the Council as where payment is to be made.

In entering contracts for or on behalf of the Council, every Committee, Panel, Officer or such other person as may have the power of entering into contracts on the Council's behalf, regardless of whether any such contracts are otherwise exempted from the application of these Standing Orders, shall be subject to an obligation to seek Best Value for the Council and be able to demonstrate equal treatment, non-discrimination, proportionality and transparency in the process of awarding contracts.

Notwithstanding the provisions and requirements of these Standing Orders, all contracts must comply with:

- (a) The Financial Regulations of the Council;
- (b) The Scheme of Delegation to Officers;
- (c) The requirements of the Public Contracts (Scotland) Regulations;
- (d) The requirements of the Procurement Reform (Scotland) Act; and
- (e) All other relevant legislation including retained EU law.

Due consideration should also be given to all Guidance and Policy Notes issued by the Scottish Government, Scottish Procurement Directorate in respect of procurement matters including the Scottish Procurement Journey. Details can be obtained from the website - [Scottish Procurement Journey](#).

1. Commencement

- 1.1 These Standing Orders relating to Contracts ('Contract Standing Orders') shall apply and have effect as from 1 July ~~2022-2023~~ and supersede the Standing Orders Relating to Contracts approved by the Council on ~~24 June 2021~~ **29 June 2022**.

2. Glossary of Terms

- 2.1 **Best Value** means the optimum combination of price (whole life cost or acquisition cost, as appropriate) and quality for any particular requirement, and which supports the continuous improvement in the performance of the Council's functions having regard to (a) efficiency, (b) effectiveness, (c) economy, (d) equal opportunities and (e) sustainability.
- 2.2 **Call-off Contract** means a contract which is entered into between the Council and a Contractor on a Framework Agreement or Dynamic Purchasing Systems (DPS) to which the Council has access. A Call-off Contract shall be awarded in accordance with the terms of the Framework Agreement or DPS, which may provide for:
- 2.2.1 A direct call-off, Framework Agreement only, by application of the terms set out in the Framework Agreement (which shall be referred to in these Contract Standing Orders as a Direct Award); or
- 2.2.2 A mini-competition between the Contractors within the Framework Agreement or DPS that are capable of performing the proposed Call-off Contract (which shall be referred to in these Contract Standing Orders as a Mini-Competition).
- 2.3 **Collaboration (or Collaborative Procurement)** is where two or more Contracting Authorities, including the Council, aggregate demand for procurement purposes where it makes logical and commercial sense to do so. This results in the maximisation of procurement skills and resources while leveraging greater purchasing power and encouraging competition or innovation in the market place. For the purposes of these Standing Orders, Collaboration relates only to the procurement exercise and Tendering process up to the point of contract award.
- 2.4 **Contract Documents** means the documents to be used in any procurement exercise and where different those intended to form part of any contract following on from a procurement exercise. It includes, but is not limited to, the Single Procurement Document (SPD), the invitation to either Tender for or negotiate a contract, the proposed conditions of contract, the specifications or the descriptions of the supplies, services or works required by the Council and any bill of quantities, and all supplementary documents.
- 2.5 **Contracting Authority** shall have the same meaning as provided for in the Public Contracts (Scotland) Regulations, which are available at the link provided at Standing Order 2.15 below.
- 2.6 **Contractor** means a Contractor or supplier or service provider (as the case may be) appointed by or on behalf of the Council under a contract to which these Contract Standing Orders apply.

- 2.7 **Executive Officer** means in any case the Chief Executive, the Director, Assistant Director or Head of Service with responsibility for the Council service which has the contract requirement, unless these Standing Orders provide otherwise. Where the contract is required for more than one service, the term shall refer to any one of the relevant Executive Officers.
- 2.8 **Framework Agreement or DPS** means an agreement or other arrangement between one or more Contracting Authorities and one or more Contractors, which establishes the terms under which a Call-off Contract may be agreed in the period during which the Framework Agreement or DPS applies.
- 2.9 **Health or Social Care Services** means a care service within the definition provided in regulation 5 of the Procurement (Scotland) Regulations 2016.
- 2.10 **Most Economically Advantageous Tender** means the Tender offer that is most economically advantageous from the Council's point of view having regard to the subject matter of the contract and may include matters such as quality, price, technical merit, aesthetic and functional characteristics, environmental characteristics, running costs, cost effectiveness, after-sales service, technical assistance, delivery date and delivery period or period of completion and other matters (as may be considered appropriate in relation to any particular contract).
- 2.11 **National Advertising Portal** means the national portal for advertising public sector contract opportunities in Scotland, which may be found at the [Public Contracts Scotland](#) website.
- 2.12 **Procurement Exercise** means any procurement process which is subject to these Standing Orders.
- 2.13 **Procurement Reform (Scotland) Act** means the Procurement Reform (Scotland) Act 2014 (as may be amended from time to time). These are available at <http://www.legislation.gov.uk/asp/2014/12/data.pdf>. Any reference to the Procurement Reform (Scotland) Act shall include where the context permits reference to any secondary legislation made and statutory guidance issued under the powers conferred in terms of that Act;
- 2.14 **Procurement Strategy** means a procurement strategy in terms of the Procurement Reform (Scotland) Act, section 15;
- 2.15 **Public Contracts (Scotland) Regulations** means the Public Contracts (Scotland) Regulations 2015 (as may be amended from time to time). These are available at: <https://www.legislation.gov.uk/ssi/2015/446/made/data.pdf>
- 2.16 **Retained EU law** means any retained EU law within the meaning of section 6(7) of the European Union (Withdrawal) Act 2018.
- 2.17 **Scottish Procurement Threshold** means the relevant contract value threshold specified under the terms of the Procurement Reform (Scotland) Act applicable to, as the case may be, contracts for the supply of goods, provision of services or works (all as may be amended from time to time). The current thresholds are set out under Standing Order 3.5.
- 2.18 **Tender** means a formal process undertaken during a Procurement Exercise where potential Contractors submit bid proposals for supplies, services or works.

2.19 **UK Find a Tender Service (FTS) Threshold** means the relevant contract value threshold specified under the terms of the Public Contracts (Scotland) Regulations, referred to previously as the EU Threshold, applicable to, as the case may be, contracts for the supply of goods, provision of services or works (all as may be amended from time to time). The current thresholds are set out under Standing Order 3.5.

3. Extent and Application

3.1 These Contract Standing Orders are made under Section 81 of the Local Government (Scotland) Act 1973, as amended.

3.2 The Contract Standing Orders shall be interpreted and applied having regard always to the General Rules of the Public Contracts (Scotland) Regulations and the Principles of equal treatment, non-discrimination, proportionality and transparency. All Council employees shall treat Tenderers equally and without discrimination and shall act in a transparent and proportionate manner at all times.

3.3 Subject to the exemptions contained in Standing Order 4 below and in accordance with the further provision at Standing Order 3.5, these Standing Orders shall apply to all contracts made by or on behalf of the Council with an estimated total price or value (which shall always be calculated excluding VAT and over the entire contract period, including any extension options) of or exceeding £50,000 for the supply of goods and materials and the provision of services or £200,000 for the execution of works.

3.4 These Standing Orders are subject to the over-riding provisions of United Kingdom and Scottish legislation, including the Procurement Reform (Scotland) Act, the Public Contracts (Scotland) Regulations and retained EU law. They are also subject to any UK Government or Scottish Government guidance on public procurement that may be issued from time to time. The rules and procedures that apply to the procurement of any particular contract will depend on the nature of that contract and its estimated total price or value over its duration. In the event of any conflict between these Standing Orders and any provision of United Kingdom or Scottish legislation or retained EU law, the legislative provision(s) shall prevail.

3.5 The following table details the different contract thresholds and, as appropriate, the procedures and legislation that apply at each level.

Type of contract	Threshold (excluding VAT)	Applicable procedures / legislation
Best Value Duty		
*All	< £10,000	Follow the relevant Route Zero procurement journey procedure at: https://thecore.south-ayrshire.gov.uk/article/301/Procurement-journey

<i>Type of contract</i>	<i>Threshold (excluding VAT)</i>	<i>Applicable procedures / legislation</i>
Quick Quote procedures		
Supplies and Services	£10,000 - £49,999	Follow the relevant Route One procurement journey procedure at:
		https://thecore.south-ayrshire.gov.uk/article/301/Procurement-journey
Works	£10,000 - £49,999	Follow the relevant procurement journey procedure at:
		https://thecore.south-ayrshire.gov.uk/article/301/Procurement-journey
Works	£50,000 - £199,999	Contact the Service Lead - Professional Design Services to progress with your requirement which must be concluded using appropriate construction contract terms and conditions
South Ayrshire Council Standing Orders		
Supplies & Services	> £50,000	Follow the procedures set out in these standing orders, and comply with any applicable legislation as detailed below
Works	£200,000 - £2,000,000	Follow the procedures set out in these standing orders, and comply with any applicable legislation as detailed below
Scottish Procurement Threshold		
Supplies and Services	> £50,000	Procurement Reform (Scotland) Act
Works	> £2,000,000	Procurement Reform (Scotland) Act
UK Find a Tender Service (FTS) Threshold		
Supplies and Services	> £177,897 (excluding VAT)	Procurement Reform (Scotland) Act; and the Public Contracts (Scotland) Regulations
Works	> £4,447,447 (excluding VAT)	Procurement Reform (Scotland) Act; and the Public Contracts (Scotland) Regulations
Social and Other Specific Services	> £552,950 (excluding VAT)	Procurement Reform (Scotland) Act; and the Public Contracts (Scotland) Regulations

* 'All' is a reference to a supply, service and/ or works contract

3.6 All Council employees shall comply with the terms of the Contract Standing Orders and any failure to do so may result in disciplinary action.

- 3.7 The Head of Legal and Regulatory Services shall have power to vary these Standing Orders but only in the following circumstances:
- 3.7.1 to reflect changes in job titles, reorganisations of departments and vacancies in posts;
 - 3.7.2 to change references to any piece of legislation where the legislation is repealed, and to insert references to new pieces of legislation where the new pieces of legislation largely re-enact the provisions of the repealed legislation;
 - 3.7.3 to change the financial values of the UK Find a Tender Service (FTS) Threshold or Scottish Procurement Threshold where referred to in these Standing Orders, to implement any changes made to those thresholds.

Any alterations made in terms of this Standing Order 3.7 shall be reported to the next meeting of the Council.

- 3.8 Other than alterations of a nature which fall within Standing Order 3.7, these Standing Orders may only be varied or revoked by the Council and any motion to vary or revoke these Standing Orders shall conform to the requirements of Standing Orders 18 and 19 of the Standing Orders Relating to Meetings.
- 3.9 Subject to the modifications contained in Annex 2 below and in accordance with the principles set down in the Statutory Guidance issued by Scottish Ministers in terms of the Procurement Reform (Scotland) Act 2014 as well as the Best Practice Guidance on the Procurement of Care and Support Services 2016 issued in terms of the Procurement Reform (Scotland) Act, these Contract Standing Orders shall apply to contracts for Health or Social Care Services subject to the special procedures set out in Annex 2.
- 3.10 Any query regarding the application or interpretation of these Contract Standing Orders must be referred in the first instance to the Head of Legal and Regulatory Services.

4. Exemptions and Special Arrangements

- 4.1 It must be noted that whilst certain categories of contract are exempt from the Contract Standing Orders, they are not exempt from the application of the Procurement Reform (Scotland) Act, the Public Contracts (Scotland) Regulations or retained EU law, where these apply and all stated exemptions from Contract Standing Orders are subject to the proviso that such exemption is within the statutory powers of the Council and does not contravene any retained EU law or UK legislation including, for the avoidance of doubt, any Scottish legislation.
- 4.2 With the exception of Standing Orders 4.1 and 4.3 (which apply in all cases), these Contract Standing Orders shall not apply to:
- 4.2.1 Any contract for the execution of works, the supply of goods or materials or for the provision of services which, in the opinion of the Executive Officer, is urgently required to address a genuine emergency situation brought about by events which could not have been foreseen by the

Council. Lack of forward procurement planning shall not constitute an emergency requirement.

- 4.2.2 Any contract declared to be exempt by the Cabinet if they are satisfied that the exemption is justified by special and exceptional circumstances, such as where (a) the requirement is not readily obtainable from more than one Contractor and it can be demonstrated that no equivalent is available; or (b) the prices of the supplies, services or works are wholly controlled by trade organisations or government order and it can be demonstrated that no equivalent is available; or (c) the requirements are subject to intellectual property rights and it can be demonstrated that either no suitable alternative is available or that exposure to competition of an item covered by copyright, patent or trademark would breach such rights.
 - 4.2.3 Any contract of direct employment.
 - 4.2.4 Any contract of engagement of consultants (including junior and senior counsel) for the provision of specialist legal or financial advice and skills within the meaning of regulation 11 (1) (e) and (f) of the Public Contracts (Scotland) Regulations, as may be procured on an ad hoc basis on the authorisation of the Head of Legal and Regulatory Services (for legal advice and skills) or of the Head of Finance, ICT and Procurement (for financial advice and skills).
 - 4.2.5 Any contract for works, supplies or services procured and awarded on the Council's behalf by other Contracting Authorities, in accordance with Standing Order 8.5.
 - 4.2.6 Any Direct Award placed in accordance with Standing Order 9.3 under the terms of a Framework Agreement which has been established by the Council; provided always that the terms of the relevant Framework Agreement are complied with. For the avoidance of doubt, these Standing Orders shall apply in respect of any Mini-Competition held under any such Framework Agreement or DPS.
 - 4.2.7 Any Direct Award placed in accordance with Standing Order 9.4 under the terms of a Framework Agreement which has been established or is being utilised by any consortium, partnership, company or similar body of which the Council is a member or user, which body exists for the purpose of joint purchasing arrangements, and where such body has invited Tenders for the provision of supplies, services or works; provided always that the terms of the relevant Framework Agreement are complied with. For the avoidance of doubt, these Standing Orders shall apply in respect of any Mini-Competition held by the Council under any such Framework Agreement or DPS.
- 4.3 The foregoing exemptions shall not be deemed in any way to detract from the requirement of the Council and every officer of the Council to ensure that every contract is constituted only after full assessment that:

- 4.3.1 its terms comply with the duty to achieve Best Value;

- 4.3.2 the Financial Regulations have been complied with; and
- 4.3.3 a Request for Procurement Action (RPA) has been submitted in accordance with Standing Order 10.2.2 (except in cases where Standing Orders 4.2.1 or 4.2.3 apply).
- 4.4 **With the exception of contracts for demolition works which are deemed to be disposals**, these Contract Standing Orders shall not apply to any proposals, transactions or contracts regarding the acquisition or disposal of lands or buildings by the Council.
- 4.5 These Contract Standing Orders shall not apply to any contract for works or services delivered under the South West Territory Hub arrangements. Any such contracts shall be let in accordance with the Council's duty to achieve best value. In advance of procuring and awarding any such contract under this Standing Order, a report shall be submitted in terms of the following:
 - 4.5.1 Where the contract is for works, goods or services up to the value of £500,000, a report on the procurement process followed shall be submitted to the Head of Finance, ICT and Procurement seeking approval to procure and award; or
 - 4.5.2 Where the contract is for works, goods or services of a value equal to or exceeding £500,000, a report on the procurement process followed shall be submitted to the Council or Cabinet seeking approval to procure and award. Contract details should be submitted to the Service Lead – Procurement so that they can be added to the Council Contract Register.
- 4.6 These Contract Standing Orders shall not apply to any contract entered into on behalf of the Council by Strathclyde Partnership for Transport acting in their capacity as agents of the Council to secure the provision of school transport. All such contracts will be subject to the procedures of Strathclyde Partnership for Transport although the Director of Education shall approve the award of all such contracts on behalf of the Council and shall, as soon as reasonably practicable after the award of the contract, submit a report to be included on the monthly Members' Bulletin and naming the successful tenderer, explaining the evaluation process undertaken and detailing the value of the successful tender. A copy of the report shall be sent by the Director of Education to the Service Lead - Procurement.
- 5. **Disaggregation**
 - 5.1 Contracts must not be disaggregated, packaged or split into separate smaller contracts or requirements to avoid the application of any provision of these Standing Orders, the Procurement Reform (Scotland) Act, the Public Contracts (Scotland) Regulations or any other legislative provisions including retained EU law.
 - 5.2 In determining whether either the Scottish Procurement Threshold or UK Find a Tender Service (FTS) Threshold has been exceeded in respect of any single requirement for works, services or supplies, the value of that requirement will be aggregated across the whole Council.

6. Delegation of Duties under these Standing Orders

- 6.1 No officer may award a contract without written delegated purchasing authority from the Executive Officer.
- 6.2 Executive Officers may nominate, in writing, such other properly qualified officers as they consider appropriate to undertake any of the general duties set out in these Contract Standing Orders, as more fully detailed in the table at Annex 3 to these Contract Standing Orders, who will then have delegated authority to act in lieu of the Executive Officer in respect of the prescribed duties.
- 6.3 **Delegated purchasing authority must be reflected in the Councils Purchase to Pay hierarchy held within the ORACLE system. Any contract award may only be approved by an officer with the applicable Purchase to Pay limit. A note of all written nominations made in terms of Standing Order 6.2 shall be provided to the Head of Finance, ICT and Procurement for his/ her retention.**
- 6.4 No officer who has a potential conflict of interest or a direct or indirect pecuniary interest in any Tender is permitted to be involved in the Tendering process.

7. Maintenance and Repair of Council Buildings

- 7.1 Subject to Standing Order 7.2, all planned maintenance and/ or responsive repairs to buildings or property owned by the Council shall be undertaken under the direction of the Asset Management service. Such work may, at the direction of the Director of Housing, Operations and Development, be undertaken either by the Council's Property Maintenance service in accordance with plans agreed with that service, or by external Contractor(s). No external Contractor(s) shall be appointed, to undertake any planned maintenance and/ or responsive repairs to buildings or property owned by the Council, by any officer other than the Director of Housing, Operations and Development or his/ her delegate.
- 7.2 All planned maintenance and/ or responsive repairs to Council houses shall be undertaken under the direction of the Housing service. Such work may, at the direction of the Director of Housing, Operations and Development, be undertaken either by the Council's Property Maintenance service in accordance with plans agreed with that service, or by external Contractor(s). No external Contractor(s) shall be appointed, to undertake any planned maintenance and/ or responsive repairs to Council Houses by any officer other than the Director of Housing, Operations and Development or his/ her delegate.

8. Collaborative Procurement

- 8.1 The powers set out in this Standing Order 8 shall be exercised by the Executive Officer through the Council's Procurement Service.
- 8.2 Following consultation with the Council's Procurement Service, where an Executive Officer considers that there is no suitable existing contract, Framework Agreement or DPS to meet the particular requirements of the Council, he/ she may seek to enter into a Collaboration with one or more other contracting authorities provided that it would be in the best interests of the Council and in accordance with Best Value to do so. The provisions of this Standing Order 8 shall apply.

- 8.3 A contract strategy shall be prepared in respect of every proposed Collaboration and shall detail the justifying reasons for the Collaboration. The contract strategy shall be approved by the Executive Officer.
- 8.4 Where it is proposed that the Council shall act as 'lead authority' in a Collaborative Procurement, the terms of these Contract Standing Orders shall apply to the Procurement Exercise and the written agreement of the other parties to the Collaboration shall be obtained to this effect.
- 8.5 Where another Contracting Authority acts as 'lead authority' in a Collaborative Procurement, the procurement and award process shall be conducted in accordance with the Standing Orders of the 'lead authority'. In every such case, the Executive Officer must first be satisfied (after consultation with the Service Lead - Procurement) that the procurement and award of any such contract shall be carried out in accordance with Standing Orders equivalent in all material respects to and no less robust than these Standing Orders such that the principles of Best Value are adhered to and the best interests of the Council are served at all times in the Collaboration.
- 8.6 Prior to commencing any Collaborative Tender exercise, the Executive Officer shall agree the parameters for the Collaboration with the appropriate officers in the other Contracting Authorities and shall record this in writing. Appropriate monitoring arrangements shall be put in place to ensure the agreed terms for the Collaboration are adhered to by all parties.

9. Framework Agreements and Dynamic Purchasing Systems (DPS)

- 9.1 The powers set out in this Standing Order 9 shall be exercised by the Executive Officer through the Council's Procurement Service.
- 9.2 Where there is likely to be a repeated requirement for a particular supply, service or works, an Executive Officer may seek to establish or participate in a Framework Agreement or DPS in line with Standing Orders 9.3 or 9.4, where he/ she deems that offers Best Value. Before doing so, the Executive Officer shall consult with the Service Lead - Procurement.
- 9.3 The Executive Officer may elect to establish a Framework Agreement or DPS to provide for agreement on the terms for future call-off contracts (whether through Direct Award, in the case of a Framework Agreement only, or by the acceptance of a Tender following a Mini-Competition) where permitted in accordance with the terms of that Framework Agreement or DPS. Standing Order 4.2.6 will apply to Call-off Contracts awarded in such circumstances.
- 9.4 The Executive Officer may elect to participate in an existing Framework Agreement or DPS that has been properly constituted by Scotland Excel, the Scottish Procurement and Commercial Directorate, another local authority, the Crown Commercial Service or any other public sector procurement agencies and may enter into Call-off Contracts (whether through Direct award, in the case of a Framework Agreement only, or by the acceptance of a Tender following a Mini-Competition) where permitted in accordance with the terms of that Framework Agreement or DPS. Standing Order 4.2.7 will apply to Call-off Contracts awarded in such circumstances.

9.5 Where, in order to participate in an existing Framework Agreement or DPS of the type described in Standing Order 9.4, the Council is required to enter into a participation agreement or other similar agreement regulating the use of the Framework Agreement or DPS by the Council, the Head of Legal and Regulatory Services shall have the authority to enter into that agreement on behalf of the Council.

9.6 Any Mini-Competition run by the Council shall be conducted by means of electronic tendering for the purposes of Standing Order 13, and shall run in accordance with the procedures set out therein, unless contrary to any provisions set out in the relevant Framework Agreement or DPS (in which case, the terms of the Framework Agreement or DPS will have precedence).

10. Procedures Prior to Commencing Procurement Exercise

10.1 Prior to commencing with a Procurement Exercise, the Executive Officer shall check the Council's contract register to establish whether any existing contracts, Framework Agreements or DPS accessible to the Council might fulfil their requirement.

10.2 No Tender shall be invited or any contract negotiations commenced, unless:

10.2.1 The estimated expenditure thereon is within the budgetary provision previously approved by the Council and in compliance with the Council's Financial Regulations. The Executive Officer shall be responsible for ensuring that sufficient funds are available prior to the commencement of any Procurement Exercise;

10.2.2 A Request for Procurement Action (in the form made available on the Procurement page on the intranet) has been completed by the Executive Officer and returned to the Service Lead - Procurement **for all requirements above £50,000**;

10.2.3 In cases of Collaborative Procurement, the terms of Standing Order 8 have been complied with;

10.2.4 Where the estimated expenditure of goods, ~~and~~ **services and works** contracts is above £50,000, or of works contracts is above £200,000, consultation with the relevant Portfolio Holder(s) has taken place; and

10.2.5 In cases of procurement that will involve the evaluation of both price and quality criteria, to determine the Most Economically Advantageous Tender, advice must be sought in advance from the Council's Procurement Service on the weighting of such criteria.

11. Advertising of Contracts

11.1 In terms of the Procurement Reform (Scotland) Act, the Public Contracts (Scotland) Regulations and retained EU law, the Council has a duty to ensure that contracts are procured in accordance with the principles of non-discrimination on grounds of nationality, equal treatment and transparency.

- 11.2 Contract opportunities that are subject to the requirements of the Procurement Reform (Scotland) Act or the Public Contracts (Scotland) Regulations must comply with the provisions relating to advertising of contracts set out in that legislation.
- 11.3 In relation to contract opportunities that are outside the scope of the requirements of the Public Contracts (Scotland) Regulations, and which therefore fall outside the scope of Standing Order 11.2, the Executive Officer (in consultation with the Service Lead - Procurement) must assess, on a case by case basis, the degree of advertising necessary to ensure that the contract opportunity will be subject to open competition, will satisfy the requirements of the principles of non-discrimination on grounds of nationality, equal treatment and transparency, and will achieve best value for the Council.
- 11.4 All contract opportunities shall be advertised using the National Advertising Portal; unless a decision has been reached by reason of either Standing Order 3.9 or Standing Order 22 that the contract opportunity is to be awarded without advertising.

12. Tendering Procedures

- 12.1 Procurement exercises shall be carried out by electronic means, unless the Head of Finance, ICT and Procurement considers that there are substantial reasons for not doing so (in which case Standing Order 12.2 shall apply).
- 12.2 The procedures set out in Annex 1 to these Standing Orders shall apply in place of Standing Orders 13 to 17 (*Submission of Tenders to Post Tender Negotiations*) in respect of the submission, opening and acceptance of non-electronic Tenders and communication with Tenderers in respect of any Procurement Exercise undertaken by the Council by hard copy means.

13. Submission of Tenders

- 13.1 Every set of Contract Documents shall state:
- 13.1.1 the nature and purpose of the contract for which Tenders are invited;
 - 13.1.2 that electronic tendering will be used in the procurement and that submission of Tenders will be subject to the Tenderer registering as a user of the particular e-tendering platform chosen to host the process;
 - 13.1.3 the last date and time (in all cases being twelve noon) when Tenders will be received (noting in particular that any such timeous submission of an electronic Tender requires the Tender to have been submitted and uploaded in full onto the electronic tendering platform before the closing date and time; partial submissions will not be accepted);
 - 13.1.4 the website/ system details/ electronic address through which the electronic Tender is to be submitted;
 - 13.1.5 the period during which Tenders must remain open for acceptance;
 - 13.1.6 the format in which Tenders are to be submitted;

- 13.1.7 the award criteria and weightings to be used in the evaluation of Tenders received, which shall be based on the Most Economically Advantageous Tender, as assessed on the basis of criteria linked to the subject-matter of the contract and appropriate to securing Best Value for the Council. The award criteria and weightings must not be changed once agreed and published in the Contract Documents.
 - 13.1.8 that the Council is not bound to accept the Most Economically Advantageous Tender received;
 - 13.1.9 any specific requirements regarding verification and authentication of the Tender submission and the signature of the person making that submission, as the Head of Finance, ICT and Procurement may direct as being necessary and appropriate;
 - 13.1.10 the contact details and method of submitting all Tenderer queries during the Tender period; and
 - 13.1.11 the duration of the contract period (including any extension options).
- 13.2 Every set of Contract Documents shall state that no Tender will be considered unless it is received at the website/ electronic address notified before the last date and time specified and is submitted in the format specified.

14. Late Tenders

- 14.1 No Tender submitted using electronic means will be considered unless it is received in the format and at the website/ electronic address specified in the contract documents and unless it is received prior to the deadline for the receipt of Tenders, all as stated in the Contract Documents.
- 14.2 Where a Tender is late due to a failure or lack of availability of the electronic tendering platform, and which is not attributable to the Tenderer or as the case may be their agent, the express approval of the Head of Finance, ICT and Procurement shall be required to admit the Tender for consideration.
- 14.3 Late Tenders, save where these have by exception been admitted for consideration in accordance with Standing Order 14.2 above, must remain unopened. The Tenderer must be advised as soon as possible (and in any event within 2 working days of all other Tenders being opened) that if the late Tender is not re-called within 14 days it will be deleted. At the same time, the Tenderer should be informed why the Tender is not being considered.

15. Opening and Recording Tenders

- 15.1 Tenders shall be kept unopened in a single secure electronic mailbox until after the expiry of the time limit for the receipt of Tenders.
- 15.2 All Tenders relating to the same contract shall be opened immediately one after the other during one session, as soon as practicable after the time and date specified for return of Tenders, and shall be opened by an officer from Procurement authorised and nominated by the Head of Finance, ICT and Procurement.

