

LEADERSHIP PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 24th November 2009 at 10.00 a.m.

Present: Councillors Hugh Hunter (Chair), Douglas Campbell, Peter Convery, Hywel Davies, Nan McFarlane, Bill McIntosh and Margaret Toner.

Attending: D. Anderson, Chief Executive; J.G. Peterkin, Depute Chief Executive and Executive Director – Development and Environment; E. Howat, Executive Director – Corporate Services; H. Garland, Executive Director – Children and Community; C. Monaghan, Head of Policy, Performance and Communication; D. Alexander, Head of Corporate Resources; A. Wilson, Head of HR and Organisational Development; B. McNroy, Head of Service and School Management; M. Williamson, Head of Curriculum and Service Improvement; R. MacDonald, Head of Community Development; K. Leinster; Head of Community Care and Housing; H. Carswell, Head of Children’s Services; J. McQuillan, Head of Property and Neighbourhood Services; D. Russell, Head of Legal and Administration; V. Andrews, Legal Manager; P. Linton, Performance and Change Management Manager; K. Dalrymple, Roads Manager; B. Wyllie, Supervisory Engineer – Traffic; A. Cooke, Senior Development Planner Case Officer; L. Cannon, Enterprise Manager; D. Thomson, Trading Standards and Environmental Health Manager; F. Taylor, Acting Quality Improvement Manager; W. Gray, Property and Design Manager; W. Phillips, Revenue and Benefits Manager; D. McNeill, Chief Treasury and Cash Officer; E. Monson, Neighbourhood Services Manager; D. Sherlock; Improvement Manager; A. Greenwood, Estates Manager; C. Downie, Public Communications Officer; D. Knight, Committee Services Officer; and A. Gerrish, Committee Administrative Officer.

Also Present: Phil Davey; Rev. David Gemmell, Mairi Raeburn and Pastor Alastair Simmons (in attendance for items 2 to 8 only).

Community Services – Housing and Customer First.**1. Rough Sleepers’ Initiative – Extension of contract with the Simon Community to allow for retendering of the project.**

There was submitted a report (issued) of 22nd October 2009 by the Executive Director – Children and Community

(1) advising

- (a) that the Scottish Executive’s Rough Sleepers’ Challenge funding had been granted to the three Ayrshire Councils to support a joint project aimed at reducing rough sleeping in Ayrshire, with the current value of the project being £316,126 per annum as administered by North Ayrshire Council;
- (b) that the Council’s former Social Justice Committee at its meeting on 14th September 2006 had given approval to enter into a contract with the Simon Community to provide an intensive support service for homeless people funded by Rough Sleeper Challenge Funding;

- (c) that a contract had been tendered by East Ayrshire Council, on behalf of the three Ayrshire Councils in 2006 for the provision of an intensive support service to people identified as being at risk of rough sleeping and that the contract had been awarded for a period of two years from November 2006, with the option of extending it for a further year; and
 - (d) that the service was now required to be retendered and an extension to the existing contract was required to allow the service to continue while a new tender was prepared and that it was expected that the new contract would be awarded around April 2010;
- (2) reporting, that there were no resource implications for South Ayrshire Council as the Rough Sleepers' Initiative Funding was paid to North Ayrshire Council who administered it on behalf of the three Ayrshire Councils and that ringfencing of this funding had been removed in 2008 and was now paid to North Ayrshire as part of their grant settlement and that within North Ayrshire's budget this money remained ringfenced against this pan-Ayrshire project and should the pan-Ayrshire project be terminated, North Ayrshire would retain the funds within their budget; and
 - (3) seeking approval of an interim extension of the current pan-Ayrshire contract with the Simon Community and to arrange to put the contract out to retender.

Decided: to agree

- (i) to an interim extension of the current pan-Ayrshire contract with the Simon Community; and
- (ii) to the service going out for retendering and that East Ayrshire Council would act as the tendering authority on behalf of the three Ayrshire Councils.

Community Services - Lifelong Learning.

