

# **CABINET**

Minutes of a hybrid webcast meeting on 20 June 2023 at 10.00 a.m.

Present  
in County

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

Present

Remotely: Councillors Stephen Ferry and Lee Lyons.

Attending  
in County

Hall: E. Howat, Chief Executive; M. Newall, Depute Chief Executive and Director of Housing, Operations and Development; C. Caves, Head of Legal and Regulatory Services; T. Baulk, Head of Finance, ICT and Procurement; L. McRoberts, Director of Education; C. Cox, Assistant Director – Housing, Operations and Development; G. Hunter, Assistant Director – Communities; J. Tait, Service Lead – Thriving Communities; K. Anderson, Service Lead – Performance, Policy and Community Planning; P. Bradley, Service Lead – Professional Design Services; L. Kerr, Service Lead – Destination South Ayrshire; R. Kingisepp, Capital Planning Co-ordinator – Professional Design Services; S. MacMillan, Co-ordinator – Project Implementation; M. Greaves, Co-ordinator – Economy and Regeneration (Local Places); C. McPhail, Co-ordinator – Economic Development; A. Valenti, Quality Improvement Manager – Early Years; C. Buchanan, Committee Services Officer and E. Moore, Committee Services Assistant.

Attending

Remotely: T. Eltringham, Director of Health and Social Care; L. Reid, Assistant Director – Strategic Change; K. Dalrymple, Assistant Director – Housing and Operations; K. Braidwood, Head of Roads (Ayrshire Roads Alliance); J. Andrew, Co-ordinator – Organisational Development, Change and Improvement; M. Alexander, Team Leader – Housing.

## **Opening Remarks.**

The Chair took the sederunt, confirmed to Members the procedures to conduct this meeting and advised that the meeting was being broadcast live.

### **1. Declarations of Interest.**

There were no declarations of interest by Members of the Cabinet in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

### **2. Minutes of previous meeting.**

The minutes of 23 May 2023 were submitted and approved.

### **3. Decision Log.**

Following discussion, the Cabinet

**Decided:**

- (1) to note there were no overdue actions.
- (2) to approve the actions listed with revised due dates; and
- (3) to note the recently completed actions.

**Economic Development.****4. Ayrshire Roads Alliance Service Plan 2023/24 and Performance Report.**

There was submitted a report (issued) of 13 June 2023 by the Depute Chief Executive and Director of Housing, Operations and Development to inform Cabinet of the Ayrshire Roads Alliance Service Plan for 2023/24 and the Performance Report for 2022/23.

A comment was made by a Member in relation to the scale of works being coordinated by Ayrshire Roads Alliance and commended the Report.

Having considered the contents of the report, the Cabinet;

**Decided:**

- (1) to approve the Ayrshire Roads Alliance Service Plan for 2023/24 as at Appendix 1 of the report.
- (2) to note that, that regular progress updates would be provided to the Ayrshire Shared Service Joint Committee; and
- (3) to agree the performance scorecard for 2022/23 (Appendix 2) which was previously presented to the Service and Partnerships Performance Panel on 13 June 2023.

**5. Accessible Ayr Update.**

There was submitted a report (issued) of 12 June 2023 by the Director of Strategic Change and Communities to provide an update on the progress on the design of the Accessible Ayr project; and seek approval for officers to continue to support the delivery of Stages 3 and 4 of the design process.

A Member made a comment highlighting that the Accessible Ayr Report has allowed a comprehensive review into wider areas such as tourism, economic development, the regeneration of Ayr Town Centre, creating larger footfall in the Town Centre as well as increasing the accessibility of active travel.

A question was raised by a Member in relation to paragraph 4.8 of the Report related to expected 12-month timescale of the technical design stage and if a consultation period would be undertaken. The Assistant Director (Communities) highlighted that a consultation period would take place and that following the outcome of the consultation, a number of recommendations would be presented to Cabinet at a future meeting.

Having considered the contents of the report and agreed the approaches noted within the report, the Cabinet

**Decided:** to acknowledge the commitment to active travel and improved places, giving Sustrans confidence in the project as it progressed through the design stages and neared the delivery stage.