16. Checking, Clarification and Evaluation of Tenders

- 16.1 All Tenders shall be subject to checking for completeness and errors by the Executive Officer. Any arithmetical errors that result in a change to the pricing submitted should be documented.
- 16.2 Between the last date and time for the receipt of Tenders and the date on which a decision is taken as to which, if any, Tender is to be accepted, the Executive Officer may instruct members of his/ her staff or consultants to contact a Tenderer in respect of any Tender submitted in cases where such contact may be necessary to clarify the terms of the Tender or to effect any necessary adjustments but not otherwise for any reason.
- 16.3 Where any factor giving rise to post Tender communications is not specific to one tenderer, all Tenderers must be invited to participate in such communications. There must be no material change to the specification(s) and/ or criteria on which Tenders are to be assessed. If it becomes apparent that a material change is required, the Tender process must be recommenced with a revised specification or award criteria.
- 16.4 A full record of any contact between the Council and Tenderers (which shall include copies of all written communications) shall be kept and retained with each tenderer's original Tender.
- 16.5 This Standing Order shall not be used in any way to permit any Tenderer to amend their bid in a manner that allows them to improve their offer, nor to put other Tenderers at a disadvantage nor to distort competition. All Tenderers must be treated at all times equally and in an open, transparent and fair manner.
- 16.6 Tenders shall be evaluated strictly in accordance with the award criteria or price/ quality weighting agreed at the commencement of the Procurement Exercise and detailed in the Contract Documents.

17. Post Tender Negotiations

- 17.1 Once the evaluation of Tenders has been completed in accordance with Standing Order 16.6, the Executive Officer may instruct members of his/ her staff or consultants to enter into post Tender negotiations. Such negotiations shall take place only in circumstances where the Executive Officer:
- 17.1.1 has identified the Tenderer who has submitted the Most Economically Advantageous Tender for a contract; and
 - 17.1.2 is satisfied that there is scope for improvement in the Tender received and that such negotiations will be in the best interests of securing Best Value and improved terms and conditions for the Council.
- 17.2 Post Tender negotiations may only be used with the Tenderer identified in terms of Standing Order 17.1.1.

- 17.3 Where it is considered possible that post Tender negotiations might apply, a clear indication will be given to prospective Contractors in the instructions to Tenderers that post Tender negotiations might be considered.
- 17.4 A full record (which shall include copies of all written communications) shall be kept by Procurement of all contracts where post Tender negotiations have been used and the written record will be retained with the original Tender. The written record will include the justification for authorising post Tender negotiations, the nature of the negotiations undertaken, the outcome of such negotiations and shall detail any additional terms agreed by the Council.
- 17.5 This Standing Order 17 shall not be used in any way to put any Tenderer at a disadvantage or to distort competition, and it shall not be used to make any change to the specification(s) and/ or criteria on which the identified Tender is to be assessed.

18. Acceptance of Tenders

- 18.1 Contracts shall be awarded subject to Standing Order 18.2 in accordance with the evaluation of award criteria.
- 18.2 Without prejudice to the specified award criteria for any Tender, authority to accept Tenders may be given by:
- 18.2.1 the Executive Officer in the case of Tenders for the supply of goods or materials and the provision of services (valued in excess of £50,000) or the execution of works (valued in excess of £2,000,000) where the value or amount is within the budgetary provision approved previously by the Council and the Tender to be accepted is the lowest priced and Most Economically Advantageous Tender received (after checking); or
 - 18.2.2 the Executive Officer in the case of Tenders for the execution of works (valued below £2,000,000) where the value or amount is within the budgetary provision approved previously by the Council and the Tender to be accepted is the lowest priced (after checking) received; or
 - 18.2.3 the Executive Officer on the authority of the Council or Cabinet in the case of Tenders which exceed the budgetary provision approved previously by the Council; or
 - 18.2.4 the Executive Officer on the authority of the Council or Cabinet in any case where the Tender evaluated as the Most Economically Advantageous Tender is not the lowest priced tender received (after checking) by an amount exceeding 10 per cent of the lowest priced tender received.
- 18.3 If the Executive Officer recommends that none of the Tenders submitted should be accepted, he/ she shall notify all Tenderers accordingly, providing justification as to why the decision has been taken.

19. Contracts Register

- 19.1 The Head of Finance, ICT and Procurement shall keep and maintain a register of all awarded contracts having an estimated price or value of or exceeding £50,000.

Services must inform the Service Lead – Procurement of any changes or missing information in regard to data held within the contracts register pertinent to the service or contract. The register shall be compliant with the Public Contracts (Scotland) Regulations and the Procurement Reform (Scotland) Act and shall be referred to in these Standing Orders as the 'Contracts Register'.

20. Nomination of Sub-Contractor

20.1 Where a contract provides for the nomination by the Executive Officer of a Sub-Contractor or supplier for the execution of works or supply of goods or materials or for the provision of services, the provisions of these Contract Standing Orders shall apply, (with the necessary changes having been made), to the procurement, Tender and award process.

20.2 The Executive Officer is hereby authorised to nominate the Tenderer of the Most Economically Advantageous Tender (as appropriate in accordance with the award criteria stated in the invitation to Tender documentation) as Sub-Contractor.

21. Serial and Phased Works Contracts

21.1 Where the Executive Officer considers that Tenders should be obtained for a series of related works projects or for phased works projects, he/ she shall first obtain the approval of the appropriate Panel to that course of action both in respect of the execution of the works and the proposed serial Tender process.

22. Authority to Negotiate Contract without Prior Advertisement

22.1 If, after consultation with the Head of Legal and Regulatory Services, the Executive Officer decides that, in accordance with the terms of either the Procurement Reform (Scotland) Act or the Public Contracts (Scotland) Regulations, for contracts above the threshold at which these Standing Orders Relating to Contracts apply (see table at 3.5), £50,000 for goods and services and £200,000 for works respectively, there are circumstances or reasons which justify the negotiation of a contract with any Contractor, without prior advertisement and competition, he/ she shall, before entering into negotiations, first obtain the approval of the Cabinet in respect of the proposed negotiation of the contract to be awarded and the person with whom the contract is to be negotiated.

22.2 In seeking prior approval in terms of Standing Order 22.1, the Executive Officer shall submit to the Panel a report detailing the nature of the contract (including, where appropriate, the identity of any collaborative partners) and the reasons which are considered to justify the proposed negotiation without advertisement and competition, and which shall provide a fully reasoned assessment made in relation to the Council's obligations arising from the Procurement Reform (Scotland) Act and/ or the Public Contracts (Scotland) Regulations and/ or any retained EU law.

22.3 If an existing ICT service contract has been determined by the Service Lead - ICT Operations not to be readily obtainable other than from the contracted vendor due to an unavailable equivalence in specific technical, intellectual and licensing nature of the service, the Council shall continue to renew the contract on an annual basis with such support and maintenance cost continuing until the Council no longer requires the said ICT systems or service.

22.4 A list of such existing ICT contracts shall be provided to Elected Members via a written bulletin on an annual basis.

23. Periodic Supplies

23.1 Where a contract is for the supply of goods or services which will require to be delivered from time to time during a specified period the requirements of Standing Orders 8 to 19 shall be carried out only once prior to the commencement of such period. This will apply to term contracts and Framework Agreements where Call-off Contracts are ordered throughout the term of the contract.

24. Contractual Matters

24.1 *Form of Contract and Terms and Conditions*

Except where otherwise agreed by the Head of Legal and Regulatory Services, every contract shall be in writing, shall be signed by the appropriate Executive Officer or other officer specifically authorised by him/ her for the purpose and shall be subject to the laws of Scotland and the jurisdiction of the Scottish Courts.

24.2 *Equal Opportunity in Employment*

During the Procurement Exercise and before entering into a contract, the Council shall obtain from the Contractor an assurance in writing that, to the best of its knowledge and belief it has complied with all statutory requirements in respect of ensuring equal opportunity in employment; and that it is not unlawfully discriminating within the meaning and scope of the provisions of the on the Equality Act 2010 (or any statutory modification or re-enactment thereof) including but not limited to discrimination on grounds of gender, marital or civil partnership status, race, disability, gender reassignment, religion or belief, sexual orientation, age, pregnancy or maternity leave.

24.3 *Prevention of Collusion and Corrupt or Illegal Practices*

Every contract shall contain a clause entitling the Council to cancel the contract and to recover from the Contractor the amount of any loss resulting from such cancellation if the Contractor or its representative **or persons employed by the contractor or acting on behalf of the contractor** (whether with or without the knowledge of the Contractor) **shall have committed any offence under the Bribery Act 2010 or have given any fee or reward, the receipt of which is an offence under any legislation pertaining to local authorities;** or shall have practised collusion in Tendering for the contract or any other contract with the Council or shall have employed any corrupt or illegal practices either in the obtaining or execution of the contract or any other contract with the Council.

24.4 *Assignment and Sub-Contracting*

In every contract, there shall be included a provision whereby:

24.4.1 the Contractor shall be prohibited from transferring, assigning or sub-contracting a contract or any part thereof without the prior written consent of the Council; and

24.4.2 the Contractor shall be prohibited from changing any Sub-Contractors from those noted in the Contract Documents without the prior written consent of the Council.

24.5 ***Industry Standards***

Where there is a recognised international or British Standards Specification or British Standard Code of Practice applicable to any commodity or service at the date of the invitation to Tender, the Contract Documents shall require that, as the case may be, all goods and materials used or supplied, all services rendered, and all workmanship undertaken shall at least meet the requirements of that standard. In the absence of any such recognised standard, the Contract Documents shall require an appropriate equivalent standard be used.

24.6 ***Copyright***

The Executive Officer shall, in so far as practicable, ensure that in contracts for the commissioning of reports, research, graphics, design, media and other consultancy services to which copyright applies, that whilst copyright in the work vests in the Contractor, the Council has royalty free rights to utilise the information provided in relation to the continued development of the specific project and subsequent related projects.

24.7 ***Health and Safety***

24.7.1 Every Contractor appointed by or on behalf of the Council shall be required to comply with current Health and Safety legislation and approved Codes of Practice, as may be applicable to the contract. The Executive Officer will have the ultimate decision as to whether a Contractor's Health and Safety qualification is equal to that required by the Council or in an approved form.

24.7.2 In the case of contracts for construction type works, in addition to the aforementioned, Contractors appointed by or on behalf of the Council shall be required to hold either Contractors Health and Safety Scheme (CHAS), Safety Schemes in Procurement (SSIP) or equal and shall be required (prior to entering a contract) to exhibit an approved letter of compliance or accreditation certificate.

24.8 ***Insurance***

Every contract shall contain a clause requiring the Contractor to take out and maintain, for the duration of the contract, such insurance cover for such amounts as the Executive Officer may deem relevant to the contract, including, if appropriate, but not restricted to:

24.8.1 Employers Liability Insurance;

24.8.2 Public (Third party) Liability Insurance;

24.8.3 Professional Indemnity Insurance, which shall remain in force for a period of 6 years beyond the end of the contract;

24.8.4 Other such specialist classes of insurance as advised by the Head of Legal and Regulatory Services.

24.9 ***Bonds and Parent Company Guarantees***

Where considered appropriate by the Executive Officer, the Council shall require the Contractor to take out a bond, obtain and deliver a formal parent company guarantee or provide other sufficient security for the due performance of the contract.

24.10 ***Sustainability and Community Benefits***

Where relevant and proportionate and in accordance with the terms of the Procurement Reform (Scotland) Act:

24.10.1 Every contract shall set out the Council's commitment to sustainable development, including sustainability in procurement and that the Contractor or supplier must take all reasonable steps to provide products and services that are designed for sustainability, as well as safety and minimise the environmental impacts that arise from their delivery or use.

24.10.2 Community Benefits clauses, which are mandatory for contracts over £50,000, should be considered to cover, for example, training proposals, intentions regarding the provision of apprenticeships and employment opportunities, local SME, social enterprise and supply chain development, proposals to generate local economic opportunities and development and general investment proposals for local communities. This list of examples is not exhaustive.

24.10.3 Every contract shall set out the Council's commitment to ~~fair working practices~~ **Fair Work First**, the Scottish Government's Fair Work framework and that the Council expects Contractors or suppliers to take a similarly positive approach as part of a fair and equitable employment and reward package for their staff. Every contract shall also set out that the Council is committed to proactively vetting our supply chain to ensure no instances of modern slavery are taking place.

24.11 ***Variation and Termination***

Every contract shall contain provisions allowing for the contract to be varied or amended, and allowing for the contract to be terminated in certain circumstances. The Executive Officer may exercise any power on behalf of the Council to:

24.11.1 Vary or amend any terms of a contract, provided: (i) the proposed variation or amendment will not in the view of the Executive Officer constitute a material difference to the terms originally agreed between the Council and Contractor; and (ii) the variation has been approved by the Head of Legal and Regulatory Services; and

24.11.2 Terminate any contract or to terminate the Council's participation in a Framework Agreement or DPS, but only following consultation with the Head of Legal and Regulatory Services and subject to their being satisfied

that it is reasonable and in the interests of the Council to exercise that power.

25. Application to Procurement Consultants

25.1 Any agent or consultant (not being an officer of the Council) who is to be responsible to the Council for the procurement of a contract on its behalf shall, in relation to that contract:

25.1.1 comply with these Contract Standing Orders as though he/ she were an officer of the Council;

25.1.2 at any time during the carrying out of the contract, produce, on request, to the Executive Officer, all records maintained by him/ her in relation to the contract; and

25.1.3 on completion of the contract, transmit all such records to the Executive Officer.

1 July 20222023

Procedures for Paper Tendering

A. Introduction

- A.1 In accordance with Standing Order 12.2, the following procedures are to apply in place of Standing Orders 13 to 17 in respect of any Procurement Exercise undertaken by the Council by hard copy means.

B. Submission of Paper Tenders

- B.1 Every set of Contract Documents shall state:
- B.1.1 the nature and purpose of the contract for which Tenders are invited;
 - B.1.2 the last date and time (in all cases being twelve noon) when Tenders will be received;
 - B.1.3 the address to which Tenders are to be sent;
 - B.1.4 the period during which Tenders must remain open for acceptance;
 - B.1.5 the award criteria and weightings to be used in the evaluation of Tenders received, which shall be based on the Most Economically Advantageous Tender to secure Best Value for the Council. The award criteria and weightings must not be changed once agreed and published in the Contract Documents.
 - B.1.6 that the Council is not bound to accept the Most Economically Advantageous Tender received;
 - B.1.7 the contact details and method of submitting all Tenderer queries during the Tender period; and
 - B.1.8 the duration of the contract period (including any extension options).
- B.2 Every set of Contract Documents shall state that no Tender will be considered unless it is received at the address notified before the last date and time specified and is submitted in a plain sealed envelope.

C. Late Tenders

- C.1 Tenders received after the closing date and time for submission or received at a place other than as stated in the Contract Documents shall not be opened or considered.
- C.2 Late Tenders shall be marked as late and returned to the Tenderer within 2 working days of receiving it, together with an accompanying letter explaining why the Tender is not being considered. Such Tenders may be opened to ascertain the name of the tenderer, but no details of the Tender shall be disclosed, and a statement to this effect shall be included in all Contract Documents.

D. Opening and Recording Tenders

- D.1 All Tenders relating to the same contract shall be opened immediately one after the other during one session, as soon as practicable after the time and date specified for return of Tenders, and shall be opened in the presence of:
- D.1.1 in the case of contracts where the estimated value or amount is below the relevant UK Find a Tender Service (FTS) Threshold, two officers nominated by the Head of Finance, ICT and Procurement, at least one of whom shall be an authorised officer from Procurement; and
- D.1.2 in the case of contracts where the estimated value or amount equals or exceeds the relevant UK Find a Tender Service (FTS) Threshold, any member of the Council and an officer duly nominated by the Head of Finance, ICT and Procurement.
- D.2 The Tender Record Sheet (which shall be in the format of the template form available on the Procurement page of the intranet) shall be completed and signed by both officers or the Elected Member and officer, as the case may be at the time of opening the Tenders.
- D.3 In cases of urgency (during Council recess periods or otherwise), the Chief Executive shall be authorised to act in the absence of a member of the Council in terms of Standing Order D.1.2.

E. Checking, Clarification and Evaluation of Tenders

- E.1 All Tenders shall be subject to checking for completeness and errors by the Executive Officer. Any arithmetical errors that result in a change to the pricing submitted should be documented, signed and dated.
- E.2 Between the last date and time for the receipt of Tenders and the date on which a decision is taken as to which, if any, Tender is to be accepted, the Executive Officer may instruct a member of his/ her staff or consultants to contact a Tenderer in respect of any Tender submitted in cases where such contact may be necessary to clarify the terms of the Tender or to effect any necessary adjustments but not otherwise for any reason.
- E.3 Where any factor giving rise to post Tender communications is not specific to one tenderer, all Tenderers must be invited to participate in such communications. There must be no material change to the specification(s) and/ or criteria on which Tenders are to be assessed. If it becomes apparent that a material change is required, the Tender process must be recommenced with a revised specification or award criteria.
- E.4 A full record of any contact between the Council and Tenderer (which shall include copies of all written communications) shall be kept and retained with the tenderer's original Tender.
- E.5 This Standing Order shall not be used in any way to permit any Tenderer to amend their bid in a manner that allows them to improve their offer, nor to put other

Tenderers at a disadvantage nor to distort competition. All Tenderers must be treated at all times equally and in an open, transparent and fair manner.

- E.6 Tenders shall be evaluated strictly in accordance with the award criteria or price/ quality weighting agreed at the commencement of the Procurement Exercise and detailed in the Contract Documents.

F. Post Tender Negotiations

- F.1 Once the evaluation of Tenders has been completed in accordance with paragraph E.6 above, the Executive Officer may instruct a member of his/ her staff or consultants to enter into post Tender negotiations. Such negotiations shall take place only in circumstances where the Executive Officer has:

- F.1.1 identified the Tenderer who has submitted the Most Economically Advantageous Tender for a contract; and

- F.1.2 is satisfied that there is scope for improvement in the Tender received and that such negotiations will be in the best interests of securing Best Value and improved terms and conditions for the Council.

- F.2 Post Tender negotiations may only be used with the Tenderer identified in terms of Standing Order F.1.1.

- F.3 Where it is considered possible that post Tender negotiations might apply, a clear indication will be given to prospective Contractors in the instructions to Tenderers that post Tender negotiations might be considered.

- F.4 A full record (which shall include copies of all written communications) shall be kept by Procurement of all contracts where post Tender negotiations have been used and the written record will be retained with the original Tender. The written record will include the justification for authorising post Tender negotiations, the nature of the negotiations undertaken, the outcome of such negotiations and shall detail any additional terms agreed by the Council.

- F.5 This Standing Order shall not be used in any way to put any Tenderer at a disadvantage or to distort competition, and there must be no material change to the specification(s) and/ or criteria on which the identified Tender is to be assessed.

Procedures for Commissioning of Health or Social Care Services

A. Introduction

- A.1 In accordance with Standing Order 3.9, the Contract Standing Orders shall apply to the procurement of contracts for Health or Social Care Services subject to the special procedures set out in this Annex.
- A.2 These procedures are intended to accord with and reflect the principles set down in the Statutory Guidance issued by Scottish Ministers in terms of the Procurement Reform (Scotland) Act 2014 as well as the Best Practice Guidance on the Procurement of Care and Support Services 2016 issued in terms of the Procurement Reform (Scotland) Act.
- A.3 The term 'Executive Officer' means in the context of these Annex 2 procedures either the Director of Education, the Director of Health and Social Care, the Director of Housing, Operations and Development, the Director of Strategic Change and Communities, or the Head of Finance, ICT and Procurement.

B. Governing Bodies (Care Inspectorate)

- B.1 Unless the Executive Officer approves otherwise on a case by case basis, all Contractors providing Health or Social Care Services under a contract with the Council must be registered with Care Inspectorate (or its statutory successor(s)) or any other relevant regulatory bodies that are a mandatory requirement to the service provision.

C. Procedures for Procuring Contracts for Health or Social Care Services

- C.1 In accordance with Standing Order 11.2, a contract for Health or Social Care Services that has an estimated value in excess of the UK Find a Tender Service (FTS) Threshold for Social and Other Specific Services must be procured by following a procedure that satisfies the Council's duties set out in the Public Contracts (Scotland) Regulations.
- C.2 In cases of procuring a contract for Health or Social Care Services that has an estimated value below the UK Find a Tender Service (FTS) Threshold for Social and Other Specific Services, the Executive Officer shall be responsible for deciding whether the particular contract is one which may be awarded without advertisement and competition, in accordance with section 12 of the Procurement Reform (Scotland) Act.
- C.3 In determining whether a contract for Health or Social Care Services may be awarded without advertisement and competition in terms of paragraph C.2, the Executive Officer shall take account of the individual circumstances of the contract, including the subject matter and estimated value of the contract, the specifics of the service sector concerned and the geographic location of the place of performance of the contract to identify firstly whether there is likely to be a cross-border interest in the contract. The Executive Officer, following consultation with the Service Lead

- Procurement, may determine that there is no cross-border interest in the contract where:

C.3.1 it can be demonstrated that the contract is of no interest to cross-border Contractors; and/ or

C.3.2 the total sum to be paid under the contract is so low that cross-border Contractors would not be interested in bidding for the contract; and/ or

C.3.3 the service is of such a specialised nature that no cross-border market of suitable Contractors exists; and/ or

C.3.4 advertising the contract would result in the loss of a linked service.

C.4 Where the Executive Officer decides under paragraphs C.2 and C.3 above that a contract is likely to attract a cross-border interest, it should be procured by way of a competitive process and it will be advertised in accordance with Standing Order 11 unless the Executive Officer decides that there are special circumstances justifying a departure from that requirement. Such decisions will be taken on a case by case basis and advertising may not be required where, for example:

C.4.1 the needs of the service user(s) concerned would be best met by a particular Contractor; and/ or

C.4.2 the existing Contractor(s) are the only Contractor(s) capable of delivering the service to meet the needs of the individual(s) concerned; and/ or

C.4.3 the nature of the service is such that it should not or cannot be adequately specified in advance because of the nature of the social care needs of the service user(s) concerned; and/ or

C.4.4 there are special circumstances such as ownership of land or property, geographic locations or particular skills or experience of Contractors of social care which limit the choice to one Contractor; and/ or

C.4.5 there are reasons of extreme urgency, brought about by unforeseen events which are not attributable to the Council.

C.5 Where the Executive Officer decides under paragraphs C.2 and C.3 above that the principles of procurement from the Public Contracts (Scotland) Regulations do not apply to a contract for Health or Social Care Services, he/ she may also decide that Standing Order 12 shall not apply to that contract.

C.6 The Executive Officer shall be required to maintain a list of all proposed contracts which he/ she decides do not require to be advertised on the basis of the determinations made under paragraphs C.2, C.3, C.4 or C.5 above. He/ she shall provide a copy of that list to the Elected Members once every 6 months. Any decisions taken under paragraphs C.2, C.3, C.4 or C.5, that neither advertising nor competition will be required for a particular contract shall be subject to review by the Executive Officer at regular intervals (and at least annually).

C.7 The decisions (and subsequent review of those decisions) taken by the Executive Officer under this Annex 2 will all be fully documented. Any reasons for deciding

that a proposed contract will not be advertised must be recorded and included on the list which is to go to the Elected Members under paragraph C.6.

- C.8 In addition to demonstrating how Best Value will have been achieved, the contracting service will be responsible for evidencing the reasons referred to under paragraph C.6.

General Powers of Executive Officers
under these Standing Orders

SO Number	<i>Duty/ Power to...</i>
4.2.1	Determine whether a contract is urgently required to address a genuine emergency situation to prevent or mitigate risk to life or damage
8.2	Determine whether it is in the best interests of the Council and in accordance with best value to enter into a collaborative arrangement, for the purposes of Standing Order 9
8.5	Satisfy themselves that the principles of best value will be adhered to and the best interests of the Council will be served, in entering a collaborative arrangement where another public body takes the role as lead authority
8.6	Agree the parameters for the collaboration with appropriate officers in the other public bodies and to record this in writing
9.2	Seek to establish or participate in a framework agreement or DPS, where he/ she deems that offers best value. Duty to consult with the Service Lead - Procurement prior to acting under Standing Order 10.1
9.3	Establish a framework agreement or DPS and enter into call-off contracts, in accordance with Standing Order 10.2
9.4	Award call-off contracts under framework agreements or DPS to which the Council has access or is utilising
10.1	Consult the Council's contract register in order to establish whether any existing contracts, framework arrangements or DPS are accessible to the Council which would fulfil their requirement
10.2.1	Ensure that sufficient funds are available prior to the commencement of any procurement exercise
10.2.2	Complete a Request for Procurement Action and return the same to the Service Lead - Procurement
11.3	In consultation with the Service Lead - Procurement, assess the appropriate competitive procedure to follow to ensure that the contract opportunity will be subject to open competition, will satisfy the requirements of the principles of non-discrimination on grounds of nationality, equal treatment and transparency, and will achieve best value for the Council

SO Number	Duty/ Power to...
15.2	Nominate officers to open electronic Tenders, at least one of whom shall be an authorised officer from Procurement
16.1	Check all Tenders for completeness and errors
16.2	Instruct officers to contact a Tenderer in respect of any Tender submitted
17.1	Instruct officers to contact the Tenderer identified as offering the most economically advantageous, to enter into post Tender negotiations; where they are satisfied that there is scope for improvement in the price of the tender
18.2.1	Award a contract to the Most Economically Advantageous Tender (after checking)
18.2.2	Award a contract for the execution of works (valued below £2,000,000) to the lowest priced Tender (after checking)
18.2.3	Obtain the approval of the Council or Panel to award a contract in the case of a Tender exceeding the budgetary provision previously approved
18.3	Recommend that none of the Tenders submitted should be accepted, and to notify all Tenderers accordingly in such instances
19.1	Provide information to Procurement for Contracts Register, in relation to all contracts with an estimated price or value of or exceeding £50,000
20.2	Nominate the Tenderer of the Most Economically Advantageous Tender (as appropriate) as Sub-Contractor
21	Obtain the approval of the appropriate Panel before authorising a series of related works projects or phased works projects
22.1	Determine whether there are circumstances or reasons which justify the negotiation of a contract without prior advertising in accordance with law; Obtain the approval of the appropriate Panel before authorising the extension/ award of contract
22.2	Submit a report, to the appropriate Panel, detailing the nature of the proposed award of contract and the reasons for the proposed negotiation without competition
24.1	Sign contracts (subject to the Scheme of Delegation)
24.6	Ensure that, where applicable in relation to contracts for consultancy services, the Council has royalty free rights to utilise information provided in relation to the continued development of the specific project and subsequent related projects

SO Number	Duty/ Power to...
24.8	Determine what insurance cover, if any, is relevant to the contract and which the Contractor will be required to take out and maintain for the duration of the contract
24.9	Determine whether the Council shall require the Contractor to take out a bond, obtain and deliver a formal parent company guarantee or provide other sufficient security for the due performance of the contract
24.11.1	Vary or amend any terms of a contract, if satisfied that the variation or amendment will not constitute a material difference to the original terms
24.11.2	Terminate a contract or the Council's participation in a framework agreement or DPS, following consultation with the Head of Legal and Regulatory Services
25.1.2	Request that any consultant (not being an officer of the Council) produce all records maintained by him/ her in relation to a contract
Annex 1/ B.2	Nominate officers to take custody of returned Tenders
Annex 1/ D.1.1	Nominate officers to open below UK FTS Threshold Tenders, at least one of whom shall be an authorised officer from Procurement
Annex 1/ D.1.2	Nominate an officer to open above UK FTS Threshold Tenders
Annex 1/ E.1	Check all Tenders for completeness and errors
Annex 1/ E.2	Instruct officers to contact a Tenderer in respect of any Tender submitted
Annex 1/ F.1	Instruct officers to contact the Tenderer identified as offering the most economically advantageous, to enter into post Tender negotiations; where they are satisfied that there is scope for improvement in the price of the tender
Annex 2/ C.2 and C.3	Determine whether the proposed contract is one to which the principles of procurement from the Public Contracts (Scotland) Regulations apply and consequently requires advertising and competition
Annex 2/ C.4	Determine whether there are special circumstances justifying departure from requirement to advertise proposed contract

SO Number	<i>Duty/ Power to...</i>
Annex 2/ C.5	Determine whether Standing Order 12 is to apply to the proposed contract
Annex 2/ C.6	<p>Maintain a list of all proposed contracts which he/ she decides do not require to be advertised on the basis of the determinations made under paragraphs C.2, C.3, C.4 or C.5;</p> <p>Provide a copy of that list to the Elected Members on an annual basis</p>
Annex 2/ C.7	Keep full records of decisions taken and reasons, and provide those on list to Elected Members under paragraph C.6

Standing Orders Relating to Contracts – Executive Officer Delegations

SO Number	Duty/ Power to...	Depute Chief Executive and Director of Housing, Operations and Development	Director of Strategic Change and Communities	Director - Health and Social Care Partnership	Head of Finance and ICT and Procurement	Head of Legal, HR and Regulatory Services
		Delegation	Delegation	Delegation	Delegation	Delegation
4.2.1	Determine whether a contract is urgently required to address a genuine emergency situation to prevent or mitigate risk to life or damage.	Not Delegated	Not Delegated	Not Delegated	Not Delegated	Not Delegated
6.1	Award a contract without written delegated purchasing authority	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit
7.1	Award external Contractor(s) to undertake any planned maintenance and/ or responsive repairs to buildings or property owned by the Council	Professional Design Services Manager and Asset Manager	N/A	N/A	N/A	N/A