2. HMIe School Inspection Reports (1st June – 30th October 2009).

There was submitted a report (issued) of 30th October 2009 by the Executive Director – Children and Community

- (1) outlining the results of HMIe school inspections which had been published between 1st June and 30th October 2009; and
- (2) advising that these inspection reports had been analysed at individual school level and used to inform schools' own improvement planning processes and that the information was also used to inform how Quality Improvement Officers could support and challenge individual schools.

Questions were raised by Members of the Panel in relation to resources for nursery and secondary schools and the steps being taken to improve the performance in secondary schools and the Head of Curriculum and Service Improvement responded accordingly.

Decided: to note the contents of the report.

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3. Review of Ayr Grammar Primary School.

Reference was made to the Minutes of 16th June 2009 (Page 331, paragraph 3) when that Panel had approved a proposal to enter into formal discussions with NHS Ayrshire and Arran on the former Seafield Hospital site and had requested the Executive Director of Children and Community to develop the proposal in detail and submit a report to a future meeting of this Panel for consideration and there was submitted a report (issued) of 10th November 2009 by the Executive Director – Children and Community

- (1) outlining the progress being made to relocate Ayr Grammar Primary School to the site of the former Seafield Hospital in Ayr; and
- (2) advising
 - (a) that a planning application from NHS Ayrshire and Arran to demolish the Mansion House had been rejected;
 - (b) that a feasibility study into the potential for building a new school incorporating aspects of the Mansion House had now been completed which indicated that a build of this nature would be prohibitively expensive and would also severely limit the options for locating a new school on the site;
 - (c) that Officers from Estates, Property and Design and Planning had met with representatives of NHS Ayrshire and Arran and also from Historic Scotland to discuss the options for the Seafield site and the position of the Mansion House;
 - (d) that Planning and Historic Scotland have advised the NHS that all options for preserving the Mansion House required to be exhausted before considering an application to demolish the building and that Historic Scotland were not keen to see the house demolished, but would like to see it redeveloped as flats or, in the worst case scenario, retaining the façade with the interior being redesigned as a school;
 - (e) that based on previous experience, the Planning Service have advised that the timescale for any decision on the demolition of the Mansion House by Historic Scotland would be likely to be taken within the next eighteen months to two years; and
 - (f) that progress with developing the option for relocating Ayr Grammar Primary School would be dependent on demolition of the Mansion House and that this was likely to be decided within a two year period and that Ayr Grammar Primary School would be recommended as a priority for South Ayrshire Council and would be subject to a future report regarding entry into the Capital Programme.

Questions were raised by Members of the Panel in relation to the discussions with Historic Scotland and the NHS Ayrshire and Arran, demolition consent and land exchanges and the relevant Officers responded accordingly.

Decided:

- (i) to note the progress to date in the negotiations on the Seafield site;
- (ii) to approve the continuing development of the Seafield site proposal with NHS Ayrshire and Arran and Historic Scotland; and
- (iii) to request that a further progress report be submitted to this Panel at its meeting on 9th March 2010.

4. Results of the Formal Consultation on the Proposed Amalgamation of Craigpark School, and Southpark School, Ayr.

Reference was made to the Minutes of 15th September 2009 (Page 497, paragraph 5) when that Panel had approved the formal consultation on the proposed amalgamation of Craigpark School and Southpark School, Ayr and there was submitted a report (issued) of 10th November 2009 by the Executive Director – Children and Community

- (1) outlining the results of the formal consultation process on the proposal to amalgamate Craigpark School and Southpark School, Ayr; and
- (2) seeking approval to amalgamate the schools from 7th January 2010 and rename the amalgamated school as Southcraig Campus.

Decided:

- (a) to note the outcome of the formal consultation process on the proposed amalgamation of Craigpark School and Southpark School, Ayr; and
- (b) to approve the proposal to amalgamate both schools from 7th January 2010 and rename the amalgamated school as Southcraig Campus.

5. Results of the Formal Consultation on the proposed closure of Whitletts Primary School, Ayr.

Reference was made to the Minutes of 15th September 2009 (Page 498, paragraph 6) when that Panel had approved the proposed closure of Whitletts Primary School and there was submitted a report (issued) of 10th November 2009 by the Executive Director – Children and Community

- (1) outlining the results of the formal consultation process on the proposal closure of Whitletts Primary School, Ayr; and
- (2) seeking approval
 - (a) to formally close Whitletts Primary School at the end of June 2010; and
 - (b) to transfer all pupils currently registered and enrolled in Whitletts Primary School to Braehead Primary School.