## **6. European Regional Development Fund (ERDF) Reprofiling.**

There was submitted a report (issued) of 12 June 2023 by the Director of Strategic Change and Communities seeking approval to the variation of the European Regional Development Fund (ERDF) Ayrshire Business Gateway Competitiveness Programme to reflect the change in the demand profile for business advice and support over grant funding predicated by the C-19 pandemic.

A Member raised a question in relation to the increase in staffing and whether this would allow the programme to progress more efficiently. The Assistant Director (Communities) highlighted that there had been a piece of work undertaken by the service to look at core staff and resourcing retrospectively identifying and claiming against any underspend within the programme.

Having considered the contents of the report, the Cabinet

### **Decided:**

- (1) to approve the extension to the Ayrshire Business Gateway Business Competitiveness Programme to 30 September 2023 to maximise the benefit for South Ayrshire's businesses;
- (2) to approve the reprofile of the Ayrshire Business Gateway Business Competitiveness Programme budget to make best use of the available grant funding; and
- (3) to agree to delegate authority to the Director of Strategic Change and Communities to accept any offer of variation to the programme end date and budget variation from Scottish Government, as managing authority for the ERDF programme.

## **7. UK Shared Prosperity Fund.**

There was submitted a report (issued) of 13 June 2023 by the Director of Strategic Change and Communities updating Cabinet on the UK Shared Prosperity Fund and seeking approval from Cabinet on the revised proposals within the three-year Investment Plan.

The Assistant Director (Communities) highlighted that although the UK Shared Prosperity Fund was a 3-year programme, all Councils did not receive notification of the funding until October of the first year of the programme therefore the Council entered into year two of the programme with a minimum spend resulting in a re-programme of the Shared Prosperity Fund focussing on wider community regeneration and empowerment projects.

A number of Members made comments in relation to their endorsement of the Report and the positive impact and development on all communities.

A question was raised by a Member in relation to paragraph 8.1 of the report, the risk that the UK Government may not approve the new proposed reprofiling and priorities. The Assistant Director (Communities) stated that in his opinion, he felt that the UK Government would be in support of these priorities as the bid is in line with working practices across other Local Authorities supporting community planning and regeneration efforts.

Having noted the contents of the report, the Cabinet

**Decided:**

- (1) subject to UK Government approval of the revised project list under Communities and Place, to approve the new projects that would now be included in the investment plan between 2023-2025 (as outlined in Appendix 1);
- (2) to approve the new financial reprofile (as outlined in Appendix 2);
- (3) to note the changes to the investment plan and priorities that impacted economic development activity; and
- (4) to request that Officers report back in November providing an update on the revised investment plan.

**Buildings, Housing and Environment.**

**8. Redevelopment of former Hourstons Building and Arran Mall, Ayr**

There was submitted a report (issued) of 12 June 2023 by the Depute Chief Executive and Director of Housing, Operations and Development providing update on emerging feasibility to redevelop the former Hourstons building and Arran Mall, Ayr and to seek approval for the next stages towards redevelopment.

A number of Members made comments commending the Report and the initiatives proposed around South Ayrshire's elderly demographic and for individuals with a disability.

Having noted that the figure of £0.57 of unallocated capital in the report has been rounded up to £0.6 in recommendation 2.1.2 of the report, the Cabinet

**Decided:**

- (1) to agree that officers complete draft tenders to enable the demolition of the former Arran Mall, except the building fronting onto Alloway Street which was within a Conservation Area;
- (2) to agree that unallocated capital of £0.6m from 2034/35 (£11.26m) be brought forward to undertake the demolition works of Phase 1 and the work and fees involved in obtaining consents for Phases 1 & 2 demolition;
- (3) to agree that work continue with South Ayrshire Health and Social Care Partnership, NHS Ayrshire and Arran and relevant services to confirm detailed development options for the former Arran Mall and Hourstons building accompanied by business cases for these options; and
- (4) to agree that a report be brought to Cabinet on 31 October 2023 with detailed proposals and funding proposals.