SO Number	Duty/ Power to...	Depute Chief Executive and Director of Housing, Operations and Development	Director of Strategic Change and Communities	Director - Health and Social Care Partnership	Head of Finance and ICT and Procurement	Head of Legal, HR and Regulatory Services
		Delegation	Delegation	Delegation	Delegation	Delegation
7.2	Award external Contractor(s) shall be appointed, to undertake any planned maintenance and/ or responsive repairs to Council Houses	Property Repairs and Maintenance Manager	N/A	N/A	N/A	N/A
8.1	Determine whether it is in the best interests of the Council and in accordance with Best Value to enter into a collaborative arrangement, for the purposes of SO 8.	All Assistant Directors and Service Leads in the Directorate	All Assistant Directors and Service Leads in the Directorate	All Heads of Service and Service Leads in Directorate	All Service Leads in the Service	All Service Leads in the Service
8.5	Satisfy themselves that the principles of Best Value will be adhered to and the best interests of the Council will be served, in entering a collaborative arrangement where another public body takes the role as Lead Authority.	All Assistant Directors and Service Leads in Directorate	All Assistant Directors and Service Leads in Directorate	All Heads of Service and Service Leads in Directorate	All Service Leads in the Service	All Service Leads in the Service

SO Number	Duty/ Power to...	Depute Chief Executive and Director of Housing, Operations and Development	Director of Strategic Change and Communities	Director - Health and Social Care Partnership	Head of Finance and ICT and Procurement	Head of Legal, HR and Regulatory Services
		Delegation	Delegation	Delegation	Delegation	Delegation
8.6	Agree the parameters for the Collaboration with the appropriate officers in the other Contracting Authorities and record this in writing.	All Assistant Directors and Service Leads in Directorate	All Assistant Directors and Service Leads in Directorate	All Heads of Service and Service Leads in Directorate	All Service Leads in the Service	All Service Leads in the Service
9.2	Seek to establish or participate in a Framework Agreement or DPS, where he/ she deems that offers Best Value. Duty to consult with Procurement Manager prior to acting under SO 9.1.	All Assistant Directors and Service Leads in Directorate	All Assistant Directors and Service Leads in Directorate	All Heads of Service and Service Leads in Directorate	All Service Leads in the Service	All Service Leads in the Service
9.3	Establish a Framework Agreement and enter into Call-off Contracts, or a DPS in accordance with SO 9.2.	All Assistant Directors and Service Leads in Directorate	All Assistant Directors and Service Leads in Directorate	All Heads of Service and Service Leads in Directorate	All Service Leads in the Service	All Service Leads in the Service
9.4	Participate in an existing Framework Agreement.	All Assistant Directors and Service Leads in Directorate	All Assistant Directors and Service Leads in Directorate	All Heads of Service and Service Leads in Directorate	All Service Leads in the Service	All Service Leads in the Service

SO Number	Duty/ Power to...	Depute Chief Executive and Director of Housing, Operations and Development	Director of Strategic Change and Communities	Director - Health and Social Care Partnership	Head of Finance and ICT and Procurement	Head of Legal, HR and Regulatory Services
		Delegation	Delegation	Delegation	Delegation	Delegation
9.5	Enter into a Participation Agreement to participate in an existing Framework Agreement.	Not Delegated	Not Delegated	Not Delegated	Not Delegated	Not Delegated
10.1	Consult with the Service Lead Procurement in order to establish whether any existing contracts or framework arrangements are accessible to the Council which would fulfil their requirement.	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate	All Heads of Service, and Service Leads and 4th tier co-ordinators in Directorate	All Service Leads and 4th tier co-ordinators in the Service	All Service Leads and 4th tier co-ordinators in the Service
10.2.1	Ensure that sufficient funds are available prior to the commencement of any procurement exercise.	All Assistant Directors and Service Leads in Directorate	All Assistant Directors and Service Leads in Directorate	All Heads of Service and Service Leads in Directorate	All Service Leads in the Service	All Service Leads in the Service
10.2.2	Complete a Request for Procurement Action and return the same to the Procurement Manager.	All Assistant Directors and Service Leads in Directorate	All Assistant Directors and Service Leads in Directorate	All Heads of Service and Service Leads in Directorate	All Service Leads in the Service	All Service Leads in the Service
11.3	Assess the degree of advertising necessary to ensure that the contract	Not Delegated	Not Delegated	Not Delegated	Not Delegated	Not Delegated

SO Number	Duty/ Power to...	Depute Chief Executive and Director of Housing, Operations and Development	Director of Strategic Change and Communities	Director - Health and Social Care Partnership	Head of Finance and ICT and Procurement	Head of Legal, HR and Regulatory Services
		Delegation	Delegation	Delegation	Delegation	Delegation
	opportunity will be subject to open competition, will satisfy the requirements of the principles of non-discrimination on grounds of nationality, equal treatment and transparency, and will achieve Best Value for the Council.					
16.1	Check tenders for completeness and errors.	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate & Procurement Team	All Heads of Service, and Service Leads and 4th tier co-ordinators in Directorate	All Service Leads and 4th tier co-ordinators in Service	All Service Leads and 4th tier co-ordinators in Service
16.2	Instruct officers to contact a tenderer in respect of any Tender submitted.	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate, in conjunction with the Service Lead	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate, in conjunction with	All Heads of Service, and Service Leads and 4th tier co-ordinators in Directorate, in conjunction with the Service Lead - Procurement	All Service Leads and 4th tier co-ordinators in Service, in conjunction with the Service Lead – Procurement.	All Service Leads and 4th tier co-ordinators in Service, in conjunction with the Service Lead - Procurement

SO Number	Duty/ Power to...	Depute Chief Executive and Director of Housing, Operations and Development	Director of Strategic Change and Communities	Director - Health and Social Care Partnership	Head of Finance and ICT and Procurement	Head of Legal, HR and Regulatory Services
		Delegation	Delegation	Delegation	Delegation	Delegation
		-Procurement (no requirement to consult Procurement where Works tender conducted by PDS) & Procurement Team	the Service Lead Procurement			
17.1	Instruct officers to contact the tenderer identified as the lowest or offering the most economically advantageous, to enter into post Tender negotiations; where they are satisfied that there is scope for improvement in the price of the Tender.	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate, in conjunction with the Service Lead - Procurement (no requirement to consult Procurement where Works tender conducted by PDS)	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate, in conjunction with the Service Lead - Procurement	All Heads of Service, and Service Leads and 4th tier co-ordinators in Directorate, in conjunction with the Service Lead - Procurement	All Service Leads and 4th tier co-ordinators in Service, in conjunction with the Service Lead - Procurement	All Service Leads and 4th tier co-ordinators in Service, in conjunction with the Service Lead - Procurement
18.2.1	Award a contract for goods or services (over	Contracts must only be awarded	Contracts must only be awarded	Contracts must only be awarded up to each	Contracts must only be awarded up to	Contracts must only be awarded up to each

SO Number	Duty/ Power to...	Depute Chief Executive and Director of Housing, Operations and Development	Director of Strategic Change and Communities	Director - Health and Social Care Partnership	Head of Finance and ICT and Procurement	Head of Legal, HR and Regulatory Services
		Delegation	Delegation	Delegation	Delegation	Delegation
	£50K) and works (over £2m) to the lowest priced Tender or MEAT (after checking).	up to each Officer's Oracle Fusion P2P limit	up to each Officer's Oracle Fusion P2P limit	Officer's Oracle Fusion P2P limit	each Officer's Oracle Fusion P2P limit	Officer's Oracle Fusion P2P limit
18.2.2	Award a contract for works (less than £2m) to the lowest priced Tender & MEAT (after checking).	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit
18.2.3	Obtain the approval of the Council or Panel to award a contract in the case of a Tender exceeding the budgetary provision previously approved, or where the Tender proposed for acceptance is not the lowest by an amount exceeding 10 percent of the lowest priced tender received (after checking).	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit
18.3	Recommend that none of the Tenders submitted should be accepted, and	All Assistant Directors and Service Leads	All Assistant Directors and Service Leads	All Heads of Service, and Service Leads and	All Service Leads and 4th tier co-ordinators in Service	All Service Leads and 4th tier co-ordinators in Service

SO Number	Duty/ Power to...	Depute Chief Executive and Director of Housing, Operations and Development	Director of Strategic Change and Communities	Director - Health and Social Care Partnership	Head of Finance and ICT and Procurement	Head of Legal, HR and Regulatory Services
		Delegation	Delegation	Delegation	Delegation	Delegation
	to notify all tenderers accordingly in such instances.	and 4th tier co-ordinators in Directorate	and 4th tier co-ordinators in Directorate	4th tier co-ordinators in Directorate		
20.2	Nominate the tenderer of the Most Economically Advantageous Tender (as appropriate) as sub-contractor.	All Assistant Directors and Service Leads in Directorate	All Assistant Directors and Service Leads in Directorate	All Heads of Service and Service Leads in Directorate	All Service Leads and 4th tier co-ordinators in Service	All Service Leads and 4th tier co-ordinators in Service
21	Obtain the approval of the appropriate Panel before authorising a series of related works projects or phased works projects.	All Assistant Directors and Service Leads in Directorate	All Assistant Directors and Service Leads in Directorate	All Heads of Service and Service Leads in Directorate	All Service Leads and 4th tier co-ordinators in Service	All Service Leads and 4th tier co-ordinators in Service
22.1	Determine whether there are special and exceptional circumstances or reasons which justify the extension or negotiation of a contract without prior advertising;	All Assistant Directors and Service Leads in Directorate	All Assistant Directors and Service Leads in Directorate	All Heads of Service and Service Leads in Directorate	All Service Leads in Service	All Service Leads in Service
	Obtain the approval of the appropriate Panel before authorising the	All Assistant Directors and Service Leads in Directorate	All Assistant Directors and Service Leads in Directorate	All Heads of Service and Service Leads in Directorate	All Service Leads in Service	All Service Leads in Service

SO Number	Duty/ Power to...	Depute Chief Executive and Director of Housing, Operations and Development	Director of Strategic Change and Communities	Director - Health and Social Care Partnership	Head of Finance and ICT and Procurement	Head of Legal, HR and Regulatory Services
		Delegation	Delegation	Delegation	Delegation	Delegation
	extension/award of contract.					
22.2	Submit a report, to the appropriate Panel, detailing the nature of the proposed extension/award of contract and the reasons for the proposed negotiation without competition.	All Assistant Directors and Service Leads in Directorate	All Assistant Directors and Service Leads in Directorate	All Heads of Service and Service Leads in Directorate	All Service Leads in Service	All Service Leads in Service
24.1	Sign contracts.	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit	Contracts must only be awarded up to each Officer's Oracle Fusion P2P limit
24.6	Ensure that, where applicable in relation to contracts for consultancy services, the Council has royalty free rights to utilise information provided in relation to the continued development of the specific project and	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate	All Heads of Service, and Service Leads and 4th tier co-ordinators in Directorate	All Service Leads and 4th tier co-ordinators in Service	All Service Leads and 4th tier co-ordinators in Service

SO Number	Duty/ Power to...	Depute Chief Executive and Director of Housing, Operations and Development	Director of Strategic Change and Communities	Director - Health and Social Care Partnership	Head of Finance and ICT and Procurement	Head of Legal, HR and Regulatory Services
		Delegation	Delegation	Delegation	Delegation	Delegation
	subsequent related projects.					
24.8	Determine what insurance cover, if any, is relevant to the contract and which the Contractor will be required to take out and maintain for the duration of the contract.	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate	All Heads of Service, and Service Leads and 4th tier co-ordinators in Directorate	All Service Leads and 4th tier co-ordinators in Service	All Service Leads and 4th tier co-ordinators in Service
24.9	Determine whether the Council shall require the contractor/supplier/service provider to take out a bond, obtain and deliver a formal parent company guarantee or provide other sufficient security for the due performance of the contract.	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate	All Heads of Service, and Service Leads and 4th tier co-ordinators in Directorate	All Service Leads and 4th tier co-ordinators in Service	All Service Leads and 4th tier co-ordinators in Service
24.11.1	Vary or amend any terms of a contract, if satisfied that the variation or amendment will not constitute a material difference to the original	All Assistant Directors and Service Leads in Directorate	All Assistant Directors and Service Leads in Directorate	All Heads of Service and Service Leads in Directorate	Head of Services and Service Leads in Directorate	Head of Services and Service Leads in Directorate

SO Number	Duty/ Power to...	Depute Chief Executive and Director of Housing, Operations and Development	Director of Strategic Change and Communities	Director - Health and Social Care Partnership	Head of Finance and ICT and Procurement	Head of Legal, HR and Regulatory Services
		Delegation	Delegation	Delegation	Delegation	Delegation
	terms and is first approved by the Head of Legal, HR and Regulatory Services.					
24.11.2	Terminate a contract or the Council's participation in a Framework Agreement or DPS, following consultation with the Head of Legal, HR and Regulatory Services.	Not Delegated	Not Delegated	Not Delegated	Not Delegated	Not Delegated
25.2	Request that any consultant (not being an officer of the Council) produce all records maintained by him/ her in relation to a contract.	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate	All Heads of Service, and Service Leads and 4th tier co-ordinators in Directorate	All Service Leads and 4th tier co-ordinators in Service	All Service Leads and 4th tier co-ordinators in Service
Annex 1/ E.1	Check all tenders for completeness and errors.	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate	All Heads of Service, and Service Leads and 4th tier co-ordinators in Directorate	All Service Leads and 4th tier co-ordinators in Service	All Service Leads and 4th tier co-ordinators in Service

SO Number	Duty/ Power to...	Depute Chief Executive and Director of Housing, Operations and Development	Director of Strategic Change and Communities	Director - Health and Social Care Partnership	Head of Finance and ICT and Procurement	Head of Legal, HR and Regulatory Services
		Delegation	Delegation	Delegation	Delegation	Delegation
Annex 1/ E.2	Instruct officers to contact a tenderer in respect of any Tender submitted.	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate, in conjunction with the Service Lead - Procurement (no requirement to consult Procurement where Works tender conducted by PDS)	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate, in conjunction with the Service Lead Procurement (no requirement to consult Procurement where Works tender conducted by PDS)	All Heads of Service, and Service Leads and 4th tier co-ordinators in Directorate, in conjunction with the Service Lead – Procurement.	All Service Leads and 4th tier co-ordinators in Service, in conjunction with the Service Lead – Procurement.	All Service Leads and 4th tier co-ordinators in Service, in conjunction with the Service Lead - Procurement
Annex 1/ F.1	Instruct officers to contact the tenderer identified as the lowest or offering the most economically advantageous, to enter into post Tender negotiations; where they are satisfied that there is scope for improvement in the price of the Tender.	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate, in conjunction with the Service Lead - Procurement (no requirement to consult Procurement	All Assistant Directors and Service Leads and 4th tier co-ordinators in Directorate, in conjunction with the Service Lead - Procurement (no requirement to consult Procurement	All Heads of Service, and Service Leads and 4th tier co-ordinators in Directorate, in conjunction with the Service Lead – Procurement.	All Service Leads and 4th tier co-ordinators in Service, in conjunction with the Service Lead – Procurement.	All Service Leads and 4th tier co-ordinators in Service, in conjunction with the Service Lead - Procurement

SO Number	Duty/ Power to...	Depute Chief Executive and Director of Housing, Operations and Development	Director of Strategic Change and Communities	Director - Health and Social Care Partnership	Head of Finance and ICT and Procurement	Head of Legal, HR and Regulatory Services
		Delegation	Delegation	Delegation	Delegation	Delegation
		where Works tender conducted by PDS)	where Works tender conducted by PDS)			

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 for Contracts 2023
Lead Officer (Name/Position/Email)	David Alexander, Service Lead – Procurement – david.alexander3@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

Community or Groups of People	Negative Impacts	Positive impacts
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
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 impact
Advance equality of opportunity between people who share a protected characteristic and those who do not	Low impact

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 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

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 proposes approval of an annual procurement report relating to delivery of the Council’s Procurement Strategy. This has no specific equality implications	
Signed : David Alexander Date: 16 June 2023	Service Lead Procurement

South Ayrshire Council

**Report by Director of Strategic Change and Communities
to South Ayrshire Council
of 29 June 2023**

Subject: Future Operating Proposals – Customer Services

1. Purpose

- 1.1 The purpose of this report is to provide options and recommendations for the future operation of Customer Services.

2. Recommendation

2.1 It is recommended that the Council:

- 2.1.1 considers the options appraisal (Appendix 1) carried out for this report; and**
- 2.1.2 approves option 3 - Provision of Customer Services by phone, online and face-to-face by appointment.**

3. Background

- 3.1 At its meeting of 10 March 2022, Council approved all recommendations for revised workstyles under the Future Operating Model, other than those proposed for Customer Services, and agreed 'that Customer Services should operate as per pre pandemic, subject to Covid regulations, and officers to further consider the model for the delivery of Customer Services'. However, a return to pre-pandemic ways of working on an interim basis was not possible because of significant changes in customer trends.
- 3.2 Customers can currently access the service by phone, by phone appointment, digitally, or face-to-face by appointment from locations in Ayr, Troon, Prestwick, Maybole and Girvan. Details on the current availability of face-to-face Customer Services by location can be found at Appendix 2.
- 3.3 Customer Services is the only team which does not have an agreed workstyle or operating model and the uncertainty of arrangements since March 2022 has had a significant, detrimental impact on staff morale, resulting in the highest turnover the service has ever experienced, which in turn has had a serious impact on our ability to deliver services to customers. In order to stabilise the service and to provide clarity to customers and staff, it is crucial that a decision on the operation of the service is taken without further delay.
- 3.4 In developing options for future delivery, a number of factors have been taken into consideration.

- i. **Changing Customer Trends** - The volume of customer enquiries has not changed significantly in recent years, however the ways in which customers choose to access the service have. In recent years and, prior to the Covid pandemic, customer trends had been shifting steadily towards contacting the service by phone, with the majority of enquiries handled via the 0300 number and footfall in centres decreasing year on year. The Covid period and associated restrictions forcibly accelerated this trend - in 2018/19, 75% of customers chose to access the service by phone and 25% chose face-to-face by drop in; in 2022/23, 90% of customers chose to access the service by phone, with the remaining 10% choosing digital options or face-to-face services by appointment.
- ii. **The need to retain face-to-face services for some customers**– While customers are increasingly contacting the service by phone or online, it is recognised that some people need a face-to-face service. A face-to-face service is therefore currently available by appointment, as detailed in Appendix 2, with 168 face-to-face appointment slots available each week. To date, customer requests for face-to-face appointments have been low, with an average of 54 appointments requested and provided per month from 1 October 2022 –31 March 2023, although it is anticipated that this number may grow. The current substantive staffing establishment (Appendix 3) is sufficient to respond to the current volume of customer enquiries and 168 face-to-face appointments per week when all staff are fully trained.
- iii. **Customer feedback** – Three customer surveys were carried out during 2021 and 2022 to get feedback from the public on their preferred ways of contacting Customer Services. The most recent survey was targeted at people visiting council offices or frontline services. The majority of respondents across the surveys stated a preference for contacting the service by phone or online, with a smaller number of respondents stating a need or preference for a face-to-face service. This feedback mirrors the customer trends which the service has experienced. More detailed feedback from each survey can be found at Appendix 4(i) – 4(iii).
- iv. **Impact on Staff** – Since March 2022, the service has experienced a significant and unprecedented spike in staff turnover, with 45% of trained advisors leaving the service, many citing uncertainty around future working and service delivery arrangements as a factor in their decision to leave. As it takes 12 months to train an advisor to manage the full range and depth of enquiries, this turnover has had an extremely detrimental impact on service delivery and staff morale, increasing call waiting times and placing extreme pressure on the remaining 55% of trained advisors. Staff engagement and consultation on the future operation of the service has taken place regularly. 100% of staff support the recommended option, with 88% saying they would consider leaving if the service has to revert to a customer drop-in model (as per pre-Covid) in addition to managing the high volume of calls. Staff feedback can be viewed at Appendix 5.
- v. **Best value** - It is essential that any recommended model of service delivery is cost-effective and represents best value and that effective management of resources is balanced with delivering the best possible service for customers.

4. Proposals

- 4.1 An options appraisal outlining 4 possible options for the future delivery of customer services has been carried out and can be viewed at Appendix 1.
- 4.2 The recommended option is Option 3 - Provision of Customer Services by phone, online and face-to-face by appointment. This is the most efficient and effective way of running the service, offering customers phone, digital and face-to-face customer services. This option reflects customer trends, demand and feedback; is achievable within existing staffing levels; is cost-neutral; and reflects feedback from staff.

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 recommended option would incur no additional costs.

7. Human Resources Implications

- 7.1 There are no human resources implications. The Customer Services team would continue to work on a hybrid basis, providing call handling and face-to-face services by appointment.

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: a continued high turnover of staff (88% of staff say they would consider leaving their jobs if drop-in services were resumed); increased pressure on remaining staff; and a high risk of service failure.

9. Equalities

- 9.1 An Equalities Impact Assessment (EQIA), **(including the Fairer Scotland Duty in respect of any Strategic decision)**, has been carried out on the proposal contained in this report, which identifies potential positive and negative equality impacts and any required mitigating actions. The EQIA 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 been carried out in relation to the subject matter of this report. Details are contained in Appendix 1.

12. Link to Council Plan

12.1 The Customer Services Team are an enabling service, supporting services to deliver on the wider council plan.

13. Results of Consultation

13.1 There has been public consultation on the provision of customer services. Feedback from customer surveys can be found at Appendix 4.

13.2 Consultation has taken place with Councillor Martin Kilbride, Portfolio Holder for Buildings, Housing and Environment, and the contents of this report reflect any feedback provided.

13.3 Consultation has taken place with Trade Unions and the contents of this report reflect any feedback provided.

13.4 Consultation has taken place with staff 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 operating model	With immediate effect	Service Lead - Organisational Development and Customer Services
Deliver series of briefings to frontline services on use of customer contact eform	1 April 2024	Service Lead - Organisational Development and Customer Services

Background Papers **Report to South Ayrshire Council (Special) of 10 March 2022 - [Future Operating Model](#)**

Person to Contact **Gillian Farrell, Service Lead - Organisational Development and Customer Services**
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612712
E-mail gillian.farrell@south-ayrshire.gov.uk

Date: 9 June 2023

Appendix 1 – Customer Services Future Operation - Options Appraisal

Option 1 - Return to the pre-pandemic model of service delivery, handling enquiries by phone, online and face-to-face by drop-in from five Customer Service Centres.		
	+	-
Customers	Customers can access services on a face-to-face drop-in basis, by phoning or online.	<p>Customer data and trends do not support a move to drop-in face-to-face services. <i>Face-to-face customer services by appointment are currently available. The current uptake of face-to-face appointments is low and the volume of available face-to-face appointment slots is more than adequate to meet customer demand for face-to-face services.</i></p> <p>Feedback from customers does not support a move to drop-in face-to-face services – <i>As detailed in survey feedback at Appendix 4, the majority of customers prefer to contact the service by phone or digitally. A small number of respondents said they need or prefer a face-to-face service and this need is being met via the current face-to-face appointment system.</i></p>
Staff		<p>Staffing levels are not adequate to provide face-to-face drop-in services. <i>Given the significant trend over the last 3 years for customers to contact the service by phone, the current staffing establishment is at full capacity managing phone, digital and face-to-face appointments. An additional 6-8 advisors would be required to operationally run 5 drop-in centres, 5 days per week and to manage a drop-in service.</i></p> <p>Further high staff turnover is anticipated if this option is selected. <i>When asked to rank options, no staff selected this option as favourable, with many commenting that a return to drop-in makes no business sense and a face-to-face by appointment service is a more effective way of managing customer enquiries. 88% of staff stated this option would have a negative impact on their morale and they would consider leaving the service. Any further staff turnover, coupled with the training time required for new staff, will result in additional pressure on the team and risks service failure.</i></p> <p>An extended implementation period would be required <i>(12 – 15 months to recruit and train new staff). This places pressure on existing staff, particularly those who coach and train new advisors.</i></p>
Best Value		<p>This option would cost £184,536 - £ 246,048 per year in increased staffing <i>(6-8 advisors including on-costs)</i></p> <p>This is the most expensive way of delivering customer services <i>and is not supported by customer trends or feedback. There is no budget for this within the service.</i></p> <p>This option would incur building costs <i>Building usage has changed significantly in the past 3 years, with some buildings, such as the former Customer Service Centre in Maybole being agreed as a saving by the Council in 2023. There have also been changes to usage in other buildings where Customer Services were previously located. For example, The Wallace Tower, Ayr would require to be reconfigured as per the previous layout in 2019 and the Thriving Communities team (who have been co-located there for 2 years) moved to alternative accommodation.</i></p>
Summary :	Not recommended	

Appendix 1 – Customer Services Future Operation - Options Appraisal

Option 2 - Customer Services to operate fully as a contact centre, with customers accessing the service by phone or digitally and no face-to-face option available.		
	+	-
Customers		<p>Customer feedback does not support the removal of face-to-face customer services. <i>While customer trends have shifted significantly to phone and digital contact, there are customers who need a face-to-face service.</i></p> <p>This option could also disadvantage those customers who have a particular protected characteristic such as <i>elderly customers and would impact the small number of customers who told us in surveys detailed in appendix 4, that they cannot access services by phone or digitally.</i></p>
Staff		<p>Staff feedback does not support this option. <i>Feedback from staff indicates that a Contact Centre only service is not sufficient for all customers and staff are keen to retain a face-to-face option, particularly for customers who are elderly or vulnerable.</i></p>
Best Value	This proposal is cost neutral and no additional staffing is required.	
Summary :	Not recommended	

Appendix 1 – Customer Services Future Operation - Options Appraisal

Option 3 - Provision of Customer Services by phone, phone appointment, digitally and face-to-face by appointment in each of the 5 towns as per current interim arrangements.		
	+	-
Customers	<p>Customers can access the service by phone; by email; digitally or by arranging a face-to-face or phone appointment. <i>This model meets the access needs of all customers as indicated by customer feedback and trends. Customers will be able to access the service in a way that meets their needs i.e. by face-to-face appointment by phoning, emailing or visiting the Customer Services team as per the locations outlined in Appendix 2. On occasion, some customers ask about a customer service from their nearest public facing council office. Going forward, a simple referral form will be made available at public facing buildings, meaning staff in these areas, if presented with an ad hoc customer enquiry, can forward the customer's name and contact details to Customer Services, who will thereafter contact the customer to manage their enquiry or arrange an appointment as necessary. Staff at these locations will not handle customer service enquiries.</i></p> <p>The model retains a face-to-face service, <i>with 168 face-to-face appointment slots available each week across the 5 towns. The number of appointment slots will be continuously reviewed and increased if required.</i></p> <p>This model is supported by customer trends and feedback – <i>In recent years, customer trends have shown an increase in customers preferring to contact the service by phone or digitally. This trend accelerated over the last 3 years and current data shows 90% of enquiries are made by phone, with the remaining comprising face-to-face appointments and digital interactions. Survey responses and feedback from customers supports the retention of a face-to-face option, with the majority of customers preferring phone or digital options.</i></p> <p>The model has been working effectively for 12 months – <i>This service model has been in place since July 2022 and is working effectively.</i></p>	
Staff	<p>This model is supported by staff – <i>100% of staff ranked this as the most effective option, as it retains a face-to-face service for customers, as well as providing phone and digital options.</i></p> <p>This model requires no additional staffing – <i>Appointments allow more efficient management of the service and, when fully trained, the current cohort of advisors can manage the volume of customer enquiries in a range of ways.</i></p>	
Best Value	<p>This is the most efficient and effective way of running the service, offering customers phone, digital and face-to-face customer services.</p> <p>This is a no cost option and can be delivered within existing resources.</p>	
Summary :	This is the recommended option	

Appendix 1 – Customer Services Future Operation - Options Appraisal

Option 4 - Provision of Customer Services by phone, phone appointment, digitally and face-to-face by appointment as at Option 3 and the introduction of a Customer Services Reception Team to operate across the five main towns, on a co-location basis to provide an initial point of contact for customers and arrange appointments as appropriate.		
	+	-
Customers	Customer Services Receptionists would be trained to help customers with basic enquiries and arrange appropriate appointments with Customer Service Advisors or other relevant council services for more complex enquiries.	Customer trends do not support a requirement for a drop-in face-to-face service for basic enquiries. <i>Customers can already access face-to-face appointments with Customer Services if required. A significant majority of customers (90%) choose to contact the service by phone and the uptake of face-to-face appointments has been low. Customers will be able to ask for a referral to customer services from a range of frontline council buildings/ receptions.</i>
Staff		Staff feedback does not support this option. This option would require 6 months implementation time - to recruit and train receptionists.
Best Value		This option would cost £131,620 per year in additional staffing costs. <i>There is no budget for this within the service and customer need can be met at no cost under the current delivery model.</i>
Summary:	Not recommended.	