Questions were raised by Members of the Panel in relation to transport and transition arrangements, staffing implications and the timescales for the demolition of the school and relevant officers responded accordingly.

Decided:

- (i) to note the outcome of the formal consultation process on the proposed closure of Whitletts Primary School, Ayr; and
- (ii) to approve
 - (A) the closure of Whitletts Primary School at the end of June 2010;
 - (B) the transfer of all pupils currently registered and enrolled in Whitletts Primary School to Braehead Primary School;
 - (C) the primary/secondary transfer arrangements as outlined in the report;
 - (D) the provision of free school transport to Braehead Primary School, for three years, for those pupils who resided in the Whitletts catchment area and who attend the school; and
 - (E) the demolition of the Whitletts Primary School buildings to be progressed as soon as possible after the closure.

6. School Investment Programme – Ayr Academy.

Reference was made to the Minutes of the Leadership Panel of 16th June 2009 (Page 331, paragraph 3) when that Panel had approved a fundamental review of the school estate including a proposal to review Ayr Academy in the context of secondary schooling in Ayr with a view to exploring options for alternative provision and there was submitted a report (issued) of 10th November 2009 by the Executive Director – Children and Community

- (1) advising
 - (a) that on 28th September 2009, the Cabinet Secretary for Education and Lifelong Learning had announced details of the secondary schools to benefit from the Schools Investment Programme and that Ayr Academy had been included on the list for the first phase of funding;
 - (b) that the offer of funding from the Scottish Government to the Council would be allocated on the principle of two thirds funding of the replacement costs of Ayr Academy on a like-for-like basis;
 - (c) that the Scottish Futures Trust (SFT) had been appointed to manage, co-ordinate and drive forward the Schools Investment Programme in the most efficient and effective way with a focus on working with local authorities to achieve improved value for money;

- (d) that the funding profile for the first phase of secondary schools allowed for construction dates from 2011 to 2014 and that the SFT would work with Council staff to establish readiness and develop a coherent delivery programme for the Schools Investment Programme;
 - (e) that significant expenditure would be required on the present Ayr Academy building in 2014 to address the condition and suitability issues; and
 - (f) that Officers in Property and Design in conjunction with officers from Planning and Children and Community had carried out an options appraisal on the available sites for a new secondary school in Ayr and that the results were summarised in Appendix 1 of the report; and
- (2) reporting
- (a) that the financial implications of this report should be considered as part of the Council's wider Asset Management Strategy, however, there would be significant capital implications relating to the two thirds/one third funding arrangement with Scottish Government; and
 - (b) that it was anticipated that funding from developers' contributions towards to the cost of education and capital receipts for the present Ayr Academy site would be available to assist with the Council's capital contribution.

Decided:

- (i) to note the outcome of the option study on available sites; and
- (ii) to request the Executive Director - Children and Community
 - (A) to carry out a formal consultation with the community on the two options identified for the location of a new Ayr Academy school building; and
 - (B) to establish a cross-directorate project group to manage the options appraisal process on the two sites identified in the report being Craigie Park, Whitletts Road and the former Craigie Pitch and Putt, with initial emphasis being placed on the Craigie Pitch and Putt site and discussions being undertaken with representatives from the University of the West of Scotland to consider the possibility of joint development and planning processes being progressed, and to report his findings and submit a detailed feasibility study to a future Leadership Panel meeting.