**Finance, HR and ICT.**

**9. Budget Management – Revenue Budgetary Control 2022/23 – Out-turn Statement at 31 March 2023.**

There was submitted a report (issued) of 13 June 2023 by the Head of Finance, ICT and Procurement to present Members with a financial overview of the General Services revenue account, Housing Revenue Account and Common Good Accounts for 2022/23 as at 31 March 2023.

Questions were raised by Members in relation to the common goods fund and whether a report would be presented in relation to the management of the common good fund. The Depute Chief Executive and Director of Housing, Operations and Development outlined that Officers remained keen to develop a strategy to discuss how best to manage the common good fund and stated that a meeting would take place in the near future to discuss this. The Head of Legal and Regulatory Services stated that following a meeting to discuss the common good fund, a briefing note would be circulated advising members of the common good fund legislation and information around timescales;

The Cabinet

**Decided:**

- (1) to acknowledge the out-turn position for each Directorate/service for 2022/23 as detailed in Appendix 1;
- (2) to approve the new earmarking of funds for normal service activity of £1.277m and Covid-19 related activity of £2.033m, to be carried forward for utilisation in 2023/24, as outlined in Appendix 2a) and 2b) of the report;
- (3) to acknowledge the latest Covid-19 reserves position of £5.912m, including the new earmarking requested at 2.1.2, to be carried forward for utilisation in 2023/24;
- (4) to acknowledge the £10.997m HSCP 2022/23 in-year underspend and accumulated reserves position of £18.651m available to the Partnership for 2023/24;
- (5) to note the overall General Services in-year underspend of £5.579m at 4.1.1 (after earmarking) and the accumulated uncommitted reserves position of £7.456m;
- (6) to request that, given the significant movement on earmarked funds with Thriving Communities, a review of the planned use of the funds be undertaken and brought forward to cabinet for consideration following the Summer 2023 recess;
- (7) to request a review of the previously approved Covid-19 Recovery Projects together with recommendations on the allocation of the remaining uncommitted balance in the reserve be undertaken and be brought forward to Cabinet for consideration following the Summer 2023 recess; and
- (8) to acknowledge the Common Good Fund's deteriorating financial position.

**Councillor Clark left the meeting at this point.**

**10. Consultation: Council Tax for Second and Empty Homes, and Non-Domestic Rates Thresholds for Self-Catering Units.**

There was submitted a report (issued) of 12 June 2023 by the Head of Finance, ICT and Procurement seeking the approval of Cabinet to respond to the joint Scottish Government

joint COSLA Consultation exercise on Council Tax for Second and Empty Homes, and Non-Domestic Rates Thresholds for Self-Catering Units.

The Cabinet

**Decided:**

- (1) to approve the consultation response as detailed in Appendix 1 of the Report;
- (2) to instruct the Service Lead - Revenues and Benefits to arrange completion of the online consultation form by the deadline of 11 July 2023; and
- (3) to note that further consideration of any Scottish Government Legislative changes, once enacted, would be undertaken in due course with any recommendations and implications being brought forward to Cabinet for approval.

**11. General Services Capital Programme 2022/23: Monitoring Report as at 31 March 2023**

There was submitted a report (issued) of 12 June 2023 by the Depute Chief Executive and Director of Housing, Operations and Development to provide Cabinet with an update on the actual capital expenditure and income, together with progress made on the General Services Capital Programme projects as at 31 March 2023 (Period 12), and seeking agreement to the changes to budgets in 2022/23, 2023/24 and 2024/25.

Members commended the report and made a number of comments in relation to the excellent work ongoing as outlined within the Report.

The Cabinet

**Decided:**

- (1) to note the progress made on the delivery of the General Services Capital Programme to 31 March, resulting in spend of £90,749,371 or 98.21%, as detailed in Appendix 1 of the report;
- (2) to approve the adjustments contained in Appendix 2 of the report; and
- (3) to approve the revised budget for 2022/23 at £90,749,371; 2023/24 at £97,249,616; and 2024/25 at £77,315,406 as highlighted in Appendix 2 of the report.

**12. Write-offs: Council Tax, Non-Domestic Rates, Customer Invoicing and Housing Benefit Overpayments**

There was submitted a report (issued) of 12 June 2023 by the Head of Finance, ICT and Procurement seeking approval of Cabinet Members to write-off Council Tax, Non-Domestic Rates, Housing Benefit Overpayments and Customer Invoicing Accounts in accordance with Council policy.