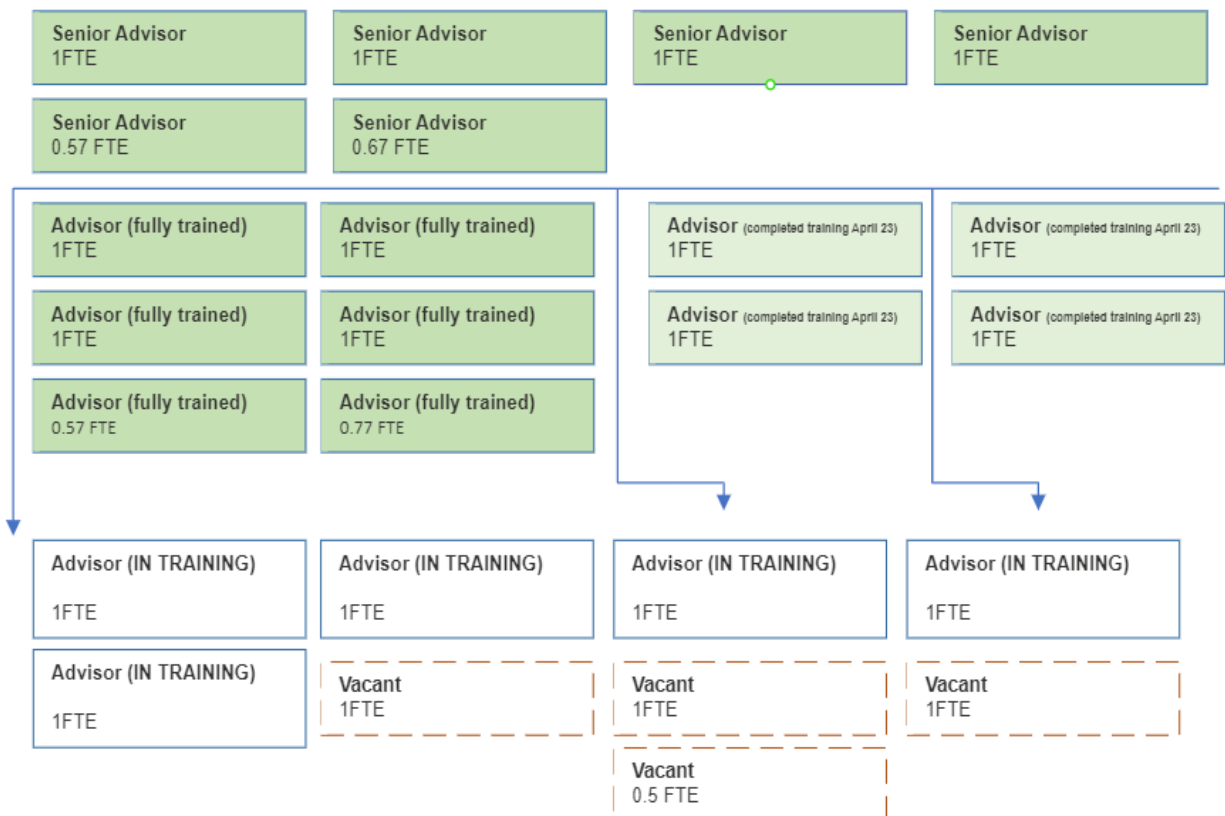
Appendix 2 – Current Availability of Customer Services by Location

Customer Services teams are based at the following locations, call handling and managing face-to-face appointments.

Location	Days Available
Ayr – The Wallace Tower	Tuesdays to Fridays 09.00-16.45 (16.00 on Fridays)
Troon – Municipal Buildings	Tuesdays 09-00 – 16.45
Prestwick – Freemans Hall	Wednesdays 09.00 - 16.45
Girvan – Carrick Opportunities Centre	Thursdays 09.00 – 16.45
Maybole – 172-176 High Street	Fridays 09.00 – 16.00

Appendix 3 – Staffing Establishment

The graphic below shows the current staffing establishment in Customer Services, highlighting those posts where advisors are not yet fully trained, or where recruitment to vacant posts is ongoing. Significant turnover in 2022/23 has resulted in 37% of advisors (including senior advisors and advisors) as at 4th May 2023, having less than 12 months' service and therefore not yet fully trained. This means they cannot handle to full range of enquiries. At earlier points in 2022/23, 45% of the team were not fully trained, placing extreme pressure on the 55% who were.



Appendix 4(i) Customer Survey Findings

This survey ran from 1st March to 30th April 2021 during Covid restrictions. Customers could complete the survey online or by calling 0300 123 0900. The survey was actively promoted to customers calling our contact centre. 466 people took part.

The survey asked customers to rate the service and to tell us how they would like to access customer services going forward.

How customers rate our current service

98%



of customers rated the service they got from our Customer Services Team as 5 stars

97%

of customers said that the length of their enquiry time was "just right"



How customers would prefer to access Customer Services in future

81.5% prefer to handle their enquiry by phone.

6.5% of customers would prefer to make contact by e-mail



2% of customers would prefer to make contact via Live Web Chat



10% of customers would prefer to make contact face to face on a drop or appointment in basis

Reintroducing face to face customer services

Public Consultation Outcomes

The survey was designed to get feedback from residents, including those who previously used the face-to-face drop in service from the Customer Service Centres. The survey asked respondents about their previous ways of interacting with the council and their preferences going forward. The survey ran from 1 November to 31 December 2021. Residents could complete the survey online, by calling our Customer Services Team or by asking at their local library or leisure centre. The survey was advertised on our social media channels; on local radio; in paper copies of South Ayrshire Council Live and by our Customer Services and other frontline, customer-focussed teams.

354 responses were received.



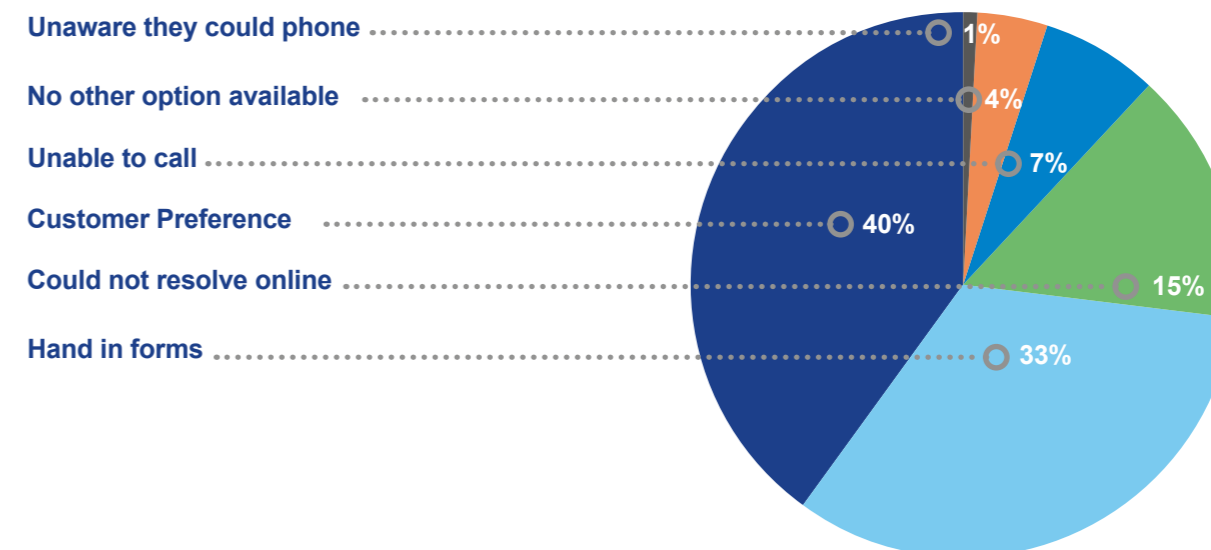
Reintroducing face to face customer services – Public Consultation Outcomes

We know that customer trends have changed since March 2020, with more and more customers accessing services by phone and online. We also know that for a small number of people phone and digital isn't an option. We are looking at how we might reintroduce face to face customer services and asked our customers, particularly those who dropped into our Customer Service Centres, how they contacted us previously, and how they would like to access our services going forward. This is what they told us.

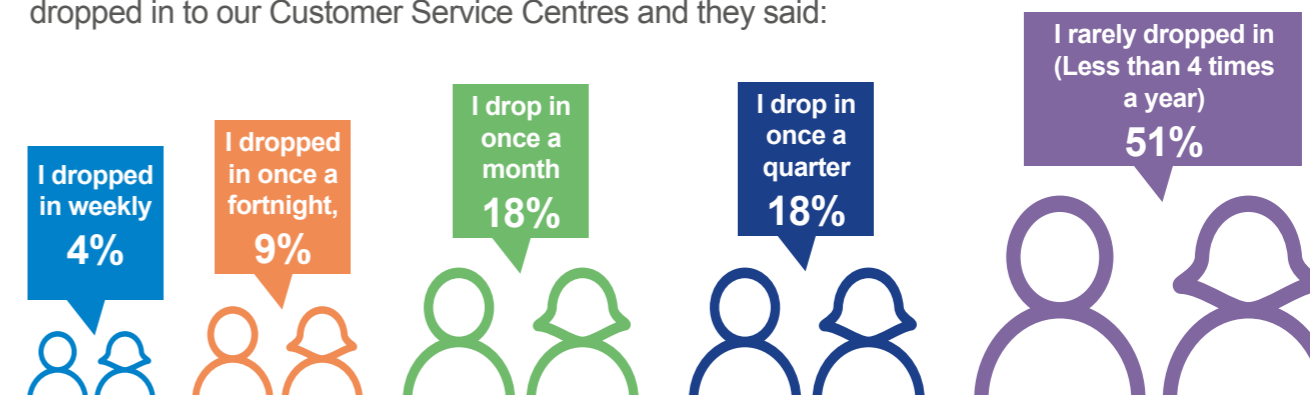
Before covid restrictions began in March 2020

 **70%** of our customers had dropped in to a Customer Service Centre.

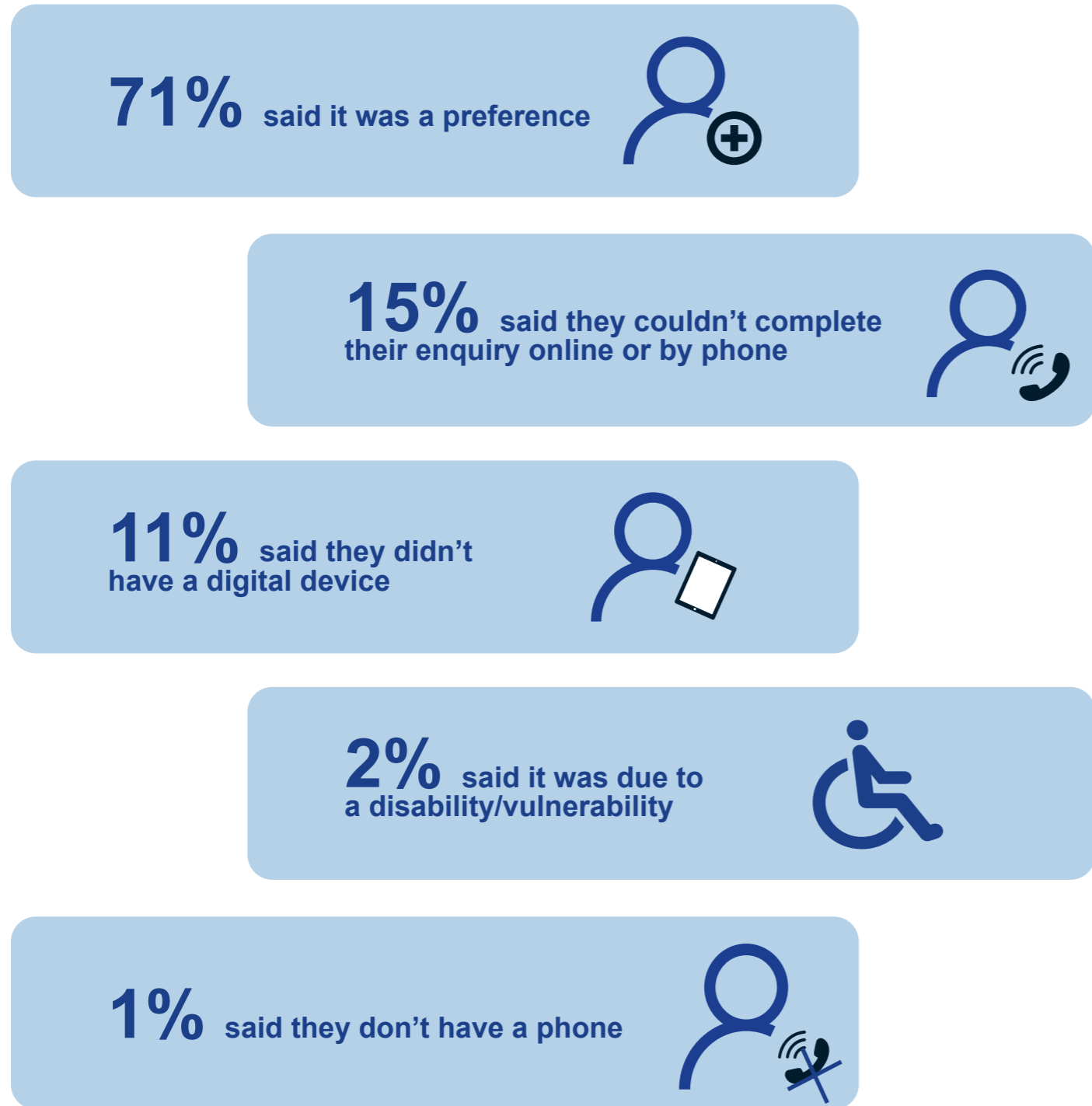
The reasons they dropped in were:



We wanted to know more about how **often** our customers dropped in to our Customer Service Centres and they said:



We wanted to know more about why our customers who had previously dropped in to Customer Service Centre chose to speak with us face to face:



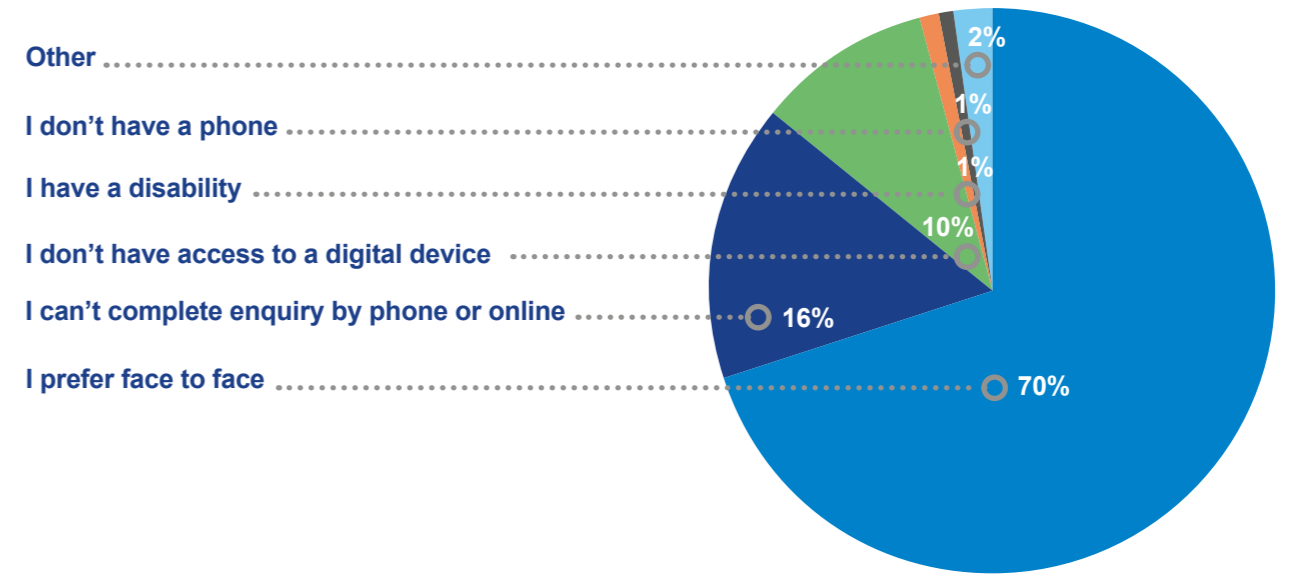
The Future

We asked our customers how they would like to access our services in the future. This is what they told us.



We were interested to find out why **32%** of our customers would prefer to contact us in person.

This is what they said:



We were also interested to hear what other ways our customers would like to communicate with us and 35% of people said they would like to use other digital channels.



This information can be made available, on request, in braille, large print or audio formats and can be translated into a range of languages. Contact details are provided below.

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۔

本信息可应要求提供盲文，大字印刷或音频格式，以及可翻译成多种语言。以下是详细联系方式。

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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।

Niniejsze informacje mogą zostać udostępnione na życzenie, w alfabecie Braille'a, w druku powiększonym lub w formacie audio oraz mogą zostać przetłumaczone na wiele języków obcych. Dane kontaktowe znajdują się poniżej.

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

Reintroducing face to face customer services

Public Consultation Outcomes



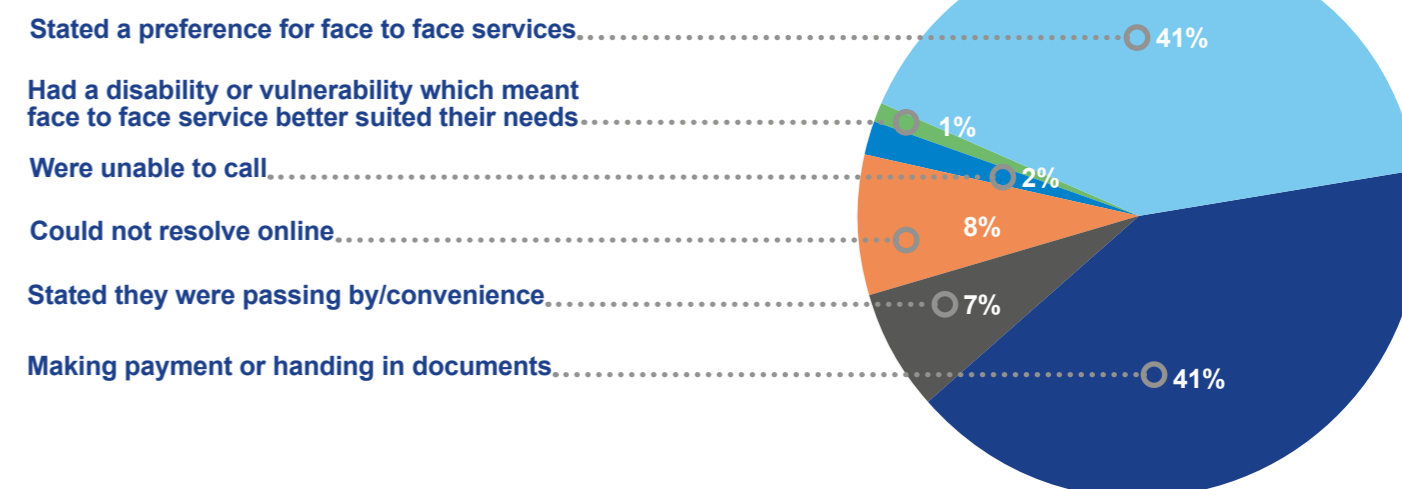
Reintroducing face to face customer services – Public Consultation Outcomes

This consultation was targeted at customers who use face-to-face services across South Ayrshire, ensuring copies were available in our libraries, leisure centres, and golf courses, through Thriving Communities and Customer Services. The survey was paper based to reach a non-digital customer base. The survey ran from 8th July to 5th August 2022.

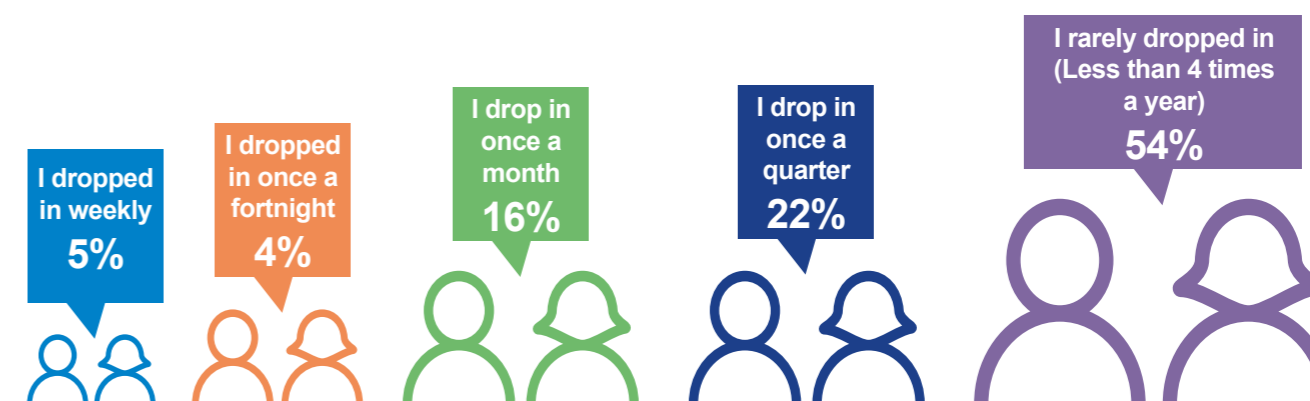
Before covid restrictions in March 2020

We asked respondents for the reasons they had dropped into a customer services centre.

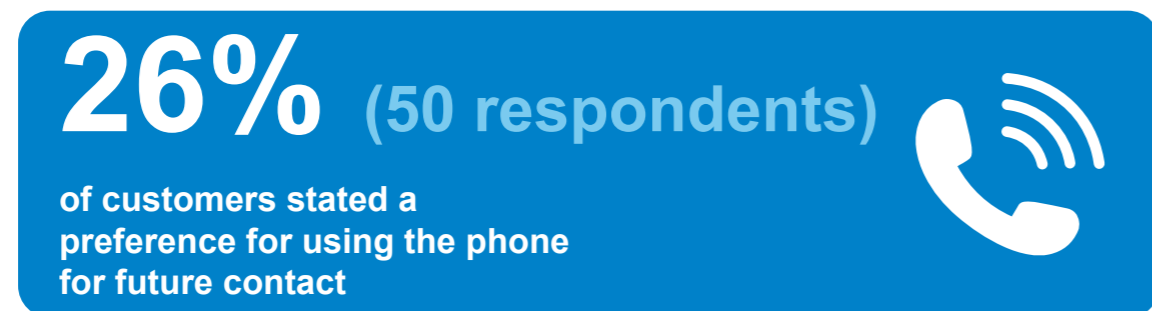
The reasons they dropped in were:



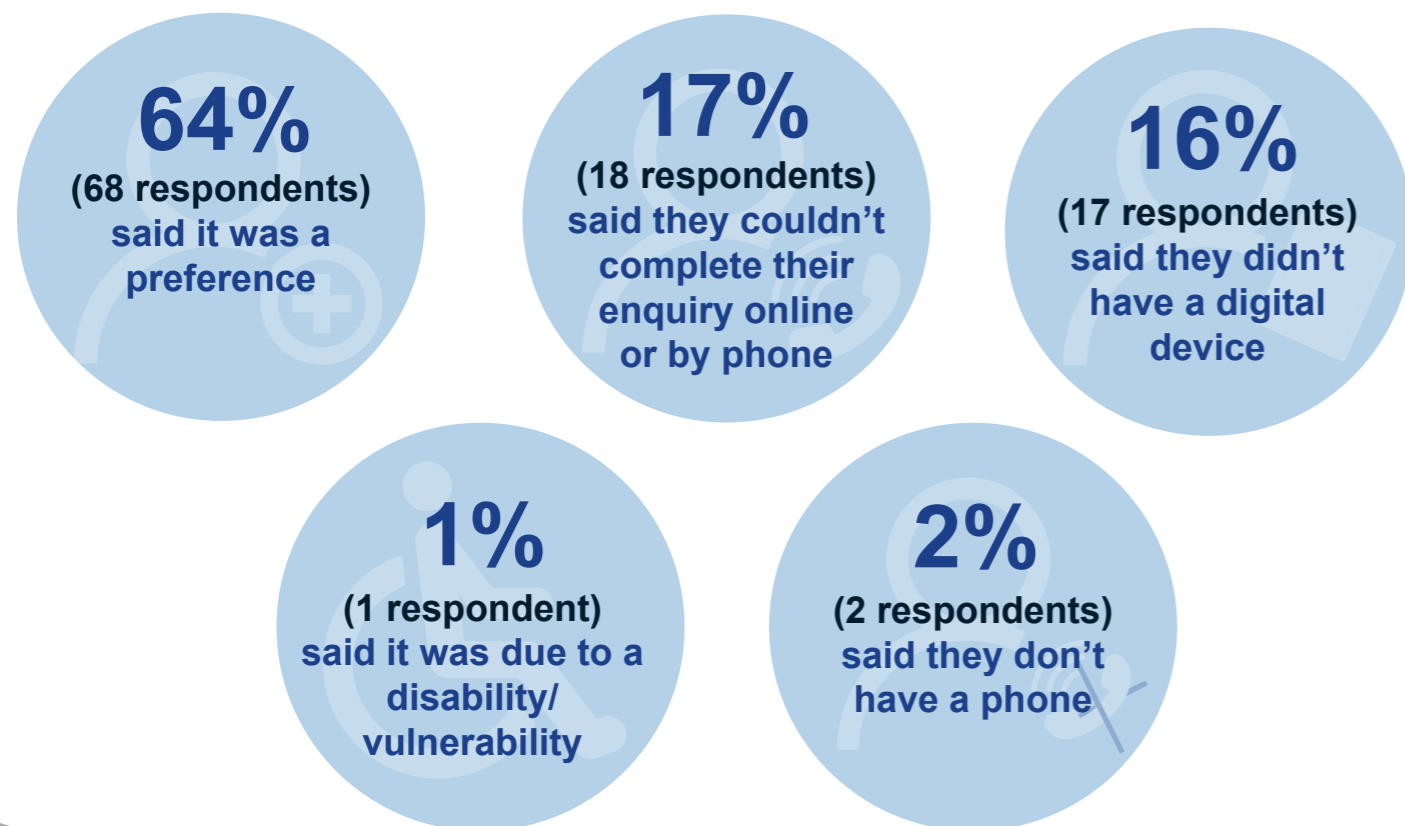
We wanted to know more about how **often** our respondents dropped in to our Customer Service Centres and they said:



We wanted to know more about the 193 respondents who had previously dropped into our centres pre covid and their preferences for contacting us in the future this is what they told us:



Of the 55% (106) respondents who indicated face to face was their favoured option for contacting the service, they provided the following reasons:



Comments

Some of the additional comments made by our respondents are displayed below:

"Use an appointment system or have drop in slots available as not everyone finds it easy to use online/phone"

"Only dropped in to set up council tax as I didn't know I could do it online. I have never needed to visit since"

"even if days/hours are restricted, it is important that they are available at least a few half days a week"

"Sometimes phone/email/online forms just do not give you the answers. The facility doesn't have to be open all the time and can have restricted hours, but at least there is a person to help you - some people do not have access, as you well know. Hours of opening have to be advertised well"

"I think it's important to have the option of face to face enquiries for people who are unable to access online services either through lack of connectivity or because of a learning difficulty. Without face to face these people are forgotten and marginalised"

"Haven't missed the centre being closed in lockdown and haven't had any chance to go in since re-opened"



This information can be made available, on request, in braille, large print or audio formats and can be translated into a range of languages. Contact details are provided below.