7. Youth Music Initiative – Year 7.

There was submitted a report (issued) of 6th October 2009 by the Executive Director – Children and Community

(1) advising

- (a) that this was the seventh year in which South Ayrshire Council had received funding from the Scottish Arts Council to address the Scottish Government's target that all pupils should receive a year's music instruction by the end of Primary 6;
- (b) that the proposal for Year 7 was to build on the existing good practice of the last 6 years of the Youth Music programme through the provision of:-
 - percussion in Girvan and Carrick Clusters;
 - sing-along in the Prestwick, Belmont, Queen Margaret, Marr and Ayr Clusters;
 - instrumental instruction in brass and lower strings in the Belmont, Kyle and Queen Margaret Clusters; and
 - music therapy for pupils with additional support needs ensuring that all pupils were able to access music provision;
- (c) that in addition, a new project for 2009 would be the South Ayrshire Rock and Pop Collective and that this initiative would give young people a chance to attend weekly workshops and tutorials on song writing and music management;
- (d) that the target, to ensure all children a year of instruction in music by Primary 6, would be achieved by delivery of music by either a combination of existing instrumental Staff and Primary Music Specialists funded by the Authority and the provision made available through the Youth Music Initiative; and
- (e) that all delivery would be framed within 5-14 Curriculum Guidelines and Curriculum for Excellence; and

(2) reporting that the ringfenced funding would be allocated from June 2009 to June 2010.

Questions were raised by a Member of the Panel in relation to extending the provision of percussion and singing to all clusters, and the Acting Quality Improvement Manager responded accordingly and advised that she would explore these issues further with the Head Teachers.

Decided: to approve the use of this ring-fenced budget for Youth Music in South Ayrshire.

8. School Building Programme: Announcement of the first phase of primary schools.

There was submitted a report (issued) of 10th November 2009 by the Executive Director – Children and Community

- (1) advising
 - (a) that the Scottish Government had announced the first phase of 14 secondary schools for the Schools Building Programme on 28th September 2009 and that Ayr Academy had been identified as one of the secondary schools for replacement;
 - (b) that on 8th October 2009, the Scottish Government and COSLA had written to Councils with an invitation to identify the level of need and to select two primary schools for consideration within the first phase of the primary schools programme with a response being required by 23rd October 2009; and
 - (c) that the offer of Government funding was for 50% of the cost of construction of a primary school (whether new build or refurbishment) and that the funding would be phased over the financial years 2010/11 to 2013/14 and that the offer would extend to an upgrading on a like-for-like basis;
- (2) outlining the criteria to be used in identifying the first primary schools;
- (3) intimating that authorities had been invited to submit a pen portrait for Tarbolton Primary School and Sacred Heart Primary School and Invergarven School being proposed in order to assist with the selection process; and
- (4) reporting that if the Council was successful in securing funding for either one or two of the primary schools identified, there would be significant capital implications relating to the 50% funding arrangement with Scottish Government.

Decided:

- (i) to endorse the selection of Tarbolton Primary School (Priority 1) and Sacred Heart Primary School/Invergarven School (Priority 2) as the preferred options; and
- (ii) to endorse the attached pen portrait return to the Scottish Government.

Community Services – Social Services.

9. Consultation on the Locations and Modernisation of Residential Child Care Estate.

There was submitted a report (issued) of 6th November 2009 by the Executive Director – Children and Community

- (1) advising
 - (a) that South Ayrshire Council currently had two residential child care units, the main unit, located in Woodhead Road in Coylton, having capacity for eleven young people, with a two-bed satellite unit located at Glenriddel Road in Ayr;
 - (b) that neither of these units were purpose built and both required significant upgrading to ensure that they were able to meet the needs of Looked After and Accommodated Young People;
 - (c) that the Council had recognised that the in-house provision of residential child care was insufficient to meet the statutory requirement to provide for Looked After and Accommodated Children and that this had resulted in an over reliance on external placements, at a significant cost to the Council; and
 - (d) that an improvement plan to develop the in-house service, had agreed a planned expansion of an additional 18 places, achieved by opening another three 6 bed units;
- (2) intimating that a site in Maybole and a site in Ayr had been identified as preferred locations to take forward for public consultation;
- (3) indicating that the Council's Property and Design Service had recommended to the Executive Director – Children and Community that consideration should be given to the current suitability of the existing unit at Woodhead Road in Coylton as this had significant suitability issues which would require to be addressed and might have potential implications for the third unit;
- (4) highlighting
 - (a) that there was a need to progress with the expansion of capacity, given the demand for the service, however, it was vital to ensure that any development would remain fit for purpose over the years and deliver improved outcomes for Looked After and Accommodated Children and Young People and would be in line with the Councils Corporate Parenting responsibilities, statutory responsibilities and service aims;
 - (b) that Who Cares? (Scotland) had been involved in facilitating consultation with young people and that this process would endure for the duration of the development; and
 - (c) that further consultation with partner agencies would be progressed and that consultation with local communities would be vital to successfully progressing these plans and approval was being sought to engage with relevant communities and community groups as the next step in this process; and