The Cabinet

**Decided:**

- (1) to approve the write-off of Council Tax amounting to £26,250.34;

- (2) to approve the write-off of Non-Domestic Rates amounting to £176,053.08;
- (3) to approve the write-off of Housing Benefit Overpayments amounting to £103,113.20; and
- (4) to note the write-off of Customer Invoicing amounting to £31,539.37 previously approved by the Head of Finance, ICT and Procurement in accordance with Section 7 (FIP10) of the Council's Scheme of Delegation.

### **Economic Development/Tourism, Culture and Rural Affairs/Sport and Leisure.**

#### **13. Active Travel Member/ Officer Working Group**

There was submitted a report (issued) of 12 June 2023 by the Depute Chief Executive and Director of Housing, Operations and Development seeking Cabinet approval for the creation of a Member/ Officer Working Group to consider the Council's proposed Active Travel Strategy.

The Cabinet

#### **Decided:**

- (1) to approve the creation of a Member/Officer Working Group (MOWG) to consider the Council's proposed Active Travel Strategy;
- (2) to nominate and appoint five Councillors\* on a cross-party basis to be members of the short term MOWG and agree that the MOWG be authorised to appoint a Chair of the group from amongst their number; and
- (3) to agree that, following consideration of the proposed Active Travel Strategy, the MOWG would propose recommendations for implementation which would inform a follow-up report to the Cabinet on 31 October 2023.

\*Subsequently agreed as; Councillors Mackay, Clark, Connolly, Pollock and Ramsay.

### **Corporate and Strategic.**

#### **14. Community Councils – Amendments to Scheme for Establishment**

There was submitted a report (issued) of 12 June 2023 by the Director of Strategic Change and Communities seeking Cabinet approval for Officers to make amendments to the Scheme for Establishment of Community Councils and Guidance for Community Councils.

A comment was made by a Member in relation to recommendation 2.1.4 of the report, regarding office bearers and difficulties with membership and encouraging members of public into community councils, the Member stated that they welcomed the removal of any barriers to the aforementioned issues.

The Cabinet

#### **Decided:**

- (1) to agree that officers carry out a consultation on proposed boundary changes between Crosshill, Straiton and Kirkmichael Community Council and Maybole Community Council Ward Areas;
- (2) to approve the removal of Community Council sub-ward membership allocations within Alloway, Doonfoot and St Leonards Community Council;
- (3) to approve the removal of Community Council sub-ward membership allocations for Belmont North and Belmont South within Belmont and Kincaidston Community Council; and
- (4) to approve changes to the Scheme for Establishment that did not currently permit office bearers to be directly related by birth, marriage, civil contract or co-habitation.

#### **15. Community Planning Update**

There was submitted a report (issued) of 12 June 2023 by the Director of Strategic Change and Communities seeking Cabinet endorsement for the Community Planning Partnership's agreed move to a locality-based model of collaboration and notes the alignment with other key Community Planning Partners.

The Cabinet

##### **Decided:**

- (1) to endorse the proposed approach to locality planning for South Ayrshire identified in paragraphs 4.3 to 4.6 of the report; and
- (2) to agree the development of a new local outcomes improvement plan by the Community Planning Partnership for approval in March 2024.

#### **16. Partnership Agreement - Voluntary Action South Ayrshire (VASA)**

There was submitted a report (issued) of 12 June 2023 by the Director of Strategic Change and Communities seeking approval of Cabinet allowing Officers to progress the proposed partnership agreement with VASA between 2023 – 2028.

The Cabinet

**Decided:** to approve the proposed partnership agreement between South Ayrshire Council and Voluntary Action South Ayrshire (VASA).

#### **17. Performance Management Framework 2023-28**

There was submitted a report (issued) of 13 June 2023 by the Director of Strategic Change and Communities seeking Cabinet approval for the updated Performance Management Framework 2023-2028.