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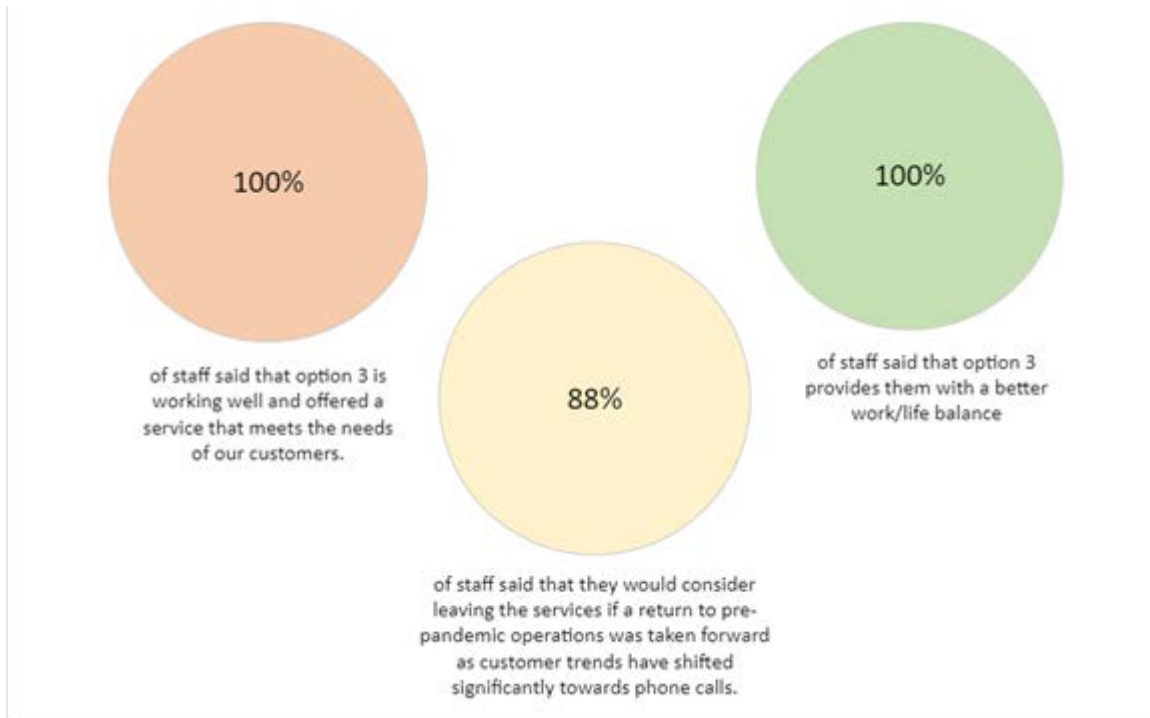
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South Ayrshire Council
Contact Centre
0300123 0900

Appendix 5 – Feedback from staff on proposals

The staff group participated in a range of workshops, focus groups and surveys to develop options and recommendations for the future operation of the service. The most recent staff survey took place in **April 2023**. Feedback from staff was as follows:



Comments received were as follows:

"I feel the service needs have evolved since we were last face-to-face and I believe we have been responsive to those changes"

"Continuing with the current model makes the most sense both operationally & financially - most of our enquiries are via 0300 & the present operating model allows us to deliver the best possible service to customers"

"If any staff rely on public transport for any of the centres, transport services have also changed, i.e. not as often, so staff may have difficulties getting to and from work on time etc"

"I feel that the way we are working works very well for staff and customers as we provide phone service, phone appointments and face-to-face appointments. Due to the volume of calls this would be very difficult to go back to the pre-covid way"

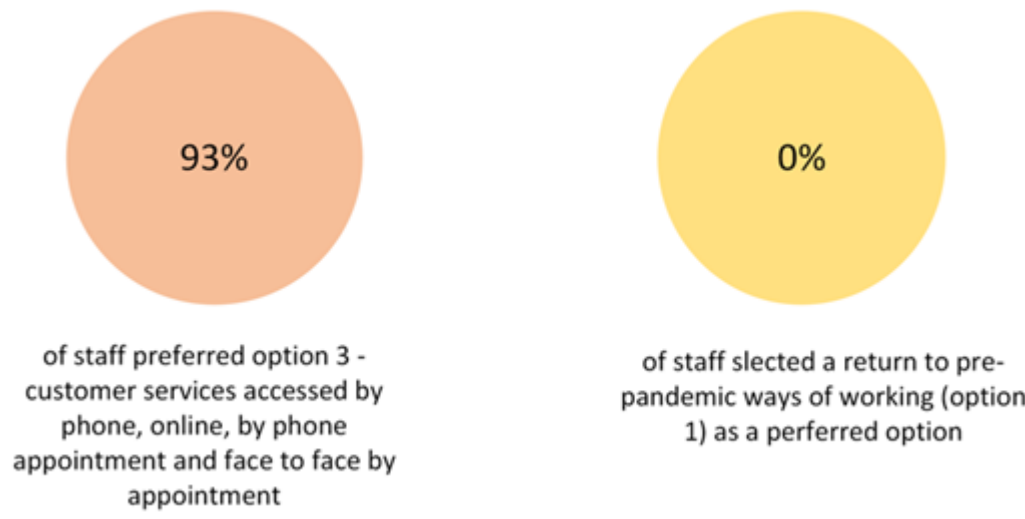
"It would seem like a frustrating step backwards for the Council and CS and would put us at odds with a) how other Councils/businesses are adapting to cuts in public funding/cost of living crisis & b) how these organizations are embracing new technology. We would be going 'back in time!'"

"Service would not cope with centres opening pre-covid with the volume of calls/phone enquiry lengths The service would suffer considerably and think

telephone appointments and other services we are able to provide now would need to be looked at/would no longer be manageable”

“Option 1 = Increased pressure and costs. Less productivity. Feel it is unnecessary for the service and would be detrimental on the whole”

An earlier staff survey in **July/ August 2022** found that



Some of the reasons given are as per the comments below:

“I feel the current model (option 3) works very well. We are available to deal with any face-to-face customers who need us while managing to sustain our phone lines which have become a lot busier”

“Contact centre only option is not sufficient for all citizens, we would miss vulnerable customers. The current arrangement works”

“I feel if we go back to pre-pandemic way of working it will have a very negative effect on our staff and service, we answer around 1000 calls a day and we would never be able to do that plus serve drop in face to face”

“I really enjoy my role in Customer Services but recent pressures and very high call volumes make it unsustainable to go back to pre-pandemic ways of working without having more staff.”

“Customers are used to doing a lot online and via telephone now and I do not think there would be enough customers coming in and out of the office to justify staff members there 5 days a week. If I have to start travelling every day with fuel costs this could affect my household income”

“Option 1 does not seem to make sense from a service/cost point of view. Drop-in would force the service back into many unnecessary visits e.g. printing off bin calendars. The upheaval and strain on call handlers would force a lot of experienced advisors to go elsewhere and CS are already suffering as a result of this”

South Ayrshire Council
Equality Impact Assessment including Fairer Scotland Duty

Section One: Policy Details*

Name of Policy	Customer Services Future Operating Model Proposals
Lead Officer (Name/Position)	Jane Bradley, Director – Strategic Change and Communities
Support Team (Names/Positions) including Critical Friend	Gillian Farrell, Service Lead, OD and Customer Services Michelle Piper, Customer Services Officer James Andrew – Organisational Development Coordinator (Critical Friend)

*The term Policy is used throughout the assessment to embrace the full range of policies, procedures, strategies, projects, applications for funding or financial decisions.

What are the main aims of the policy?	<ul style="list-style-type: none"> • To gain agreement for the future operating model of frontline Customer Services. • To allow customers to access customer services in a range of ways and to support people who have a 'barrier' to accessing services other than by face-to-face, including those who are digitally excluded, financially unable to use other methods of contact or who have a disability or other factor which makes face-to-face contact the most appropriate means of interacting with the council. • To support staff wellbeing and to support them to be engaged and productive at work • To provide services which represent best value <p>The report recommends Option 3 - Provision of Customer Services by phone, online and face-to-face by appointment. This is the most efficient and effective way of running the service, offering customers phone, digital and face-to-face customer services. This option reflects customer trends, demand and feedback; is achievable within existing staffing levels; is cost-neutral and reflects feedback from staff</p>
What are the intended outcomes of the policy?	Customers can access Customer Services in a range of ways. While people will be encouraged to use more efficient means of contact, such as digital, phone and phone appointments, face-to-face services will also be available by appointment in each of the five towns. Customers who require a face-to-face customer enquiry will be able to arrange an appointment by calling or by asking for a referral at a public-facing council office.

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Section Two: What are the Likely Impacts of the Policy?

<p>Will the policy impact upon the whole population of South Ayrshire and/or particular groups within the population? (please specify)</p>	<p>Residents who access customer services Staff who work in Customer Services.</p>
--	--

Considering the following Protected Characteristics and themes, what likely impacts or issues does the policy have for the group or community?

List any likely positive and/or negative impacts.

Protected Characteristics	Positive and/or Negative Impacts
<p>Age: Issues relating to different age groups e.g. older people or children and young people</p>	<p>Anticipated positive impact as the recommended option provides access to Customer Services by phone, phone appointment, digitally and face-to-face by appointment.</p> <p>We do not hold data on the protected characteristics of people who use Customer Services, however the demographic of South Ayrshire indicates a higher and increasing % of older people compared with the national average.</p> <p>Some older people may have barriers (e.g. barriers to digital or phone access) which mean that a face-to-face service may better suit their needs. This option enables residents to access face-to-face customer services by appointment.</p> <p><i>Removal of a face-to-face option could detrimentally impact on this group and is therefore not a recommended option.</i></p>
<p>Disability: Issues relating to disabled people</p>	<p>Anticipated positive impact as the recommended option includes a wide range of access to the service – phone; phone appointment; digital and face-to-face by appointment</p> <p>We do not hold data on the protected characteristics customers. Some people with disabilities may have barriers which mean that a wide range of access options could better meet specific needs. When surveyed, some customers commented that a face-to-face service would be required because of a disability and this option offers a face-to-face appointment service.</p>

	<p>Reasonable adjustments are made where required for customers and staff with disabilities.</p> <p><i>Removal of a face-to-face option could detrimentally impact on this group and is therefore not a recommended option.</i></p>
Gender Reassignment – Trans/Transgender: Issues relating to people who have proposed, started or completed a process to change his or her sex	No anticipated impact.
Marriage and Civil Partnership: Issues relating to people who are married or are in a civil partnership	No anticipated impact.
Pregnancy and Maternity: Issues relating to woman who are pregnant and/or on maternity leave	No anticipated impact.
Race: Issues relating to people from different racial groups, (BME) ethnic minorities, including Gypsy/Travellers	No anticipated impact.
Religion or Belief: Issues relating to a person's religion or belief (including non-belief)	No anticipated impact.
Sex: Gender identity: Issues specific to women and men/or girls and boys	No anticipated impact.
Sexual Orientation: Issues relating to a person's sexual orientation i.e. LGBT+, heterosexual/straight	No anticipated impact.

Equality and Diversity Themes Relevant to South Ayrshire Council	Positive and/or Negative Impacts
Health Issues and impacts affecting people's health	Anticipated positive impact on staff health and wellbeing. Staff surveys told us that the recommended option gave them a better work-life balance and alleviates pressure of work by managing face-to-face enquiries by appointment. Feedback from staff was that a return to a drop-in service would not be viable in terms of customer trends and demand and would unnecessarily impact on pressure of work.
Human Rights: Issues and impacts affecting people's human rights such as	No anticipated impact

being treated with dignity and respect, the right to education, the right to respect for private and family life, and the right to free elections.	
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Socio-Economic Disadvantage	Positive and/or Negative Impacts
Low Income/Income Poverty: Issues: cannot afford to maintain regular payments such as bills, food and clothing.	<p>Positive Impact – Customers will be able to access customer services in a range of ways. Phone call backs will be available for those who cannot travel to a centre or prefer a phone service.</p> <p>The increasing cost of fuel and the cost-of-living crisis is impacting on a wider percentage of the population and this proposal minimises the need for customers or staff to incur travel costs. Where staff cannot work on a hybrid basis from home, alternative arrangements will be made as per existing HR policies.</p>
Low and/or no wealth: Issues: 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	<p>Positive Impact – Customers will be able to access customer services in a range of ways. Phone call backs will be available for those who cannot travel to a centre or prefer a phone service. Feedback from staff survey is that the recommended option minimises travel to work costs as it involves a hybrid working model. Staff indicated that any return to a 5 day a week face-to-face service would likely have a negative impact on their household finances due to increased travel costs</p>
Material Deprivation: Issues: being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	<p>Positive Impact – Customers will be able to access customer services in a range of ways. Phone call backs will be available for those who cannot travel to a centre or prefer a phone service.</p>
Area Deprivation: Issues: where you live (rural areas), where you work (accessibility of transport)	<p>Positive Impact – Customers will be able to access Customer Services in a range of ways. Locations for face-to-face appointments are central and accessible by public transport. This model meets the access needs of all customers as indicated by customer feedback and trends. Customers will be able to access the service in a way that meets their needs i.e. by face-to-face appointment by phoning, emailing or visiting the Customer Services team as per the locations outlined in Appendix 2. On occasion, some customers ask about a customer service from their nearest public facing council office. Going forward, a simple referral form will be made available at public facing buildings, meaning staff in these areas, if presented with an ad hoc customer enquiry, can forward the customer's name and contact details to Customer Services, who will thereafter contact the customer to manage their enquiry or arrange an appointment as necessary. Where a customer is particularly vulnerable or is in an emergency situation, staff at public locations will be given a direct line to</p>

	customer service supervisors, who will deal with the enquiry. Staff at these locations will not handle customer service enquiries.
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Section Three: Evidence Used in Developing the Policy

<p>Involvement and Consultation In assessing the impact(s) set out above what evidence has been collected from involvement, engagement or consultation? Who did you involve, when and how?</p>	Staff engagement within Customer Services team, including focus groups and meetings (series of events 2020-2023) workshops (2022/23) staff surveys (appendix 5 of report) and 3 customer surveys, as detailed in appendix 4 of the report, helped to inform these proposals.
<p>Data and Research In assessing the impact set out above what evidence has been collected from research or other data. Please specify what research was carried out or data collected, when and how this was done.</p>	Data on numbers of face-to-face customer appointments over last 9-12 months; Comparative data on customer trends, analysing customer trends since 2018/19. This data was taken from the Netcall, email and Q-tastic systems.
<p>Partners data and research In assessing the impact(s) set out in Section 2 what evidence has been provided by partners? Please specify partners</p>	
<p>Gaps and Uncertainties Have you identified any gaps or uncertainties in your understanding of the issues or impacts that need to be explored further?</p>	

Section Four: Detailed Action Plan to address identified gaps in:

- a) evidence and
- b) to mitigate negative impacts

No.	Action	Responsible Officer(s)	Timescale
1			
2			
3			

Note: Please add more rows as required.

Section Five - Performance monitoring and reporting

Considering the policy as a whole, including its equality and diversity implications:

When is the policy intended to come into effect?	From July 2023 (in line with the budget setting process)
When will the policy be reviewed?	July 2024 in line with service plan activity.
Which Panel will have oversight of the policy?	



Section 6

South Ayrshire Council

Appendix

Summary Equality Impact Assessment Implications & Mitigating Actions

Name of Policy:

This policy will assist or inhibit the Council’s ability to eliminate discrimination; advance equality of opportunity; and foster good relations as follows:

Eliminate discrimination The recommended option provides a range of ways for customers to contact us and includes phone, digital and face-to-face options. This ensures the service is accessible to all.
Advance equality of opportunity
Foster good relations
Consider Socio-Economic Disadvantage (Fairer Scotland Duty) The recommended option has been designed to support customers who are socio-economically disadvantaged to access services, including the ability to receive a face-to-face service by appointment; a phone (including call back appointment service) or digitally as appropriate.

Summary of Key Action to Mitigate Negative Impacts	
Actions	Timescale

--

Signed: .Gillian FarrellService Lead OD & Customer Services.

Date: May 2023

South Ayrshire Council

**Report by Director of Strategic Change and Communities
to South Ayrshire Council
of 20 June 2023**

Subject: Service Plans 2023-2024

1. Purpose

- 1.1 The purpose of this report is to seek approval of the proposed annual Service Plans for each service area following consideration by the Service and Partnerships Performance Panel.

2. Recommendation

2.1 It is recommended that the Council:

- 2.1.1 approves the contents of the Service Plans 2023/24; and**
- 2.1.2 notes the actions that will be reported to the Service and Partnerships Panel over 2023/24 as part of the Council Plan 23-28 Performance Management Framework; and**
- 2.1.3 notes that performance against the Council Plan will also be the subject of an annual report to Council.**

3. Background

- 3.1 The new Council Plan 23-28 was agreed by Council in March 2023. The Plan sets out the Council's framework for achieving key strategic outcomes based on three priority areas:

- Spaces and Places;
- Live, Work, Learn; and
- Civic and Community Pride.

- 3.2 To coincide with the new plan, an updated Performance Management Framework (PMF) has been developed. The PMF sets out the relationship between the Council Plan and the actions taken by service areas, teams and individuals to contribute towards advancing the Council's vision. The PMF also sets out the reporting regime for the new plan, with quarterly reports proposed to go to Service and Partnerships Performance Panel and Corporate Leadership Team on alternate quarters. The draft PMF is due to be considered by Cabinet in June and the first reports to the Service and Partnerships Performance Panel in November.

- 3.3 The draft Council Plan 2023-28 actions and the service plans were considered by the Service and Partnerships Performance Panel on 13 June 2023. Following feedback, some service plans have been updated and there is an additional section included in the Council Plan actions covering the Council's enabling services.

4. Proposals

- 4.1 The service plans highlight the actions undertaken by services to achieve the Council's strategic objectives. The plans also draw out key actions that will be reported to members over the reporting period. All Members will have ongoing access to all service plans through Pentana.
- 4.2 Service plans can be accessed [here](#) and the proposed Council Plan actions are listed in Appendix 1.
- 4.3 The plans also ask Service Leads to undertake self-evaluation, considering past performance, internal and external challenges, and workforce planning considerations.
- 4.4 It is proposed that service plans are updated annually to allow for new areas to develop and complete actions to be removed.
- 4.5 Some service areas may have more than one plan because of the diversity in the areas of responsibility.

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 As outlined below:

Priority	Outcomes	Indicate each outcome that applies
Spaces and Places	Moving around and the environment	Yes
	Play, Sport and Recreation	Yes
Live, Work, Learn	Education and lifelong learning	Yes
	Work and economy	Yes
	Housing	Yes
Civic and Community Pride	Pride in South Ayrshire	Yes
	Community Engagement	Yes
Support Services	Efficient and effective enabling services	Yes

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
Quarterly report to Service and Partnerships Performance Panel	21 November 2023	Service Lead – Policy, Performance and Community Planning

Background Papers [Council Plan 2023-28](#)

Report to Service and Partnerships Performance Panel of 13 June 2023 – [Service Plans 2023-2024](#)

Person to Contact Kevin Anderson, Service Lead – Policy, Performance and Community Planning
County Buildings, Wellington Square, Ayr
Phone 01292 612982
E-mail kevin.anderson@south-ayrshire.gov.uk

Date: 19 June 2023

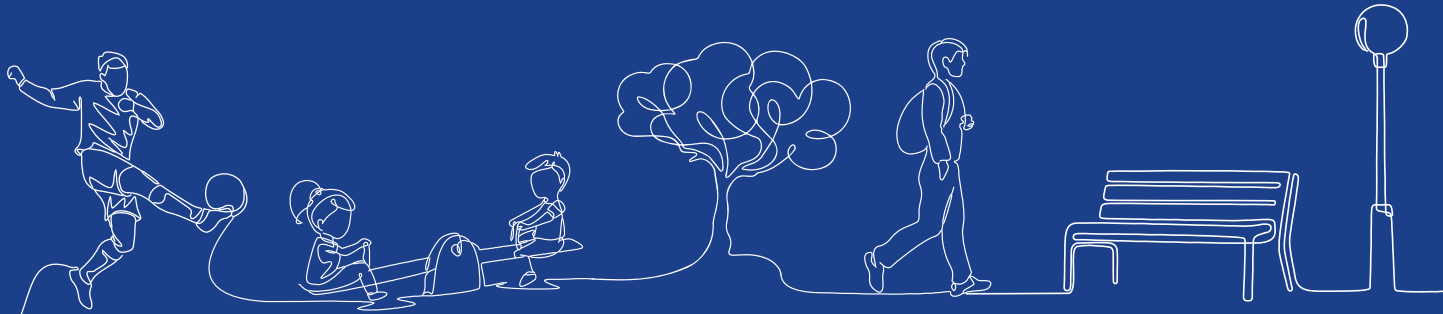


South Ayrshire Council Plan 2023-2028

Action Plan

Council Plan 2023-28 (Action Plan)

Priority One Spaces and Places



Outcomes

Moving around and the environment

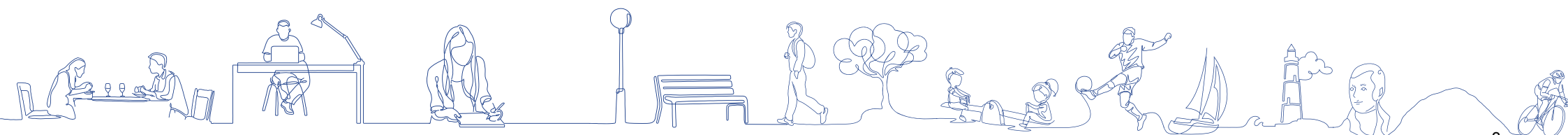
Everyone can access streets, places and spaces that make a positive contribution to wellbeing, are well connected, well designed, and maintained.

Play, Sport and Recreation

Everyone can access a range of high quality, safe, well maintained, accessible places with opportunities for play, sport and recreation.



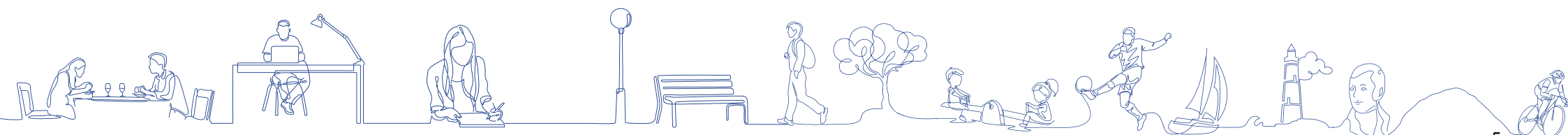
Action	How will you measure success?	Target	Timescale	Responsibility	Link to Council Plan outcome	Collaborative working (specify services or third party organisations involved in this work)
(CP) Delivery of the General Services Capital Programme for 2023/24 and future years	Percentage of actual versus budget spend of GS capital programme as at 31 March	90 – 100% percentage spend achieved on agreed programme	3 quarterly capital monitoring reports to Cabinet and a year-end capital monitoring report to Council.	Service Lead - Professional Design	Moving around and the environment	Various Client Services Corporate Resources (Finance) Planning Building Control ICT Ayrshire Roads Alliance
(CP) Delivery of the Citadel Refurbishment	Project delivered on time and on budget.	Completion date	March 2027	Service Lead - Professional Design Services	Play, sport and recreation	Various Client Services Sport & Leisure Planning Building Control
(CP) Plan and deliver Carrick Academy (Maybole Campus)	Project delivered on time and on budget.	Completion date	June 2024	Service Lead – Professional Design Services	Education and lifelong learning	Education Hub South West Planning Building Control
(CP) Plan and deliver Girvan Primary School	Project delivered on time and on budget.	Completion date	August 2026	Service Lead – Professional Design Services	Education and lifelong learning	Education Hub South West Planning Building Control
(CP) Plan and deliver Troon Early Year Centre (Scottish Government 1140 Hours Commitment)	Project delivered on time and on budget.	Completion date	December 2024	Service Lead – Professional Design Services	Education and lifelong learning	Education Planning Building Control



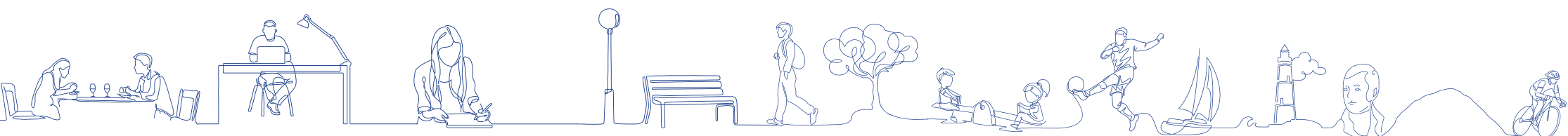
Action	How will you measure success?	Target	Timescale	Responsibility	Link to Council Plan outcome	Collaborative working (specify services or third party organisations involved in this work)
(CP) Delivery of the New Net Zero Office and Welfare Facility at Bridge Street in Girvan	Project delivered on time and on budget.	Completion date	September 2023	Service Lead – Professional Design Services	Work and economy Housing	Client Service Planning Building Control
(CP) Demolition of Ayr Station Hotel dangerous building and involvement in development options	Completion of demolition and agreed strategy for development.	Completion date	June 2024	Service Lead – Professional Design Services	Work and economy Housing	Client Service Planning Building Control
(CP) Demolition of Hourstons extension, Arran Mall and leading development options	Completion of demolition and agreed strategy for development.	Completion date	March 2024	Service Lead – Professional Design Services	Work and economy Housing	Client Service Planning Building Control
(CP) Provide safe walking routes around and across Darley golf course in Troon.	More people accessing Darley golf course safely. Less incidences of dangerous access into areas of play, reduced vandalism and fire raising. Nature diversification.	Increase use of the golf course by both members and non-members.	October 2023	Service Lead -Destination South Ayrshire	Moving around and the environment	Scottish Wildlife trust, golf course architects, Ranger service.



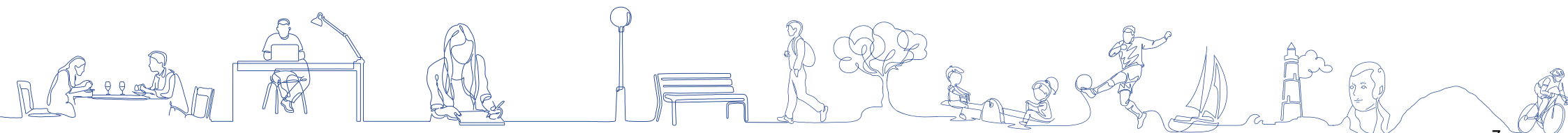
Action	How will you measure success?	Target	Timescale	Responsibility	Link to Council Plan outcome	Collaborative working (specify services or third party organisations involved in this work)
(CP) Enter into a procurement process to appoint contractors to deliver works at Darley and Belleisle Golf Courses	Contracts are in place for the delivery of the works.	Contractors Appointed	December 2023	Service Lead -Destination South Ayrshire	Play, Sport and Recreation	Professional Design Services, Procurement, External Contractors.
(CP) Redevelop the two priority courses, Darley and Belleisle, to enable South Ayrshire Council to achieve the agreed strategic outcomes and increase income from visitor and members.	Golf courses redeveloped and operational	Increase use of the golf course by both members and non-members. Revenue increase by 5% Baseline 2022/23	April 2027	Service Lead -Destination South Ayrshire	Play, Sport and Recreation	Professional Design Services, Procurement, External Contractors.
(CP) Open the new Carrick Community Campus Leisure facilities ensuring staff and customers are supported.	Facilities delivered on time and on budget	Facilities open and operational with appropriate staffing	December 2023	Service Lead -Destination South Ayrshire	Play, sport and recreation	Professional Design Services, education and external contractors.
(CP) Deliver first year of Ash Die Back Plan	Number of trees felled	700	March 2024	Service Lead – Neighbourhood Services	Moving around and the environment Play sport and recreation	Coms Team / ICT Enterprise



Action	How will you measure success?	Target	Timescale	Responsibility	Link to Council Plan outcome	Collaborative working (specify services or third party organisations involved in this work)
(CP) Work to procure a site and licence for the treatment of all SAC green/garden waste.	Own site, obtained planning permission and SEPA licence	Procure Site by February 2024. Develop site and be operational by August 2024	June 2024	Service Lead – Neighbourhood Services	Play sport and recreation	Asset Management; Legal; Professional design Services; Planning
(CP) Completion of rectification works to chambers at Ayr and Troon Cemetery	All chambers both occupied and unoccupied will have had all rectification works completed	398 Chambers	December 2023	Service Lead – Neighbourhood Services	Moving around and the environment	
(CP) Develop plan for the transition to ultra-low emission car fleet for South Ayrshire fleet by 2025	80 ultra-low emission vehicles procured	80	December 2025	Service Lead – Neighbourhood Services	Moving around and the environment	
(CP) Complete street cleansing review and implement improvement plan.	Increase in street cleanliness scoring index (LEAMS)	2% increase in streets cleaned to an acceptable standard based on most recent Leams score of 89%.	May 2024	Service Lead – Neighbourhood Services	Pride in South Ayrshire	



Action	How will you measure success?	Target	Timescale	Responsibility	Link to Council Plan outcome	Collaborative working (specify services or third party organisations involved in this work)
<p>(CP) Start 4 year programme to develop new n Local Development Plan (LDP3)</p> <ul style="list-style-type: none"> Year 1: Evidence Report- gathering data and opinions to understand issues and opportunities in South Ayrshire, prior to policy development 	<p>Statistics provided annually to Scottish Government</p> <p>Submit for a Gateway Check by Scottish Government Reporter.</p>	<p>100%</p>	<p>September 2024</p>	<p>Service Lead – Planning and Building Standards</p>	<p>Moving around and the environment</p> <p>Play, sport and recreation</p>	<p>Housing Services, Greenspace, ARA, SEPA, Nature Scot, HES, Transport Scotland, various other internal and external consultees</p>



Priority Two

Live, Work, Learn



Outcomes

Education and lifelong learning

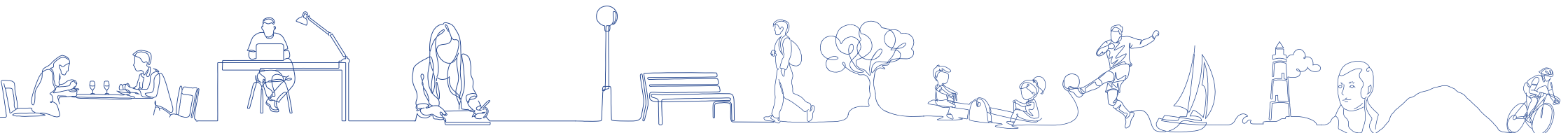
Everyone benefits from high quality education and lifelong learning and is supported to learn and fulfil their potential.

Work and economy

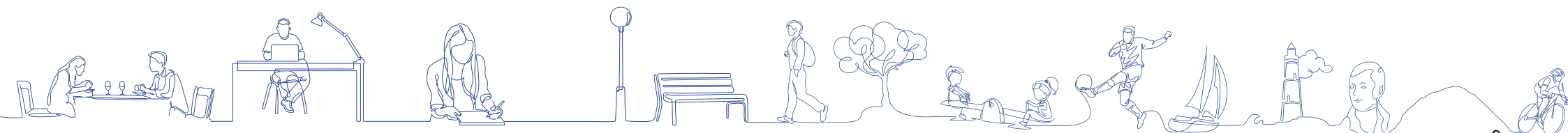
Everyone benefits from a local economy that provides opportunities for people and helps our businesses to flourish

Housing

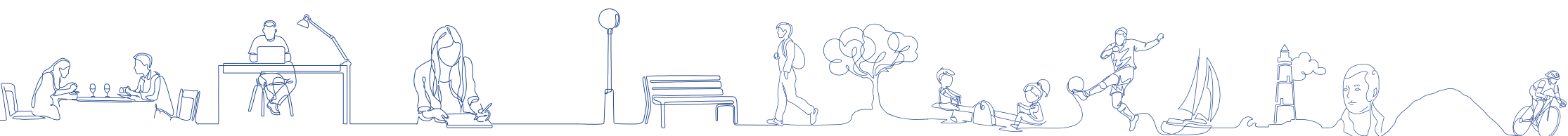
Everyone can find a good quality home that they can afford, that meets their needs and is in an area where they feel safe and connected.



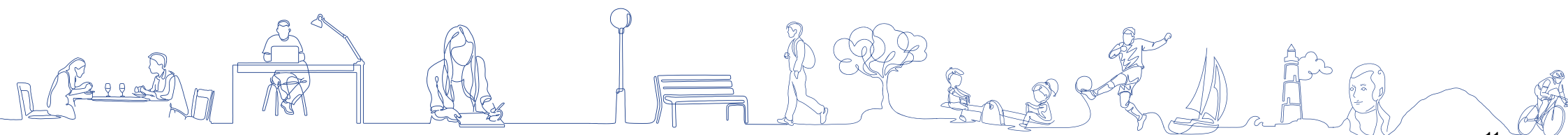
Action	How will you measure success?	Target	Timescale	Responsibility	Link to Council Plan outcome	Collaborative working (specify services or third party organisations involved in this work)
(CP) Increase the proportion of school accommodation that is in a satisfactory condition and is suitable for its current use (Category A&B)	Through ongoing analysis of school capacities, rolls and suitability, which contributes to the annual ScotGov Core Facts exercise, following condition surveys on school properties.	To increase suitability and condition ratings across the school estate from 82% to 90%	March 2028	Service Lead – Educational Support Services	Education and lifelong learning	Professional Design Services Asset management & Community Asset Transfer. Scottish Government School Estate and ScotXed Teams.
(CP) Deliver Regeneration Build Programme	Land acquisition, Completed buildings, agreed lease terms	Size of each facility and amount of land required agreed Level of infrastructure determined Agreement of commercial heads of terms for any leases agreed	2030	Assistant Director – Strategic Change	Work and economy	Legal, Asset Management, Planning & Building Standards, Procurement, ARA
(CP) Deliver Ayrshire Growth Deal Programme	Land acquisition, Completed projects, buildings and facilities, agreed lease terms	<p>Spaceport</p> <ul style="list-style-type: none"> • Full Business Case approved by joint committee <p>Roads</p> <ul style="list-style-type: none"> • Roads Enabling STAG Appraisal - Release of funds from Transport Scotland • Roads Enabling Outline Business Case – Transport for Scotland(TS) & Council Approval • Roads Enabling Full Business Case - TS & Council Approval <p>Commercial Build (Mangata)</p> <ul style="list-style-type: none"> • Planning permission • Handover • Final Financial Drawdown 	<p>September 2023</p> <p>August 2023</p> <p>February 2024</p> <p>May 2024</p> <p>May 2023 September 2024 March 2030</p>	Assistant Director – Strategic Change	Work and economy	Legal, Asset Management, Planning & Building Standards, Procurement, ARA



Action	How will you measure success?	Target	Timescale	Responsibility	Link to Council Plan outcome	Collaborative working (specify services or third party organisations involved in this work)
(CP) Develop a refreshed Child Poverty Strategy/ Action Plan	New plan agreed and published	Targets set within the Plan	October 2023	Service Lead – Policy, Performance and Community Planning	Housing	Corporate Resources (Finance) Housing Planning Building Control
(CP) Delivery of the Housing Capital Investment Programme for 2023/24 and future years	Percentage of actual versus budget spend of Housing capital programme as at 31 March	90 – 100% percentage spend achieved on agreed programme	3 quarterly capital monitoring reports to Cabinet and a year-end capital monitoring report to Council.	Service Lead – Professional Design Services		
(CP) Delivery of the Housing Internal Modernisation Programme	Project delivered on time and on budget.	Completion date	March 2024	Service Lead – Professional Design Services	Housing	Housing Planning Building Control
(CP) Delivery of the Housing Structural and Environmental Programme	Project delivered on time and on budget.	Completion date	March 2024	Service Lead – Professional Design Services	Housing	Housing Planning Building Control
(CP) Delivery of the Mainholm New Build Housing Development	Project delivered on time and on budget.	Completion date	December 2023	Service Lead – Professional Design Services	Housing	Housing Planning Building Control



Action	How will you measure success?	Target	Timescale	Responsibility	Link to Council Plan outcome	Collaborative working (specify services or third party organisations involved in this work)
(CP) Consult, develop and publish a new Community Learning Development Plan (CLD) in September 2024.	Publication of a new CLD Plan 2024-2027	Publish a new CLD Plan 2024 – 2027	September 2024	Service Lead – Thriving Communities	Community engagement	DWP, SDS, Thriving Communities, VASA, HSCP
(CP) Deliver the actions set out in the UK Shared Prosperity Investment Plan 2023-2025	Success will be measured against the interventions set out in the plan within People and Skills and Multiply	<p>The number of people participating in Multiply funded courses designed to increase confidence with numbers for those needing the first steps towards formal qualifications.</p> <p>No baseline programme started April 2023.</p> <p>Target – 120</p> <p>Increase employment support for economically inactive people through UKSPF.</p> <p>No baseline programme started April 2023.</p> <p>Target is 50 between 2023-25</p>	April 2025	Service Lead – Thriving Communities	Education and lifelong learning Work and economy	Thriving Communities, VASA, DWP, SDS



Action	How will you measure success?	Target	Timescale	Responsibility	Link to Council Plan outcome	Collaborative working (specify services or third party organisations involved in this work)
(CP) Develop Community Wealth Building initiatives as part of the Ayrshire Growth Deal	Achieving the KPI targets set within the CWB business case.	Number of enterprises receiving financial assistance or consultancy support Target is 85 up to 2025	August 2024	Service Lead – Thriving Communities	Work and economy	CWB Officers, Thriving Communities, local business and 3rd sector.
[CP] Create an Inward Investment Strategy and action plan centred on promoting inclusive growth and creating a wellbeing economy with zero carbon and fair work at its core in collaboration with partners and services	Strategy is adopted by Council Action plans developed	Agreed strategy and action plan	March 2024	Service Lead – Economy and Regeneration	Work and economy	Employability Scottish Enterprise SDI UWS Ayrshire College Ayrshire Chamber of Commerce SMAS
[CP] Secure and deliver UKSPF programmes, Sector Development and Business Support”	Approval by Cabinet of Investment Plan	New programme operational Increased company assists	August 2023	Service Lead – Economy and Regeneration	Work and economy	Scottish Enterprise SDI SDS Ayrshire College Ayrshire Chamber of Commerce SMAS Business Gateway (National)



Priority Three

Civic and Community Pride



Outcomes

Pride in South Ayrshire

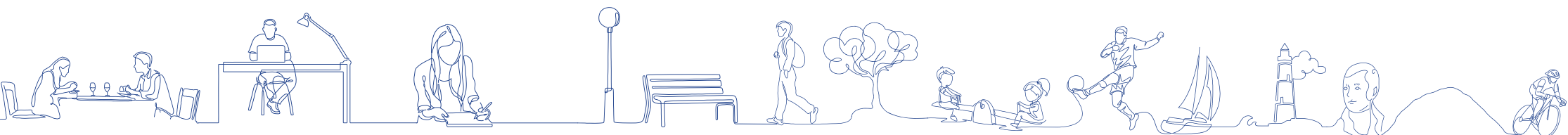
Everyone (residents, visitors, and tourists) can enjoy attractive destinations and people are proud to live in our towns and villages and celebrate our culture and heritage.

Community engagement

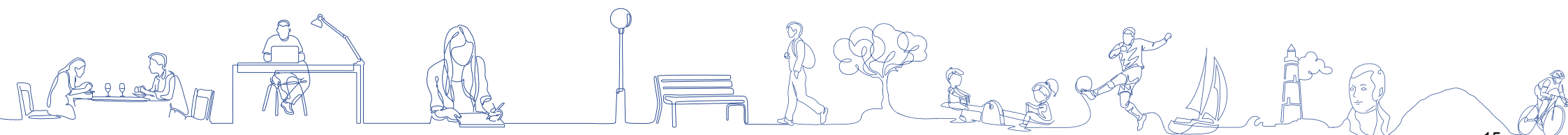
Everyone has the opportunity to influence and contribute to what happens in their local area.



Action	How will you measure success?	Target	Timescale	Responsibility	Link to Council Plan outcome	Collaborative working (specify services or third party organisations involved in this work)
(CP) Work with Strategic Delivery Partnerships to develop a new Local Outcomes Improvement Plan (LOIP)	LOIP is published	Agreed within LOIP	April 2024	Service Lead – Policy, Performance and Community Planning	Community engagement	Community Planning Partnership specifically Strategic Delivery Partnerships
(CP) Refresh Sustainable Development and Climate Change Strategy	Approval of strategy	Strategy in place by no later than September 2023	September 2023	Service Lead – Policy, Performance and Community Planning	Community engagement	All council services, community planning partners as well as businesses and residents etc of South Ayrshire
[CP] Develop Round 3 Levelling Up Fund (LUF) for Ayr Town Centre	Funding award	Targeted investment in key town centre locations	October 2023	Assistant Director - Communities	Pride in South Ayrshire	<ul style="list-style-type: none"> • Destination South Ayrshire • Ayrshire Roads Alliance • Planning • Thriving Communities



Action	How will you measure success?	Target	Timescale	Responsibility	Link to Council Plan outcome	Collaborative working (specify services or third party organisations involved in this work)
[CP] Girvan Heritage & Place Development Phase	Completion of development phase activities	Submission of delivery phase application	March 2024	Service Lead – Economy and Regeneration	Pride in South Ayrshire Community engagement	<ul style="list-style-type: none"> Ayrshire Roads Alliance Historic Environment Scotland The Heritage Lottery Fund
[CP] Maybole Regeneration Project	Completion of delivery phase	Delivery of priority projects	March 2024	Service Lead – Economy and Regeneration	Pride in South Ayrshire Community engagement	<ul style="list-style-type: none"> NCCBC Ayrshire Roads Alliance Historic Environment Scotland Heritage Lottery Fund
(CP) Work to promote golf tourism to area using Open Golf Championship in 2024 as a stage for publicity.	Increased visitor numbers both locally and internationally.	Revenue increase by 5% Baseline 2022/23	March 2025	Service Lead - Destination South Ayrshire	Work and economy	R&A, local businesses, Community Wealth Building.
(CP) Deliver a safe and well attended Ayr Show	Foot fall Licencing in Place	75,000-foot fall	September 2023	Service Lead -Destination South Ayrshire	Pride in South	Local businesses, Police Scotland, Strathclyde Fire and Rescue, Licensing, Environmental Health, Building Standards, Ground Maintenance, Waste, NHS, Ayr Port, Communications, Coastguard

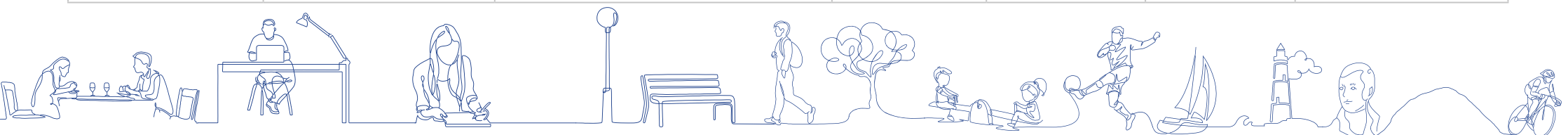


Efficient and effective enabling services

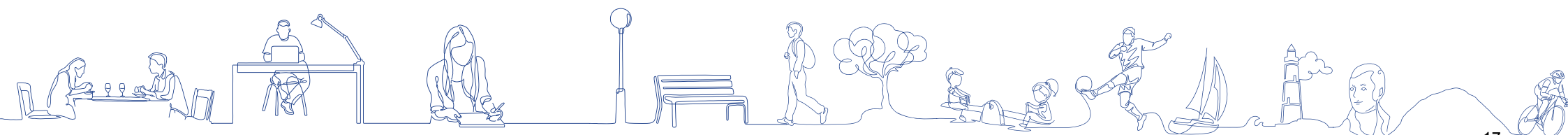
Enabling services may not be able to fit larger pieces of improvement work under the agreed priorities therefore this section should be used to record actions.

Complete the table below with Council Plan (CP) and Service Improvement Actions (SI), please use these prefixes to identify the actions, only the Council Plan actions will be reported to Service and Partnerships Performance Panel.

Action	How will you measure success?	Target	Timescale	Responsibility	Link to Council Plan outcome	Collaborative working (specify services or third party organisations involved in this work)
(CP) Develop a new Integrated Impact Assessment to replace the current EQIA process	New assessment launched as a pilot in at least 3 service areas	Implementation of new system	September 2023	Service Lead – Policy, Performance and Community Planning	All Council decisions	HSCP; Education; Policy, Performance and Community Planning; and ICT.
(CP)Fleet Review	Significant reduction in yearly vehicle hire from Arnold Clark. Increased and more efficient usage of our own SAC fleet.	Paper outlining recommendations.	June 2024	Service Lead – Policy, Performance and Community Planning	Maximising use of assets.	Stakeholder engagement sessions with Services with significant Arnold Clark bookings. Fleet, ICT and Finance.
(CP) Review and make recommendations on the current Roads Operating Model	Production of end of Review report with recommendations for improving the Council’s strategic and operating relationship with the Ayrshire Roads Alliance	Initial report with recommendations produced and shared with SCE and SAC Service Leads. Possible options appraisal exercise to be undertake following initial report – completed by June 2024.	October 2023 June 2024	Service Lead – Policy, Performance and Community Planning	Council Plan	Stakeholder Engagement Sessions with SAC services. Elected Members Briefing. Consultation with Ayrshire Roads Alliance.



Action	How will you measure success?	Target	Timescale	Responsibility	Link to Council Plan outcome	Collaborative working (specify services or third party organisations involved in this work)
(CP) Procure and implement a new telephony system based on Service specifications to meet needs of internal and external stakeholders	Multi-channel efficient model to contact the Council A consolidated public contact strategy A future proof unified communications platform	New system implemented by October 2025	December 2025	Service Lead – Policy, Performance and Community Planning	Council Plan Digital Strategy for South Ayrshire (currently being updated) Scotland's Digital Future – Delivery of Public Services	Stakeholder Engagement Sessions with Assistant Directors / Chief Officers, Service Leads / Co-ordinators, Operational Staff / Elected Members, Customers & Suppliers
(CP) Review and refresh the Council's Medium Term Financial Plan (MTFP).	Provide clear direction on how the Council will manage its financial resources in the short to medium term to ensure they are deployed effectively to achieve the Council's priorities and objectives as set out in the Council Plan.	Revised MTFP in place by December 2023.	December 2023	Head of Finance, ICT and Procurement Service Lead – Corporate Accounting	Council Plan	All services
(CP) Develop a unified ICT and Digital Strategy for the Council.	Engagement with wider ICT and stakeholders to review existing strategies Adopted ICT and Digital Strategy	Introduce new strategy in Autumn 2023	October 2023	Service Lead – Enterprise and Architecture	Council Plan	All Services



Action	How will you measure success?	Target	Timescale	Responsibility	Link to Council Plan outcome	Collaborative working (specify services or third party organisations involved in this work)
(CP) Phase 2 implementation of the Data Centre migration programme	Reduction of on-premises services Reduction in data centre carbon footprint	Complete phase 2 by December 2024	December 2024	Service Lead – ICT Operations	ICT/Digital Strategy ICT Service Improvement Plan (refresh due 2023/24)	All services
(CP) - Develop a corporate communication strategy to align with the council plan.	Strategy and implementation plan approved	September 2023	Strategy – 2023-2028	Service Lead – Organisational Development and Customer Services	Council Plan	All council services



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South Ayrshire Council

**Report by Depute Chief Executive and Director
of Housing, Operations and Development
to Council
of 29 June 2023**

Subject: Proposed Ward Capital Projects 2023 to 2027

1. Purpose

- 1.1 To seek approval to proceed on a range of capital projects brought forward through Place Plans developed by local communities and by Ward Elected Members, and to recommend capital projects for initiation and implementation during financial year 2023/24. The report also updates on arrangements for considering potential capital investment projects in the period to 2027.

2. Recommendation

2.1 It is recommended that Council:

- 2.1.1 **agrees the capital investment projects identified in [Appendix 1](#) for initiation and implementation during financial year 2023/24;**
- 2.1.2 **agrees that a report will be brought back to Cabinet on 26 September 2023 identifying a comprehensive programme of further capital investment projects for implementation between 2024 and 2027;**
- 2.1.3 **agrees that potential capital investment projects that meet with wider strategic initiatives or have potential for other grant financial contribution be given priority in work review and consideration by the Capital Asset Management Group;**
- 2.1.4 **agrees that the programme identified in 2.1.2 can be supplemented by a rolling programme of further capital investment projects identified through further community consultation undertaken during 2023/24 and which will be recommended to future Council meetings; and**
- 2.1.5 **notes that Place Plans developed to date will be published on the Council's website.**

3. Background

- 3.1 At its meeting on 1 March 2023, the Council approved the General Services Revenue Budget 2023-24 and the Capital Investment Programme 2023/24 to 2034/35. Contained in the Capital Investment Programme 2023/24 to 2034/35 was

funding for Place Plans; Place Planning and Community Led Projects; Place Planning and Ayr Ward West/Ayr Town Centre Projects; Girvan Regeneration Projects; and Promenade and Shorefront Enhancement Schemes.

3.2 At its meeting on 25 April 2023, the Cabinet agreed that a detailed review of the most up-to-date Place Plans for each of our communities be completed to identify potential capital projects that support the strategic objectives and outcomes of the Council but have no future revenue burdens. Cabinet also agreed that following collation of the potential list of capital projects that Ward meetings would take place with Elected Members to share with them the findings from the Place Plan review and to ascertain whether any further constituent aspirations for capital investments in improvements had been put to Ward Members.

3.3 Bids for all new capital projects, from Place Plans and proposals presented to Ward Members by constituents, were then submitted to the Capital Asset Management Group (CAMG) in accordance with the arrangements as set out in the approved Asset Management Plan 2021 (Land and Buildings) and thereafter submitted to Council to complete the approval process.

4. Proposals

4.1 The work outlined above has now been completed. A list of the projects recommended for approval at this time is provided in [Appendix 1](#).

4.2 All projects have been initially screened using the following criteria and have been assigned a RAG (Red/Amber/Green) status. The list of all projects considered can be found [here](#).

- a) Ensuring that the suggested project did not involve any net revenue costs. Projects involving a net revenue cost have been identified as 'Red' meaning that they will not be recommended to the CAMG;
- b) Projects suggested through Place Plans that have already been implemented have been identified as 'Red' as they have already been completed;
- c) Ensuring that the suggested project involved land within the Council's ownership and that the project in other respects could be implemented by the Council without requiring the consent of other parties. Projects that did not fulfil these criteria have been identified as 'Red' meaning that they will not be recommended to the CAMG;
- d) Ensuring that the suggested project involved a Place Making benefit. Several proposals involved improvements to roads infrastructure. These proposals have been assigned an 'Amber' status with the intention that if insufficient proposals come forward in the plan period 2023 to 2027 then these projects could be identified for future years spend. Some roads improvement projects have been allocated a 'Green' status. These projects have been considered a priority for Ward Members;
- e) Ensuring that the suggested project was sufficiently clear to understand the proposals and the location of the proposal. Projects that were not clear were identified as 'Amber' and will be the subject of further work;
- f) Suggested projects where it is thought that there would be potential for further grant funding through sources such as Coastal Communities/Place Based Investment/Shared Prosperity have been identified as 'Amber'

status as these projects will require further work to ascertain funding package potential and the opportunity to maximise outcomes; and

- g) Projects were identified as having existing feasibility designs and no other substantive issue that could delay implementation were given a 'Green' status.

- 4.3 It is proposed that those projects confirmed as having a 'Green' status are approved to be taken forward at the earliest possible opportunity, subject to appropriate consents and other permissions being secured.
- 4.4 It is recommended that the proposals designated with an 'Amber' status now go through further review (including, where appropriate, public consultation) and diligence consideration and that those projects having clarity be worked up for feasibility to be presented to a future CAMG for consideration.
- 4.5 Following this work a report will be presented to Cabinet on 26 September 2023 with a programme of capital investment projects. It is expected that this programme will be extensive and form the majority balance of projects coming forward for the period 2024 to 2027.
- 4.6 It is important to note that the only Ward without a Place Plan is Ayr East. At the time consultation was taking place with communities in the development of Place Plans, the Ayr East Ward community was recovering from a major incident, the gas explosion within Kincaidston in Ayr. It was felt, at that time, it was inappropriate to begin a process of public consultation for Place Plans. Thriving Communities will now begin to work with the communities in Ayr East with a view to preparing a Place Plan. It is intended that recommendations for projects in Ayr East will be considered holistically following the finalisation of a Place Plan and be subject to public consultation.
- 4.7 Potential projects that meet with wider place strategies and have potential to lever other grant funding, not only have potential to bring added value financing, but usually have the best potential to deliver improved outcomes. It is recommended that projects that have this potential are given priority in work considerations.
- 4.8 It is considered that a key benefit of the approach to identifying potential capital investment projects is that they have been firstly derived from the views of communities collected through a place-based methodology. This means that the projects have been driven and led by both community participation and a place improvement perspective. As such these projects align directly with the Council's objectives for space, places and civic pride. In forming such a comprehensive package of community improvements, with the scale of capital funding involved and driven by the community, this programme represents a step-change in community participation.
- 4.9 Taking forward these benefits, for the balance of funding not identified in 4.2 above, further community consultation will be undertaken during 2024/25 to identify other potential projects and ensure participatory budgeting considerations are met.
- 4.10 All community driven Place Plans developed to date will be published to demonstrate the Council's place-based approach to planning services.

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 Capital Investment Programme Expenditure 2023/24 to 2034/35 as approved by Council on 1 March 2023 is set out below:

3	Communities Investment	2023/24 £	2024/25 £	2025/26 £	2026/27 £
i)	Girvan Regeneration Projects	1,500,000	1,500,000	-	-
l)	Place Plans	700,000	-	-	-
m)	Place Planning and Community Led Projects	1,750,000	1,750,000	1,750,000	1,750,000
n)	Place Planning and Ayr Ward West/Ayr Town Centre Projects	1,000,000	1,000,000	1,000,000	1,000,000
o)	Promenade and Shorefront Enhancement Scheme	850,000	500,000	500,000	500,000

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 agreeing to the above recommendations.

8.2 *Risk Implications of Rejecting the Recommendations*

8.2.1 There is a risk if the above recommendations are rejected that the Council will not be able to compete the capital investments in improvements in our communities.

9. Equalities

9.1 The proposals in this report have been assessed through an Equality Impact Assessment including Fairer Scotland Duty and 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, strategy, or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. Options Appraisal

- 11.1 The various proposals that communities and Ward Members put forward for consideration can be found [here](#). A thorough and detailed assessment of every proposal presented ensured that all options were fully appraised.

12. Link to Council Plan

- 12.1 The matters referred to in this report contribute to Priority 1: Spaces and Places; and Priority 3: Civic and Community Pride of the Council Plan.
- 12.2 In terms of Priority 1: Spaces and Places, Outcome 1: Moving around and the environment and Outcome 2, Play Sport, and Recreation, are supported by the proposals set out in this report.
- 12.3 In terms of Priority 3: Civic and Community Pride, Outcome 1: Pride in South Ayrshire and Outcome 2: Community Engagement, are supported by the proposals as set out in this paper.

13. Results of Consultation

- 13.1 Consultation has taken place with Councillor Martin Dowey, Portfolio Holder for Corporate and Strategic, Councillor Ian Davis, Portfolio Holder for Finance, Human Resources and ICT, and Councillor Martin Kilbride, Portfolio Holder for Buildings, Housing and Environment, and the contents of this report reflect any feedback received.
- 13.1 Consultation has also taken place with all Elected Members on proposed works, and the contents of this report reflect any feedback received.
- 13.2 Consultation took place with all communities in the development of the Place Plans. The exception to this was Ward 4, Ayr East. Consultation in Ayr East and this will take place later this year in the development of a Place Plan for that community.