The Cabinet

**Decided:** to approve the updated Performance Management Framework as set out in Appendix 1 of the report.



## 18. **External Event Funding**

There was submitted a report (issued) of 12 June 2023 by the Director of Strategic Change and Communities seeking Cabinet approval for the allocation of funding for a range of external events.

A number of comments were raised by Members expressing their delight around the 5-year event plan bringing positive impact and outcomes for local businesses and for Tourism across South Ayrshire.

A question was raised in relation to the addition of one off event requests to the established 5-year events plan. The Service Lead (Destination South Ayrshire) outlined that funding from the UK Shared Prosperity Fund was being explored as an option for funding bids over the next two years allowing funding bids for any new and up and coming events.

Having noted that within Appendix 1, the table entitled 'Proposed Event Funding', the Event titled Organist Entertains Concerts should be replaced to read 'Ayr Joint Concert Series', the Cabinet

**Decided:** to approve the allocation of funding for external events, as set out in Appendix 1 of the report.

## 19. **Housing Capital Programme 2022/23: Monitoring Report as at 31 March 2023**

There was submitted a report (issued) of 12 June 2023 by the Depute Chief Executive and Director of Housing, Operations and Development providing Cabinet with an update on the actual capital expenditure and income, together with progress made on the Housing Capital Programme projects as at 31 March 2023 (Period 12), and to agree the changes to budgets in 2022/23 and 2023/24.

Members made comments in relation to the number of rural housing projects and investment in rural areas outlined within the report and the good work being conducted in relation to upgrades across all of South Ayrshire.

The Cabinet

**Decided:**

- (1) to acknowledge the progress made on the delivery of the Housing Capital Programme to 31 March, resulting in spend of £28,315,057 or 102.89%, as detailed in Appendix 1 to the report;
- (2) to approve the adjustments contained in Appendix 2 to the report; and
- (3) to approve the revised budget for 2022/23 at £28,315,057 and 2023/24 at £75,519,402 as highlighted in Appendix 2 to the report.

## 20. **South Ayrshire Way Strategic Change Programme**

There was submitted a report (issued) of 12 June 2023 by the Director of Strategic Change and Communities seeking Cabinet approval on the revised scope of the South Ayrshire Way Strategic Change Programme and updated reporting schedule.

The Cabinet

**Decided:**

- (1) to note and agree the revised programme of projects in Appendix 1 to the report; and
- (2) to note and agree that further updates on the Programme would go to the Service and Partnerships Performance Panel.

**21. Equality Outcomes and Mainstreaming Report 2023**

There was submitted a report (issued) of 12 June 2023 by the Director of Strategic Change and Communities seeking Cabinet approval of the Equality Outcomes and Mainstreaming Progress Report 2023 (incorporating the Workforce Monitoring Report) and Shared Equality Outcomes 2021-2025 Mid-term Progress Report (2023).

A number of comments were made by Members in relation to recognising all of the positive work highlighted within the Report.

The Cabinet

**Decided:**

- (1) to approve the Draft Equality Outcomes and Mainstreaming Progress Report 2023 for South Ayrshire Council, Education Authority and Licensing Board (Appendix 1);
- (2) to approve South Ayrshire Council's Workforce Monitoring Report (detailed within the Draft Equality Outcomes and Mainstreaming Report – from page 45); and
- (3) to approve the Draft Shared Equality Outcomes (2021-2025) Mid-term Progress Report 2023 (Appendix 2).

**22. Exclusion of press and public.**

The Cabinet resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded during consideration of the remaining 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.

**23. Early Learning and Childcare Funded Provider Rates**

There was submitted a report (Members only) of 12 June 2023 by the Director of Education seeking approval and funding for an increase in the funded provider rates for academic session 2023-24.

The Cabinet

**Decided:**

- (1) to agree to an increase in the funded provider rates for children aged three to five from £5.76 per hour to £6.05 from August 2023; and

- (2) to agree to an increase in the provider rates for children aged two to three from £5.76 per hour to £6.33.

**24. Consideration of Disclosure of the above confidential report.**

The Cabinet

**Decided:** to authorise the disclosure under Standing Order 32.4 of the following report, after the expiry of the call-in period:-

- Early Learning and Childcare Funded Provider Rates

The meeting ended at 11:30 a.m.