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
Completion of 'Green' status Capital projects	31 March 2024	Depute Chief Executive and Director of Housing, Operations and Development
Production of a comprehensive programme of further Capital improvement project for Cabinet approval	26 September 2023	Depute Chief Executive and Director of Housing, Operations and Development

Background Papers **Report to Cabinet of 25 April 2023 - [Approval Process and Governance Arrangements for Ward Capital Projects](#)**

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Date: 22 June 2023

APPENDIX 1: WARD CAPITAL PROJECTS RECOMMENDED FOR APPROVAL

WARD 1: TROON

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
1	Civic Spaces around the Walker Hall – including better use of the canopy and connections to the promenade	Troon Together Community Action Plan 2019	The introduction of a power source on the seaward facing end of the Walker Hall for future outdoor events.	5,000	£1M per Ward Fund	N/A
2	Town Centre Recycling Bins	Troon Together Community Action Plan 2019	The placement of two underground waste compactors that would have minimum impact on the existing infrastructure at Troon Cross will also preserve the existing Taxi Rank at the location.	To Be Confirmed	£1M per Ward Fund	To Be Confirmed
3	An outdoor stage or bandstand – could be linked to civic spaces around the Walker Hall.	Troon Together Community Action Plan 2019	As per ITEM 1 above.	As per ITEM 1	As per ITEM 1 above.	N/A
4	New Play Areas within Communities.	Troon Together Community Action Plan 2019	Provision of goal posts at Barassie shorefront and repairs to Volleyball posts and nets on Barassie shore and investment in play areas in Adams Gate, Hosiery Park and Burns Road.	50,000	£1M per Ward Fund	To be Confirmed
5	Investment is required to bring the Hosiery Park Pavilion back into use to provide changing facilities for football teams and other sporting events.	Ward Members	Refurbishment works to Hosiery Park Pavilion to commence within financial year 2023/24.	80,000	£1M per Ward Fund	To be Confirmed
6	Resurfacing of Troon Esplanade with Red Tarmacadam	Ward Members	Resurfacing works to commence within financial year 2023/24	80,000	£40,000 From Promenade and Shorefront Enhancement Scheme	£40,000 From £1M per Ward Fund

WARD 2: PRESTWICK

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
1	Reconfiguration of Adamton Road North near to the former St. Ninians Primary School.	Ward Members	Upgrading of road asset to extend the life of the asset.	5,000	£1M per Ward Fund	N/A
2	Illumination of Salt Pan Buildings at Prestwick St. Nicholas Golf Club.	Ward Members	Agreement has been reached with the Golf Club to place solar powered lighting within their land to illuminate the Salt Pan buildings.	To be Confirmed	£1M per Ward Fund	To Be Confirmed
3	Installation of power supply to the former Lido Swimming Pool	Ward Members	Installation of electrical power supply to the former Lido swimming pool area to support future outdoor events. It was also agreed that historical images of the Lido and Prestwick beach be displayed on the former Lido walls. Ward Members will discuss appropriate images with local Historical groups to take forward.	40,000	£1M per Ward Fund	To be Confirmed
4	Upgrade the surface of the car park area to the north of the Kidz Pay facility.	Ward Members	Resurfacing works to be completed at the earliest possible opportunity.	135,000	£1M per Ward Fund	N/A
5	Installation of a 'World Destination' sign on Prestwick Promenade.	Ward Members	Ward Members will work with Prestwick Academy pupils in the design of the new signage.	To be Confirmed	Part Funded from £1M per Ward Fund	Part Funded from the Promenade and Shorefront Enhancement Scheme
6	Provision of two new steel park benches at the new Prestwick Promenade Play Park area.	Ward Members	The new park benches to be installed at the earliest possible opportunity.	2,000	£1M per Ward Fund	N/A

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
7	Provision of four new steel picnic tables on Prestwick Promenade.	Ward Members	The new picnic tables to be coloured to support the Dementia Friendly Prestwick commitment.	6,000	£1M per Ward Fund	N/A
8	Promenade surfacing works with Red Tarmacadam to upgrade and reconfigure.	Ward Members	Upgrade of Promenade surfacing.	200,000	100,000 from £1M per Ward Fund	100,000 from Promenade and Shorefront Enhancement Scheme

WARD 3: AYR NORTH

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
1	Provision of Benches along Newton Shore Promenade.	Newton Tenants and Residents Association	New benches will be installed along the length of Newton Shore Promenade when the footpath has been resurfaced. The number of new benches has yet to be confirmed.	To be Confirmed	£1M per Ward Fund	N/A
2	Playing Field area – upgraded by planting trees, supplying benches and picnic tables. More healthy activity promoting apparatus in parks would also be welcomed.	Heathfield and Northfield Place Planning 2022	New benches and picnic tables will be provided for the Playing Field area. New trees will be planted. Outdoor adult gym equipment will also be put in place.	To Be Confirmed	£1M per Ward Fund	To Be Confirmed
3	More trees planted in the Kings Park open grass area.	Heathfield and Northfield Place Planning 2022	Refer to Item 2 above.	To be Confirmed	To be Confirmed	To be Confirmed
4	Upgrade walkway along Newton Shore	Heathfield and Northfield Place Planning 2022	Upgrade the footpath at the Newton Shore Promenade with Red Tarmacadam will take place within financial year 2023/24.	100,000	£50,000 from the £1M per Ward Fund	£50,000 from the Promenade and Shorefront Enhancement Fund
5	Provision of a bike shelter at the Lochside Community Centre	Ward Members	Location of the bike shelter to be confirmed.	To be Confirmed	£1M per Ward Fund	To be Confirmed
6	Upgrade on-street parking provision at Lochside Community Centre.	Ward Members	Upgrade parking provision on Lochside Road can commence within financial year 2023/24	15,000	£1M per Ward Fund	To be Confirmed
7	Upgrade of the Council owned area at Dalmilling Shops on Westwood Avenue	Ward Members	Upgrading works will take place within financial year 2023/24	25,000	£1M per Ward Fund	N/A
8	Upgrade of the former play park area at the junction of Westwood Avenue and Dalmilling Drive	Ward Members	Upgrade works will take place in financial year 2023/24.	3,000	£1M per Ward Fund	N/A

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
9	Newton Shore Promenade is a priority for the Ward and the upgrading of the carriageway is urgently required.	Ward Members	Upgrading of the carriageway of the Newton Shore Promenade will take place within financial year 2023/24.	210,000	£100,000 from the £1M per Ward Fund	£100,000 from the Promenade and Shorefront Enhancement Fund and £10,000 from the additional funding awarded to Ayrshire Roads Alliance for road maintenance improvements.

WARD 4: AYR EAST

Due to the fact that the Ayr East Ward did not have the benefit of public consultation and the development of a Place Plan, any proposals for investment in improvement will be subject to full public consultation and engagement before any projects can be brought forward for consideration and approval.

WARD 5: AYR WEST

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
1	Burns Statue Square Public Realm upgrades to provide an improved modern public space.	Ward Members	Upgrades to the quality of the public realm in Burns Statue Square can commence within financial year 2023/24.	To be Confirmed	Place Planning and Ayr Ward West/Ayr Town Centre Projects	To be Confirmed
2	Footbridge over the Slipway Investment required to restore the footbridge to its original condition.	Ward Members	Upgrades to the footbridge can take place within financial year 2023/24.	100,000	£50,000 from the Place Planning and Ayr Ward West/Ayr Town Centre Projects	£50,000 from the Promenade and Shorefront Enhancement Scheme Fund
3	Loudon Hall Investment in new lighting installations.	Ward Members	Investment in new lighting installations will take place within financial year 2023/24.	10,000	Place Planning and Ayr Ward West/Ayr Town Centre Projects	To be Confirmed
4	Town Hall Gardens Upgrade the appearance of the corner to tie in with the public realm at the Cutty Sark event space.	Ward Members	Design details are being finalised to transform the Town Hall Gardens site and align the public realm standard with that of the Cutty Sark public event space. The site sits within the Ayr Common Good Account and will be subject to Common Good Asset processes and protocols.	To be Confirmed	Place Planning and Ayr Ward West/Ayr Town Centre Projects	To be Confirmed
5	Grain Exchange External Area Upgrade the Bus Stop area and the Public Art adjacent to the Grain Exchange to provide a new event space.	Ward Members	Subject to discussions with Strathclyde Partnership for Transport (SPT) and bus operating companies this upgrade proposal will be completed within financial year 2023/24.	To be Confirmed	Place Planning and Ayr Ward West/Ayr Town Centre Projects	To be Confirmed
6	Ayr Promenade Boating Pond Explore option of bringing the former Ayr shorefront Boating Pond back into use.	Ward Members	Upgrades to the boating pond surface will be completed within financial year 2023/24 to allow the facility to be in operation for summer season 2024.	To be confirmed	Place Planning and Ayr Ward West/Ayr Town Centre Projects	To be Confirmed

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
7	<p>Resurfacing of Ayr Promenade Upgrade the promenade with Red coloured tarmacadam 3,700m²; Upgrade the Blackburn car park surface 2,700m²</p>	Ward Members	Upgrading works can commence within financial year 2023/24.	245,000	£100,000 from the Place Planning and Ayr Ward West/Ayr Town Centre Projects	£100,000 from the Promenade and Shorefront Enhancement Scheme Fund And £45,000 from the additional funding awarded to ARA for roads maintenance works.
8	<p>Motorhome Parking at Old Slipway Explore the option of introducing new Motorhome Parking adjacent to the old slipway.</p>	Ward Members	Preparatory arrangements and new infrastructure requirements will be put in place within financial year 2023/24 to allow the facility to be available for motorhomes for the 2024 summer season.	To be Confirmed	To be Confirmed	To be Confirmed
9	<p>Introduce an 'Honest Men and Bonnie Lassies' Walk of Fame A cross-section of South Ayrshire residents to be invited to participate in a group to decide the inductees in this new installation in Burns Statue Square</p>	Ward Members	A new 'Walk of Fame' style installation for an upgraded Burns Statue Square will honour notable individuals from Ayrshire. The initiative will enhance Civic Pride. Nominations from Art, Culture and creativity, sport and leisure, people and community and music and musicians will all be considered. Nominations will come from the community at large and inductees will be chosen by a committee chaired by the Portfolio Holder for Special Projects. Preparations will be completed in financial year 2023/24 for the first	To be Confirmed	Place Plan Fund	To be Confirmed

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
			inductee ceremony to take place in 2024.			
10	Illumination of the Auld and New Bridges New LED lighting installations that can provide an option of multi-coloured illuminations.	Ward Members	Subject to all necessary permissions being secured, works to upgrade the bespoke, ornate lighting installations on the Auld and New Bridges, that are of particular historical and architectural interest, and to install new LED lighting to the underside of both bridge's arches, works can commence within financial year 2023/24.	101,000	Place Plan Fund	To be Confirmed
11	Miller Road Lighting Column Decorative Lighting Explore the introduction of new string lighting wrapped around the each of the lighting columns.	Ward Members	These works will be completed within financial year 2023/24.	To be Confirmed	Place Plan Fund	To be Confirmed
12	Multi-Media Modern Signage Introduce new digital, multi-media signs in prominent locations throughout our main arterial routes and town centres to promote and advertise Council news and events, and at the same time, sell advertising space for local businesses and other matters.	Ward Members	Further details required before this proposal can be considered to be taken forward, but income from external advertising may cover the cost of the signage installation and running costs. Subject to securing all necessary consents and permissions new digital signage can begin to be put in place within financial year 2023/24.	To be Confirmed	Place Planning and Ayr Ward West/Ayr Town Centre Projects	To be Confirmed
13	Road Upgrade works to all main arterial routes into Ayr Craigie Road; Dalmellington Road; Holmston Road; Maybole Road;	Ward Members	Upgrade works can be completed within financial year 2023/24	405,000	To be Confirmed	To be Confirmed

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
	Whitletts Road; Doonholm Road. <i>(Not all roads listed are in the Ayr West Ward)</i>					

WARD 6: KYLE

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
1	Moving Around New Safe cycling routes for children; More seating; and Wider improved footpaths.	Annbank Place Planning Priorities for Action Engagement Outcomes June 2022	Ward Members requested two new benches to be situated within the Annbank play park and two new picnic tables also within the play park, and to upgrade the condition of the footpath between Annbank and Mossblown.	5,000	£1M per Ward Fund	N/A
2	Collenan Reservoir Construction of new footpath on the southern edge of the reservoir to connect to the Smuggler's Trail to allow access for all.	Local Community Group	Project has been designed and costed and can commence immediately if approved.	22,000	£1M per Ward Fund	To Be Confirmed
3	Play and Recreation New Gym facilities at the community centre; and New and upgraded cycle areas and paths.	Mossblown Place Planning Priorities for Action Engagement Outcomes June 2022	Ward Members were happy to support the introduction of new outdoor adult gym equipment.	To be Confirmed	£1M per Ward Fund	N/A
4	Natural Space New outdoor area with seating; Upgraded signage for walks; and Upgrade the area to make it nicer to sit – plants and benches.	Mossblown Place Planning Priorities for Action Engagement Outcomes June 2022	Investment in an upgraded location for the War Memorial were approved to be taken forward.	To be Confirmed	£1M per Ward Fund	To be Confirmed
5	Moving Around Walks need new signposts; Would like to see traffic lights/zebra crossing at the Co-Op; and Better lighting and new seating in the park.	Symington Place Planning Priorities for Action Encouragement Outcomes June 2022	It was agreed that new benches would be installed within the park in Symington. Further details are required from Symington Community Council for the new bench locations on Kerrix Road.	To be Confirmed	£1M per Ward Fund	To be Confirmed

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
6	Play and Recreation Village would benefit from an indoor sports hall; and new Exercise equipment/outdoor gym equipment at the park for adults and teenagers.	Symington Place Planning Priorities for Action Encouragement Outcomes June 2022	New Outdoor adult gym equipment and new benches to be installed within the park at Symington.	To be Confirmed	£1M per Ward Fund	N/A
7	CARVICK WEBSTER MEMORIAL HALL, MONKTON Introduction of a new Community Cinema within the hall, including projection screen, surround sound system and black-out curtains. Upgrade lighting for theatre groups and upgraded seating. IRIS Ayr will run the facility so no future Revenue costs for the Council.	Ward Members	Ward Members were happy to support these proposals as the new Community Cinema will be run and maintained by community groups at no cost to the Council.	40,000	£1M per Ward Fund	To be Confirmed
8	4 TIER PLANTERS FOR MONKTON Supply of two number new four tier planters for Monkton. The Monkton Community Council will plant-up the displays and maintain the displays so no future Revenue costs to the Council.	Ward Members	Two number new 4 tier planters to be positioned at Monkton Cross. The planters will be planted-up and maintained by the local community at no cost to the Council.	To be Confirmed	£1M per Ward Fund	N/A
9	ACCESS TO DUNDONALD FIELD Prepare a scheme to introduce a new access road into the field at Dundonald Castle.	Ward Members	Subject to public consultation and approval, works to create a new formal road access and associated car parking provision will commence within 2023/24.	20,000	£1M per Ward Fund	N/A
10	ROAD AND FOOTPATH UPGRADES Main Street Dundonald 1200m ² ;	Ward Members	Subject to approval, proposed upgrade works can commence within financial year 2023/24	69,000	£1M per Ward Fund	N/A

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
	Mauchline Road Mossblown 402m ² ; Footways in Symington 105m ² ; Car Park at Loans Hall 200m ² .					

WARD 7: MAYBOLE, NORTH CARRICK AND COYLTON

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
1	Streets and Spaces More tree planting.	Coylton Place Planning Priorities for Action Engagement Outcome July 2022	This proposal needs to be part of a wider upgrade proposal to be considered for Capital funding.	To be Confirmed	To be Confirmed	N/A
2	Moving Around New Seating in the park.	Coylton Place Planning Priorities for Action Engagement Outcome July 2022	New seating will be provided within financial year 2023/24. Numbers required and locations to be agreed with the local community.	To be Confirmed	£1M per Ward Fund	N/A
3	Improve the appearance of Minishant and make it more environmentally friendly Requests to the Council for more litter bin and dog bins; projects to provide new street furniture on the green and flower planters; and fixing fences in certain areas.	Minishant Community Action Plan 2019-2024	New benches will be provided. Numbers required and locations to be agreed with the local community.	To be Confirmed	£1M per Ward Fund	N/A
4	Support the overall cost of new replacement windows for the Straiton Community Hall.	Straiton Community Council	This proposal was supported by Ward Members.	10,000	£1M per Ward Fund	To be Confirmed
5	New Curtains with Maybole Coat-of-Arms for Maybole Town Hall stage area.	Ward Members	This proposal was supported by Ward Members.	50,000	£1M per Ward Fund	N/A
6	Provision of a new Safety Boat for Dunure Harbour.	Ward Members	This proposal was supported by Ward Members.	51,000	£1M per Ward Fund	To be Confirmed
7	Construction of a new permanent car park adjacent to Miller Park play area, Maybole.	Ward Members	This proposal was supported by Ward Members.	65,000	£1M per Ward Fund	N/A

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
8	ROAD AND FOOTPATH UPGRADES Maybole High Street (<i>Outwith the Maybole Regeneration works</i>) 1,500m ² ; Kennedy Park Access Road, Dunure 300m ²	Ward Members	Subject to approval, upgrade works can commence within financial year 2023/24.	66,000	£1M per Ward Fund	N/A

WARD 8: GIRVAN AND SOUTH CARRICK

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
1	Public Realm Upgrades to the former Bingo Hall site in Dalrymple Street.	Ward Members	Project has been designed and costed and can commence on approval.	160,000	Girvan Regeneration Projects	To be Confirmed
2	Stumpy Tower Corner Public Realm Upgrades	Stumpy Steering Group	Scheme has been designed and costed. Project can commence when formal approval process has been completed.	400,000	Girvan Regeneration Projects	To Be Confirmed
3	Boating Pond Work with partners to upgrade the use of the boating pond.	Girvan Place Plan 2021	Ward Members supported the full upgrade of the Girvan Boating Pond.	175,000	Promenade and Shorefront Enhancement Schemes Fund	To be Confirmed
4	New Merchant Navy and Seafarers' Memorial at Girvan Harbour	Go Girvan Request	The new Merchant Navy and Seafarers' Memorial will be unveiled at a ceremony to take place in September 2023.	15,000	Place Plan Fund	To be Confirmed
5	Installation of new height restriction barrier to the south of the Harbour Master's Office to manage access to car parking to the rear of the Quay Zone.	Ward Members	ARA to install new height restriction barrier by the end of July 2023.	To be Confirmed	Promenade and Shorefront Enhancement Schemes Fund	To be Confirmed
6	Upgrade the Memorial Fountain at Girvan Harbour and the McCubbin Fountain at Church Square to restore them back to working condition.	Ward Members	Detailed inspection and repair proposals to be prepared and brought forward.	To be Confirmed	Promenade and Shorefront Enhancement Schemes Fund	To Be Confirmed
7	Instal a new power source in the Promenade Performance Area.	Ward Members	New power source to be installed.	40,000	Promenade and Shorefront Enhancement Schemes Fund	N/A
8	Introduction of new public toilet facility near to the Boating Pond.	Ward Members	Designs for a new toilet block with associated costs to be presented for consideration at a future date.	To be Confirmed	A combination of all Funding Sources	To be confirmed

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
9	Upgrade the Bird Aviary in the Knockcushan Street Community Gardens.	Ward Members	Modernisation of the Bird Aviary and Duck pond to be completed within financial year 2023/24.	To be Confirmed	Girvan Regeneration Projects	To be Confirmed
10	Promenade Shelter Upgrade and reconfigure the shelter.	Ward Members	Upgrade works to be completed to restore the shelter.	To be Confirmed	Promenade and Shorefront Enhancement Schemes Fund	To be Confirmed
11	Provision of two new Flag Poles at Girvan Harbour to fly the Union Flag, the Saltire and other flags as decided by the local community.	Ward Members	Two new flag poles, to fly the Union Flag and the Saltire Flag, to be positioned in Knockcushan Street at a yet to be agreed location.	To be Confirmed	Promenade and Shorefront Enhancement Schemes Fund	N/A
12	Rose Garden Investment in upgrades to the shelter and the garden pathways.	Ward Members	Detailed proposals for the upgrades of the Rose Garden Shelter and pathways to be brought forward.	To be Confirmed	Girvan Regeneration Projects	To be Confirmed
13	New Deer Proof Fence at Bynehill Cemetery, Girvan to be installed to reduce the risk of damage to memorial flowers and plants from deer accessing the cemetery.	Ward Members	New Deer fence to be put in place within financial year 2023/24.	To be Confirmed	£1M per Ward Fund	N/A
14	Upgrade works to the exterior facades of buildings in Dalrymple Street, Knockcushan Street and Hamilton Street	Ward Members	Subject to approval from Transport Scotland and permissions from property owners, upgrade works to improve the overall appearance of buildings in Girvan Town Centre to take place in 2023/24.	To be Confirmed	Girvan Regeneration Projects	To be Confirmed
15	Upgrades to Ardstinchar Bridge	Ballantrae and Lendalfoot Community Council	Project to be completed within financial year 2023/24. ARA to Project Manage the upgrade works.	40,000	£1M per Ward Fund	To be confirmed
16	Natural Space	Ballantrae and Lendalfoot	Locations to be confirmed to allow new benches to be	To be Confirmed	£1M per Ward Fund	To be Confirmed

No	Request	Reference	Agreed Action	Value (£)	Funding Source	Match Funding
	New seating along the River Stinchar Walk	Place Plan June 2022	installed. Works to be completed in financial year 2023/24.			
17	Play and Recreation Create a new footpath to access field.	Pinwherry and Pinmore Place Plan June 2022	Design proposals and associated costs to be confirmed to allow this proposal to be completed within financial year 2023/24.	To be Confirmed	£1M per Ward Fund	To be Confirmed

South Ayrshire Council
Equality Impact Assessment including Fairer Scotland Duty

Section One: Policy Details*

Name of Policy	Proposed Ward Capital Projects 2023 to 2027
Lead Officer (Name/Position)	Mike Newall Depute Chief Executive and Director of Housing, Operations and Development mike.newall@south-ayrshire.gov.uk
Support Team (Names/Positions) including Critical Friend	Macy Biggar Community Planning and Equalities Assistant Susan McCardie Community Planning Lead Officer

*The term Policy is used throughout the assessment to embrace the full range of policies, procedures, strategies, projects, applications for funding or financial decisions.

What are the main aims of the policy?	Proposed improvement projects identified through Place Plans are implemented throughout the Council area and funded through the Capital Ward budgets as approved by Council on 1 March 2023.
What are the intended outcomes of the policy?	<ul style="list-style-type: none"> • To confirm place improvement projects in each Ward from completed Place Plans. • To share finalised project list for each ward with Community Councils to provide them with details of the proposals for their information. • Attract more tourists to South Ayrshire • Residents will be proud to be part of South Ayrshire

Section Two: What are the Likely Impacts of the Policy?

Will the policy impact upon the whole population of South Ayrshire and/or particular groups within the population? (please specify)	The Policy will impact areas of South Ayrshire which are associated with Capital Projects that support Place Plans and Community Led projects in each ward for; Ayr Town Centre projects; for Girvan Town Centre Regeneration Projects and for the Promenade and Shorefront enhancements.
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Considering the following Protected Characteristics and themes, what likely impacts or issues does the policy have for the group or community?

List any likely positive and/or negative impacts.

Protected Characteristics	Positive and/or Negative Impacts
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Age: Issues relating to different age groups e.g. older people or children and young people	Positive: New arrangements would be fully inclusive to all age groups.
Disability: Issues relating to disabled people	Positive: New arrangements would be fully inclusive to people with disabilities
Gender Reassignment – Trans/Transgender: Issues relating to people who have proposed, started or completed a process to change his or her sex	Positive: New arrangements would be inclusive to all irrespective of a person's gender.
Marriage and Civil Partnership: Issues relating to people who are married or are in a civil partnership	Positive: New arrangements would be inclusive to all irrespective of a person's marital/civil partnership status.
Pregnancy and Maternity: Issues relating to woman who are pregnant and/or on maternity leave	Positive: New arrangements would be fully inclusive to this group.
Race: Issues relating to people from different racial groups, (BME) ethnic minorities, including Gypsy/Travellers	Positive: New arrangements would apply equally to Individuals of all racial groups
Religion or Belief: Issues relating to a person's religion or belief (including non-belief)	Positive: New arrangements would be fully inclusive to all religions and beliefs (including non-belief).
Sex: Issues specific to women and men/or girls and boys	Positive: new arrangements would have a positive impact on both men and women.
Sexual Orientation: Issues relating to a person's sexual orientation i.e. LGBT+, heterosexual/straight	Positive: New arrangements would be fully inclusive to all irrespective of a person's sexual orientation.

Equality and Diversity Themes Relevant to South Ayrshire Council	Positive and/or Negative Impacts
Health Issues and impacts affecting people's health	Positive: Place Plans will ensure a better understanding of our population and places and allow development of plans to positively impact on health.
Human Rights: Issues and impacts affecting people's human rights such as being treated with dignity and respect, the right to education, the right to respect for private and family life, and the right to free elections.	Positive: A human rights approach will underpin both the formal engagement and consultation process, and any subsequent implementation of new governance arrangements.

Socio-Economic Disadvantage	Positive and/or Negative Impacts
Low Income/Income Poverty: Issues: cannot afford to maintain regular payments such as bills, food and clothing.	Positive: Place Plans and Community Led Projects will allow the Council to focus on where the need is greatest to support low income/income poverty.
Low and/or no wealth: Issues: 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	Positive: Place Plans and Community Led Projects will allow the Council to focus on where the need is greatest to support low and/or no wealth.
Material Deprivation: Issues: being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	Positive: Place Plans and Community Led Projects will allow the Council to focus on where the need is greatest to support material deprivation.
Area Deprivation: Issues: where you live (rural areas), where you work (accessibility of transport)	Positive: Place Plans and Community Led Projects will allow the Council to focus on where the need is greatest to support area deprivation.

Section Three: Evidence Used in Developing the Policy

<p>Involvement and Consultation In assessing the impact(s) set out above what evidence has been collected from involvement, engagement or consultation? Who did you involve, when and how?</p>	<p>At Council meeting on 1st March 2023, the Council approved the General Services Revenue Budget 2023-2024 and the Capital Investment Programme 2023-24 to 2034-2035.</p> <p>Extensive consultation has taken place as part of the Place Planning process, for place-based strategies, budget survey and accessible Ayr. Further information can be found on our consultation web page.</p> <p>Consultation has taken place with all Elected Members as part of the review of proposed improvement projects in each of the Council's Wards as identified through Place Plans.</p>
<p>Data and Research In assessing the impact set out above what evidence has been collected from research or other data. Please specify what research was carried out or data collected, when and how this was done.</p>	<p>Data was taken from Place Plans published in 2019, 2021 and 2022 from across South Ayrshire. The data confirmed the priority actions South Ayrshire communities said they wanted to see delivered. In addition to this, road safety data from Ayrshire Roads Alliance and Transport Scotland and traffic speed data from Police Scotland were also considered as part of the priority project considerations.</p>
<p>Partners data and research In assessing the impact(s) set out in Section 2 what evidence has been provided by partners? Please specify partners</p>	<p>Ayrshire Roads Alliance, Police Scotland, North Carrick Community Benefit Company, Dynamic Dunure, Go Girvan, Girvan Attractions, the Quay Zone in Girvan, Prestwick Civic Pride Partnership, Community Councils, Newton Green Tenants and Residents Association, SUSTRANS, Transport Scotland and Local Elected Members.</p>
<p>Gaps and Uncertainties</p>	<p>Further reviews of proposed Place Plan actions for each of our communities will be completed to identify</p>

Have you identified any gaps or uncertainties in your understanding of the issues or impacts that need to be explored further?	potential capital projects that support the strategic objectives and outcomes of the Council, but also have no risk of any future revenue burdens.
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Section Four: Detailed Action Plan to address identified gaps in:

- a) evidence and
- b) to mitigate negative impacts

No.	Action	Responsible Officer(s)	Timescale
1	Completion of the review of potential further capital projects for each Ward.	Mike Newall, Chris Cox, Kenny Dalrymple and Kevin Braidwood.	By 31 August 2023
2	Completion of approved Ward Capital Projects.	Mike Newall, Chris Cox, Kenny Dalrymple and Kevin Braidwood	By 31 March 2024

Note: Please add more rows as required.

Section Five - Performance monitoring and reporting

Considering the policy as a whole, including its equality and diversity implications:

When is the policy intended to come into effect?	Present a detailed programme of works to the Council meeting on 29 June 2023.
When will the policy be reviewed?	End of June 2024
Which Panel will have oversight of the policy?	Full Council

Section 6

South Ayrshire Council



Summary Equality Impact Assessment Implications & Mitigating Actions

Name of Policy: Approval Process and Governance Arrangements for Ward Capital Projects.

This policy will assist or inhibit the Council's ability to eliminate discrimination; advance equality of opportunity; and foster good relations as follows:

Eliminate discrimination Neither assist nor inhibit.
Advance equality of opportunity This will look to advance opportunities through improvement of our places.
Foster good relations This will continue to foster good relations by developing meaningful communication and engagement with local communities to identify their needs and views.

Consider Socio-Economic Disadvantage (Fairer Scotland Duty)

The Approval Process and Governance Arrangements for Ward Capital Projects will pay due regard to the Fairer Scotland Duty.

Summary of Key Action to Mitigate Negative Impacts	
Actions	Timescale
None	N/A

Signed:



Date: 13 June 2023

South Ayrshire Council

**Report by Depute Chief Executive and Director
of Housing, Operations and Development
to South Ayrshire Council
of 29 June 2023**

**Subject: Transfer of the Former St Ninians School Site from the
General Fund to the Housing Revenue Account**

1. Purpose

- 1.1 The purpose of this report is to obtain Council approval to transfer the site encompassing the former St Ninians Primary School in Adamton Road, Prestwick from the General Fund to the Housing Revenue Account (HRA) at nil value provided that that the Housing Revenue Account (HRA) meets the abnormal costs of £791,331 ahead of a proposed development of Council housing. The extent of the site is shown in [Appendix 1](#).

2. Recommendation

2.1 It is recommended that the Council:

- 2.1.1 notes that the consultation carried out by the Council on 5 October 2022 and 7 February 2023 with the tenants and the public was in favour of the proposed transfer of the site from the General Fund to the HRA; and**
- 2.1.2 grants authority to transfer the site of the former St Ninians Primary School from the General Fund to the HRA at nil value ahead of the proposed residential development provided that the Council's HRA meets the abnormal costs of £791,331.**

3. Background

- 3.1 On 26 November 2019, Members agreed a report at Leadership Panel on an options study for the future use of the St Ninians Primary site once the school had been decanted into the new campus. It was agreed that plans should be developed to build affordable housing on the land and that the site should be added to the Strategic Housing Investment Plan (SHIP) 2021/22-2025/26
- 3.2 A further report was agreed at Leadership Panel on the 26 October 2021 seeking approval to submit a New Project Request to HubSW to appoint a contractor and design team to develop plans for affordable housing on the St Ninian's school site and to seek approval to add the project to the HRA Business Plan/Capital Programme with the associated budget allowance of £7.2m. The site, which extends to approximately 1.52 hectares, would see a mixed development of 42 housing units.

- 3.3 On 29 June 2022, Council approved an Updated Policy for the Acquisition and Disposal of Land and Buildings. The policy on HRA land acquisition and disposal was included and this transfer of the former St Ninians Primary school site from the General Fund to the HRA is in accordance with paragraphs 2.3 and 41.5-4.1.10 of the Updated Policy.
- 3.4 In terms of the community consultation details of the consultation were placed on the SAC Tenant Participation Facebook page on 5 October 2022. Invite emails to local councillors/portfolio holders and community councils were sent out on 7 October 2022. Flyers were posted locally on 8 October 2022. An in person community consultation took place on 12 October 2022 at Prestwick Academy. All local and surrounding residents, relevant ward members and Portfolio Holders were invited to attend. The in person was attended by Special Projects, Housing Officers, the contractor McTaggart, the architects ABC and Hub SW. The plans were able to be viewed and any concerns raised answered as best as possible. The staff members from the new Prestwick Educational Campus were in attendance and colleagues spoke with the nursery teachers for future tie ins with the school and nurseries throughout the construction process. The public consultation feedback and attendance forms were collected at the event on the 12 October 2022. The consultation event related to the provision of affordable housing on the St Ninian's site rather than the transfer of the site from the General Services account to the HRA The response was in favour of the proposed development.
- 3.5 Council tenants were consulted on this proposal at the Tenant Monitoring Group which took place on 7 February 2023 with the response being in favour of the proposed development.
- 3.6 Section 74 (2) of the Local Government (Scotland) Act 1973 places a duty on the Council to achieve the best consideration that can reasonably be obtained in the disposal of land or buildings, except where disposal at less than the best consideration is in accordance with the above Act and/ or Regulations passed under the Act. In addition, the disposal of land or buildings from the Housing Revenue Account (HRA) may require the consent of Scottish Ministers under section 12(7) of the Housing (Scotland) Act 1987. Similarly, consent is required under section 203(2) of the 1987 Act to transfer land or buildings between the HRA and the General Fund.
- 3.7 The Scottish Government has introduced guidance on how Councils seek consent to dispose of assets from their HRA or to transfer assets between the General Fund and HRA. In order to improve efficiency and introduce uniformity across General Fund and HRA disposals, a general consent process in line with the existing 'Disposal of Land by Local Authorities (Scotland) Regulations 2010' has been developed. Under General Consent, Councils are able to 'self-certify' consent where two key considerations have been met: the disposal price is in line with a best consideration valuation performed by a surveyor accredited to the Royal Institution of Chartered Surveyors (RICS) and an appropriate level of tenant and public consultation has taken place.
- 3.8 In the case of a proposed transfer from the General Fund to the HRA where the end use is the development of council housing, the market value test may not be met but the Council may determine that a transfer for less than market value will in fact represent 'best value' as the supply of social housing in the area will increase. In such cases, the Council should self-certify the following:

- That the disposal fits with the Council's strategic housing context (i.e. that a below market value disposal can be justified);
- The site value and anticipated disposal value; and
- That appropriate consultation has taken place.

4. Proposals

4.1 The 'headline' amount a buyer could reasonably expect to pay to purchase the site for the development of housing, if it was being sold on the open market. As the site will be developed for Social Housing DM Hall has valued the site based on market value and Social housing value.

4.2 In order to comply with the approved policy and be in a position to self-certify consent, valuations have been obtained from an independent surveyor and consultation on the proposal has taken place with the tenants.

4.3 The values reported by DM Hall were as follows:

- Market Value – assuming social housing £630,000
- Market Value – assuming private housing £1,650,000

4.4 Both of the opinions of value reflect the subjects on a cleared site basis and assume the buildings presently on site have been demolished.

4.5 Abnormal development costs include items such as demolition of the buildings and the cost of addressing any unusual grounds conditions or contamination, These costs are normally deducted from the gross Market Value to arrive at the amount payable. For this site, the abnormal costs have been estimated at £791,331 and have been identified as outlined in Table 1 below:

Table 1 – Abnormal costs

Abnormal	Cost
Demolition of School	£309,875
Peat removal	£37,755
Piling/Vibro including platforms and mats	£187,819
Ground beams etc for piles	£166,086
Gas barriers below plots	£89,796
Total	£791,331

4.6 Building affordable housing on this site offers a number of social and economic benefits to the Council and its partners including:

- Increased economic activity throughout the construction process;
- Improved health, poverty and environmental outcomes from providing warm and energy efficient affordable housing;

- Increasing the supply of affordable homes that better meet the needs of South Ayrshire's ageing population; and

4.7 Increasing the supply of good quality affordable housing is identified as a strategic priority in South Ayrshire's Local Housing Strategy and Council Plan. The Council's Strategic Housing Investment Plan identifies the former St Ninians Primary school as a key site for delivering 42 affordable homes that will make a significant contribution towards meeting existing housing need in South Ayrshire. There are currently no other potential housing sites of this size immediately available to the Council in this locale.

4.8 Whilst recognising that a higher value may be obtained if the ground was sold on the open market it is proposed that the Council accepts the market value - social housing at £630,000 in order to support the delivery of affordable housing.

4.9 It is proposed that the abnormal costs of £791,331 are deducted from the market value – social housing of £630,000. and that the site is transferred from the General Fund to the HRA at nil value ahead of the proposed development of Council housing.

4.10 It is proposed that the HRA is responsible for the abnormal development costs as detailed in paragraph 4.5 which are part of the overall development costs for the proposed development. The HRA will be responsible for all costs associated with the site at the point of transfer.

4.11 Subject to Stage 2 approval for the new build housing proposals at August Cabinet, the demolition works should start in October 2023

5. Legal and Procurement Implications

5.1 Legal advice has been provided with regard to the content of this report, but there will be no legal documentation required to transfer the site from the General Fund to the HRA.

5.2 There are no procurement implications arising from this report.

6. Financial Implications

6.1 The HRA would be expected to meet the abnormal development costs of £791,331 resulting in a nil value transfer value from the HRA to the General Services account.

7. Human Resources Implications

7.1 Not applicable.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

8.1.1 There are risks that the abnormal development costs associated with adopting the recommendations will increase.

8.2 **Risk Implications of Rejecting the Recommendations**

- 8.2.1 If this proposal is rejected, the site will not be able to be developed for Council housing, as approved by the Council in the SHIP, which will impact adversely on housing supply numbers.
- 8.2.2 If this proposal is rejected, there is a risk that the Council could lose the funding allocated to the project from the Affordable Housing Supply Programme (AHSP).
- 8.2.3 If this proposal is rejected, there is a risk that the wider economic benefits of significant construction activity in Prestwick will not be realised.
- 8.2.4 If this proposal is rejected, there is a risk that housing list waiting times and time spent in temporary homeless accommodation will increase.
- 8.2.5 If this proposal is rejected, there is a risk that the housing capital programme, as approved, will not be delivered.

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](#).

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 Priority 2 of the Council Plan: Live, Work, Learn and outcome Housing - Everyone can find a good quality home, that they can afford, that meets their needs and is in an area where they feel safe and connected.

13. **Results of Consultation**

- 13.1 Consultation on the proposed transfer has taken place with both tenants and residents as detailed in paragraph 3.3 and 3.5 of this report.
- 13.2 Consultation has taken place with 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 and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

Implementation	Due date	Managed by
Transfer site from General Fund to HRA	5 July 2023	Service Lead – Professional Design Services/ Service Lead - Asset Management and Community Asset Transfer Manager/ Head of Finance, ICT and Procurement

Background Papers **Report to Leadership of 12 February 2019 – [Prestwick Shared Educational Campus](#)**

Report to Leadership Panel of 29 October 2019 – [Future Use of St Ninian's Primary School Site](#)

Report to Leadership Panel of 26 October 2021 – [St Ninian's Primary School Site – Affordable Housing](#)

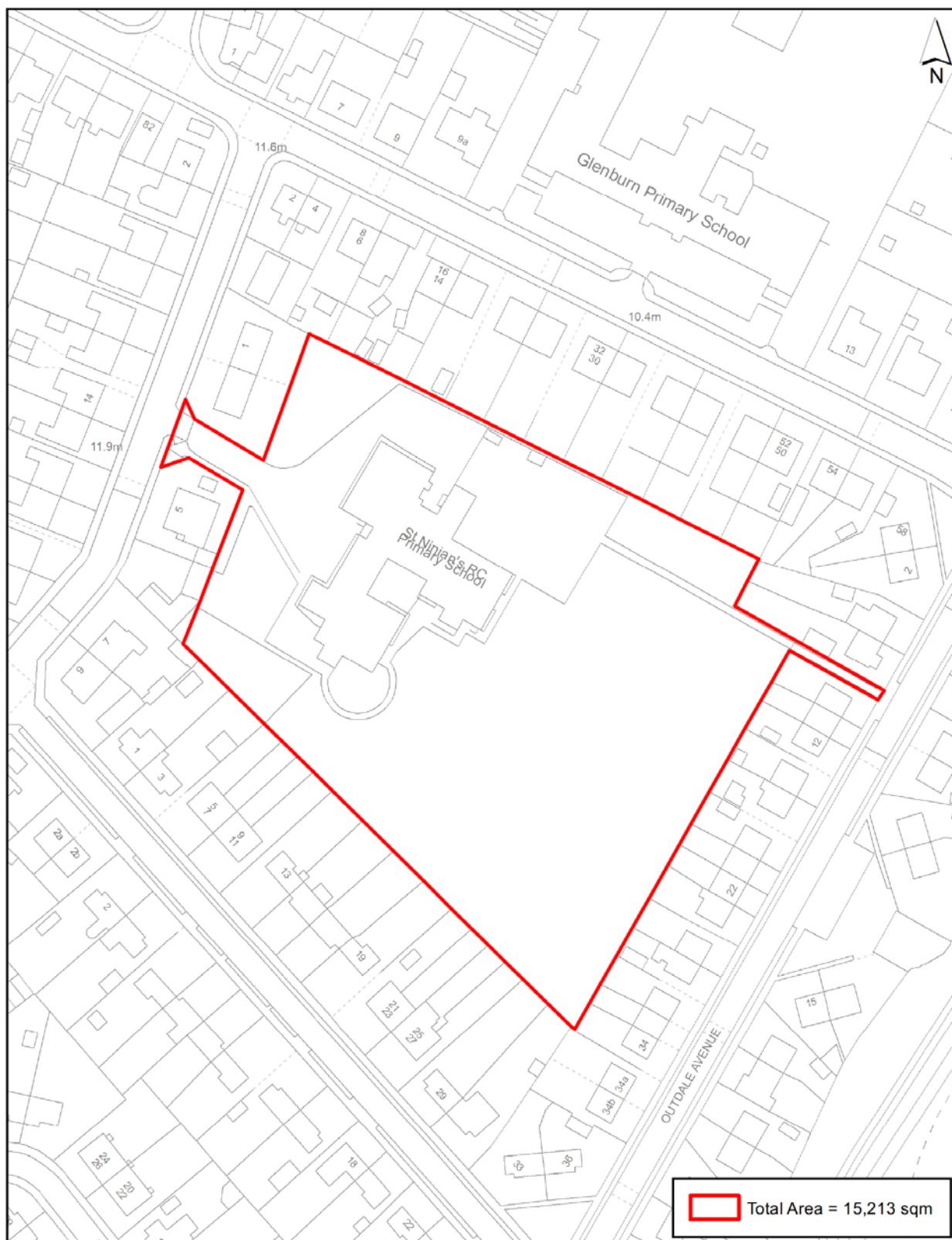
Report to South Ayrshire Council of 29 June 2022 - [Updated Policy for the Acquisition and Disposal of Land and Buildings](#)

Person to Contact **Chris Cox – Assistant Director – Planning and Development
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Date: 21 June 2023



Former St Ninian's Primary School, Prestwick.

Scale 1:1250



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South Ayrshire Council
Equality Impact Assessment including Fairer Scotland Duty

Section One: Policy Details*

Name of Policy	Acquisition and disposal policy (June 2022)- Transfer of the former St Ninians Primary school site from the General Fund to the HRA
Lead Officer (Name/Position)	Chris Cox Assistant Director – Planning and Development Chris.cox@south-ayrshire.gov.uk
Support Team (Names/Positions) including Critical Friend	Tom Burns Service Lead – Asset Management and CAT Tom.burns@south-ayrshire.gov.uk Pauline Bradley Service Lead – Professional Design Services Pauline.bradley@south-ayrshire.gov.uk

*The term Policy is used throughout the assessment to embrace the full range of policies, procedures, strategies, projects, applications for funding or financial decisions.

What are the main aims of the policy?	To transfer the above site from the General Fund to the HRA in accordance with paragraphs 2.3 and 4.1.5 - 4.1.10 of the updated acquisition and disposal policy- June 2022
What are the intended outcomes of the policy?	To move forward the demolition of the former St Ninian's Primary school site to enable the site to be developed for 42 affordable Council houses including 6 wheelchair accessible units

Section Two: What are the Likely Impacts of the Policy?

Will the policy impact upon the whole population of South Ayrshire and/or particular groups within the population? (please specify)	The decision will potentially impact on people with health, social or affordable housing needs.
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Considering the following Protected Characteristics and themes, what likely impacts or issues does the policy have for the group or community?

List any likely positive and/or negative impacts.

Protected Characteristics	Positive and/or Negative Impacts
Age: Issues relating to different age groups e.g. older people or children and young people	Positive: Potential new accommodation will meet increasing age related needs of the population
Disability: Issues relating to disabled people	Positive: Potential new accommodation will improve disability facilities. There are 6 wheelchair accessible units proposed for the new site
Gender Reassignment – Trans/Transgender: Issues relating to people who have proposed, started or completed a process to change his or her sex	Positive: New arrangements would be inclusive to all irrespective of a person's gender.
Marriage and Civil Partnership: Issues relating to people who are married or are in a civil partnership	Positive: New arrangements would be inclusive to all irrespective of a person's marital/civil partnership status.
Pregnancy and Maternity: Issues relating to woman who are pregnant and/or on maternity leave	Positive: New arrangements would be fully inclusive to this group.
Race: Issues relating to people from different racial groups, (BME) ethnic minorities, including Gypsy/Travellers	Positive: New arrangements would apply equally to Individuals of all racial groups
Religion or Belief: Issues relating to a person's religion or belief (including non-belief)	Positive: New arrangements would be fully inclusive to all religions and beliefs (including non-belief).
Sex: Issues specific to women and men/or girls and boys	Positive: new arrangements would have a positive impact on both men and women.
Sexual Orientation: Issues relating to a person's sexual orientation i.e. LGBT+, heterosexual/straight	Positive: New arrangements would be fully inclusive to all irrespective of a person's sexual orientation.

Equality and Diversity Themes Relevant to South Ayrshire Council	Positive and/or Negative Impacts
Health Issues and impacts affecting people's health	Positive: Potential new accommodation will improve health service provision
Human Rights: Issues and impacts affecting people's human rights such as being treated with dignity and respect, the right to education, the right to respect for private and family life, and the right to free elections.	Positive: Any potential new accommodation will require planning permission with opportunity to comment

Socio-Economic Disadvantage	Positive and/or Negative Impacts
Low Income/Income Poverty: Issues: cannot afford to maintain regular payments such as bills, food and clothing.	Positive: Potential new accommodation will directly assist persons in poverty needing services. Negative: Potential relocation of services may result in service users requiring to travel further for services.
Low and/or no wealth: Issues: 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	Positive: Potential new accommodation will directly assist persons of low income needing services.
Material Deprivation: Issues: being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	Positive: Potential new accommodation will directly assist persons experiencing material deprivation needing services.
Area Deprivation: Issues: where you live (rural areas), where you work (accessibility of transport)	Positive: Potential new accommodation may assist persons in area deprivation needing services by providing improved services in a location accessible by a variety of public transport.

Section Three: Evidence Used in Developing the Policy

<p>Involvement and Consultation In assessing the impact(s) set out above what evidence has been collected from involvement, engagement or consultation? Who did you involve, when and how?</p>	<p>An in person community consultation took place on 5 October 2022 at Prestwick Academy. All local and surrounding residents, relevant ward members and Portfolio Holders were invited to attend. The in person was attended by Special Projects, Housing Officers, the contractor McTaggarts, the architect ABC and Hub SW. The plans were able to be viewed and any concerns raised answered as best as possible. Feedback forms were handed out and filled in with</p>
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	<p>questions and contact details for residents and interested parties were taken as part of the process. The staff members from the new PEC were in attendance and colleagues spoke with the nursery teachers for future tie ins with the school and nurseries throughout the construct</p> <p>Council tenants were consulted on this proposal at the Tenant Monitoring Group which took place on 7 February 2023 with the response being in favour of the proposed development.</p>
<p>Data and Research In assessing the impact set out above what evidence has been collected from research or other data. Please specify what research was carried out or data collected, when and how this was done.</p>	<p>On 26 November 2019, Members agreed a report at Leadership Panel on an options study for the future use of the St Ninians Primary site once the school had been decanted into the new campus. It was agreed that plans should be developed to build affordable housing on the land and that the site should be added to the Strategic Housing Investment Plan (SHIP) 2021/22-2025/26</p>
<p>Partners data and research In assessing the impact(s) set out in Section 2 what evidence has been provided by partners? Please specify partners</p>	<p>Tenants Monitoring Group were consulted on 7th February 2023</p>
<p>Gaps and Uncertainties Have you identified any gaps or uncertainties in your understanding of the issues or impacts that need to be explored further?</p>	<p>Not for the purpose of this report</p>

**Section Four: Detailed Action Plan to address identified gaps in:
a) evidence and
b) to mitigate negative impacts**

<u>No.</u>	<u>Action</u>	<u>Responsible Officer(s)</u>	<u>Timescale</u>
1			

Note: Please add more rows as required.

Section Five - Performance monitoring and reporting

Considering the policy as a whole, including its equality and diversity implications:

When is the policy intended to come into effect?	The updated acquisition and disposal policy came into effect in June 2022
When will the policy be reviewed?	No date has been set

Which Panel will have oversight of the policy?	South Ayrshire Council
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Section 6

South Ayrshire Council

Summary Equality Impact Assessment Implications & Mitigating Actions

Name of Policy: Updated acquisition and disposal policy – June 2002 Transfer of the former St Ninians Primary school site from the General Fund to the HRA

This policy will assist or inhibit the Council's ability to eliminate discrimination; advance equality of opportunity; and foster good relations as follows:

<p>Eliminate discrimination</p> <p>Neither assist nor inhibit.</p>
<p>Advance equality of opportunity</p> <p>Potential redevelopment will enhance equality of opportunity</p>
<p>Foster good relations</p> <p>This will continue to foster good relations by developing meaningful communication and engagement with local communities to identify their needs and views.</p>
<p>Consider Socio-Economic Disadvantage (Fairer Scotland Duty)</p> <p>This will be undertaken in any decision to proceed with redevelopment</p>

<u>Summary of Key Action to Mitigate Negative Impacts</u>	
<u>Actions</u>	<u>Timescale</u>
None	N/A

<p>Signed: Chris Cox</p> <p>Date: 20th June 2023</p>
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South Ayrshire Council

**Report by Director of Health and Social Care
to South Ayrshire Council
of 29 June 2023**

Subject: Review of South Ayrshire Integration Scheme

1. Purpose

- 1.1 The purpose of this report is to advise the Council of the requirement placed on the Parties to the South Ayrshire Integration Scheme by Section 44 of the Public Bodies (Joint Working) (Scotland) Act 2014, to carry out a review of the Integration Scheme.

2. Recommendation

2.1 It is recommended that the Council:

- 2.1.1 considers the requirement for the Integration Scheme to be reviewed;**
- 2.1.2 notes that the review requires to be undertaken jointly by the parties to the Integration Scheme, namely South Ayrshire Council and NHS Ayrshire and Arran;**
- 2.1.3 agrees that officers proceed with arrangements for the review and joint consultation as described in paragraphs 4.2 and 4.3 of the report.**
- 2.1.4 notes that further reports will be provided to Council as the review progresses; and**
- 2.1.5 otherwise notes the contents of this report.**

3. Background

- 3.1 The [Public Bodies \(Joint Working\) \(Scotland\) Act 2014](#) (the Act) was passed by the Scottish Parliament in February 2014. This provides the legal framework for the integration of health and social care in Scotland, with greater emphasis on supporting people in their own homes and communities and less inappropriate use of hospitals and care homes. The vision for the integration of health and social care is to secure better outcomes for people through services that are planned and delivered seamlessly from the perspective of the patient, service user or carer.
- 3.2 [Section 44](#) of the Act requires local authorities and NHS Boards to integrate the governance, planning and resourcing of health and social care and other delegated services by establishing an 'Integration Authority'. South Ayrshire Integration Board

approved the Integration Scheme on 25 June 2015 following approval of the Integration Scheme by Scottish Ministers.

- 3.3 Act places a duty on Integration Authorities to develop a strategic commissioning plan for integrated functions and budgets under their control. This sets out how the Integration Joint Board will plan and deliver services over the medium term to achieve the [National Health and Wellbeing Outcomes](#) prescribed by Scottish Ministers. The Strategic Plan for the Integration Joint Board covers the period from 2021 to 2031.

Review of the Integration Scheme

- 3.4 The Integration Scheme is the legal agreement between South Ayrshire Council and NHS Ayrshire and Arran which sets out the governance and financial arrangements for the integration of health and social care. It also covers the range of functions that are delegated to the Integration Joint Board. The current South Ayrshire Integration Scheme was reviewed in 2019 by South Ayrshire Council and NHS Ayrshire and Arran. At this time, South Ayrshire was the only Health and Social Care Partnership (HSCP) who carried out a review as East and North had concluded their review the previous year.
- 3.5 Within the legislation, there is a statutory duty to review the Integration Scheme before expiry of a 5-year period to identify whether any changes are deemed necessary or desirable. The review must have due regard to the integration planning principles set out in the legislation and also to the National Health and Wellbeing Outcomes.
- 3.6 It is proposed the review is undertaken now so that South Ayrshire Council re-aligns itself with the other Councils who have Integration Schemes with NHS Ayrshire and Arran. There is a requirement to consult with 'Prescribed Consultees' on the contents of any revised Integration Scheme, in accordance with the provisions of regulations as set out in Scottish Statutory Instrument 2014 No. 283. A list of the Prescribed Consultees is set out in [Appendix 1](#) to this report. The Parties can, at their discretion, choose to add other consultees to this list to reflect arrangements, locally. This then requires further consultation on the draft revised scheme, following which it can be approved by Council and the NHS Board, before then being submitted to Scottish Ministers to formally approve the revised Scheme.

4. Proposals

- 4.1 An updated South Ayrshire Integration Scheme ('the Scheme') will require to be approved by both South Ayrshire Council and NHS Ayrshire and Arran, as well as being endorsed by Scottish Ministers. Before submitting the revised Scheme for approval, South Ayrshire Council and NHS Arran and Arran must each undertake further consultation on any proposed changes.
- 4.2 Officers from South Ayrshire HSCP and Council are working closely with colleagues in North and East Ayrshire Councils and with NHS Ayrshire and Arran to undertake the review and are aiming to conclude by December 2023. To meet these deadlines and to provide an appropriate consultation period, the review exercise would require to be completed by 6 October. The draft Timetable is shown in Table 1 below but it is recognised by officers that the draft timetable may require to be extended .

**Table 1: Initial Proposed Timeline Review Exercise – Summary of Key Dates
(subject to variation depending on progress of review)**

<i>Milestone</i>	<i>Date</i>
Commission Review Exercise	
Health Board Meeting	27 June 2023
Council Meeting	29 June 2023
Review exercise commences (12 weeks)	10 July 2023
Integration Joint Board Meeting (Progress update)	13 September 2023
Review exercise concludes	6 October 2023
Preparation for consultation commences	9 October 2023
Consultation exercise commences	14 October 2023
Consultation exercise ends	8 November 2023
Post consultation revision work commences	11 November 2023
Governance Report and Revised Scheme by	18 November 2023
Approve Revised Draft Integration Scheme	
Health Board Meeting	4 December 2023
Council Meeting	7 December 2023
IJB Meeting (for noting)	13 December 2023
Submission to Scottish Government	29 December 2023

4.3 In addition to the consultation arrangements, it is proposed to establish a number of thematic working groups to provide a further opportunity for focussed discussion on key aspects of the Integration Scheme These will include but may not be limited to:

- scope of services delegated to the IJB;
- governance, including risk management;
- information governance and care governance; and
- finance arrangements .

4.4 Once a review and all associated engagement has concluded, it is proposed that a report on any agreed revisions to the Integration Scheme will be submitted to relevant meetings of the Council and NHS Board at the earliest opportunity. The

revised Integration Scheme, as approved, will then be submitted to Scottish Ministers for approval.

5. Legal and Procurement Implications

5.1 This report proposes a process that should lead to the preparation of a new Integration Scheme, which is a legal document made by Order of Scottish Ministers and which will require to be laid before the Scottish Parliament before it can come into effect.

5.2 There are no procurement implications arising from this report.

6. Financial Implications

6.1 There are currently no unbudgeted financial implications arising from the consideration of this report.

7. Human Resources Implications

7.1 There are no new HR implications arising directly from the consideration of this report.

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 Integration Scheme is the principal governance document that governs the operation of the South Ayrshire Integration Joint Board and the South Ayrshire Health and Social Care Partnership. It requires to articulate clearly the role not only of the IJB in the integration of health and social care, but the way in which the Board and the Parties – the Council and the NHS Board - will work collaboratively to deliver National and Local Outcomes and Integration Planning Principles as defined by the Public Bodies (Joint Working) (Scotland) Act, 2014, in South Ayrshire.

8.2.2 The IJB has included a strategic level risk in its approved Risk Register regarding the strategic objectives of Health and Social Care Integration not being realised under the existing arrangements. This has been rated at 12 (High Risk).

9. Equalities

9.1 There are no equality implications arising directly from the consideration of this report. A full Equalities Impact Assessment will be carried out on the development of the revised Integration Scheme prior to its submission to the Parties for approval.

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 Priority 4 of the Council Plan: Efficient and effective enabling services.

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 Lee Lyons, Portfolio Holder for Health and Social Care, and Councillor Stephen Ferry, Portfolio Holder for Education, 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 Health and Social Care 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>
Revised Draft Integration Scheme presented to Council	7 December 2023	Director of Health and Social Care

Background Papers [Public Bodies \(Joint Working\) \(Scotland\) Act 2014](#)

[Integration Scheme between South Ayrshire Council and NHS Ayrshire and Arran - 1 March 2018](#)

Report to South Ayrshire Council of 27 June 2019 – [Review of South Ayrshire Integration Scheme](#)

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Date: 20 June 2023

List of Prescribed Consultees

- Health professionals;
- Users of health care;
- Carers of users of health care;
- Commercial providers of health care;
- Non-commercial providers of health care;
- Social care professionals;
- Users of social care;
- Carers of users of social care;
- Commercial providers of social care;
- Non-commercial providers of social care;
- Staff of the Health Board and local authority who are not health professionals or social care professionals;
- Non-commercial providers of social housing; and
- Third sector bodies carrying out activities related to health or social care.