(5) reporting

- (a) that approval for capital costs, based on £450,000 per new unit had been included within agreed budgets, however, this figure was indicative at this time and was dependent on completion of both the design and tendering processes and any adjustment required to capital expenditure already approved would be addressed through Capital Programme planning and reporting mechanisms;
- (b) that revenue costs for the new units had been approved as part of the 2009/10 budget process and that part year costs had been awarded on the assumption that two of the three 6 bedded units would incur part year costs in 2009/10 and that it was now clear that there would be no revenue costs incurred in 2009/10 and the Children and Community budget monitoring report would report this as a projected underspend; and
- (c) that revenue costs for 2010/11 were being considered and any increase (dependent on the dates the units become operational) would be awarded on a part year basis.

Decided: to approve consultation with community groups and communities on potential locations of new residential units.

10. **Variation in Order of Business.**

In terms of Council Standing Order No. 10, the Panel agreed to vary the order of business as hereinafter minuted.

11. **Disability Equality Scheme - Annual Progress Report 2009.**

Reference was made to the Minutes of the Policy and Resources Committee of 24th November 2006 (Page 634, paragraph 1) when that Committee, had approved the Council's Disability Equality Scheme, covering the period December 2006 to December 2009; there was submitted a report (issued) of 3rd November 2009 by the Head of Policy, Performance and Communication outlining the progress achieved over the last twelve months against the Council's Disability Equality Scheme.

Decided:

- (1) to review the progress achieved to date as outlined in the Disability Equality Scheme Annual Progress Report; and
- (2) to agree to its publication by 4th December 2009 as required by the Equality and Human Rights Commission.

Development and the Environment - Economic Development, Tourism and Leisure.

12. Draft Ayr Central Conservation Area Management Plan.

Reference was made to the Minutes of 15th September 2009 (Page 509, paragraph 19) when it had been decided that following the consultation period, the finalised Ayr Central Conservation Area Management Plan would be submitted to this meeting for its consideration and there was submitted a report (issued) of 29th October 2009 by the Depute Chief Executive and Executive Director – Development and Environment

- (1) outlining the results of the consultation on the Ayr Central Conservation Area Management Plan; and
- (2) intimating that formal adoption of the Management Plan was a requirement of the Heritage Lottery Fund grant and also represented good practice in historic environment conservation and would contribute positively to the ongoing efforts to regenerate Ayr Town Centre.

Decided: to approve the formal adoption of the Ayr Central Conservation Area Management Plan; and noted the measures set out therein.

13. Ayr Town Centre Voucher Parking.

There was submitted a report (issued) of 16th November 2009 by the Depute Chief Executive and Executive Director – Development and Environment

- (1) advising that this Council had previously entered into a contract with Langdale Systems Ltd. (now known as Imperial Civil Enforcement Solutions) to manage and maintain a voucher parking scheme in Ayr Town Centre;
- (2) informing that the contract was for a period of two years with an option to extend and that the original contract had expired on 31st August 2007 and had been extended until 31st August 2009;
- (3) intimating that this Panel on 18th August 2009 had given approval to develop a Parking Charter and assess the viability of Decriminalised Parking Enforcement (DPE) in South Ayrshire and that the Roads Service would be carrying out a review of parking generally, including an investigation into the feasibility of introducing decriminalised parking and alternative methods of collecting parking revenue; and
- (4) requesting a further extension of the existing Ayr Town Central Voucher Parking contract with Imperial Civic Enforcement Solutions.

Questions were raised by Members of the Panel in relation to a review of parking being undertaken by this Council and exploring the parking schemes in other Council areas and the Roads Manager responded accordingly.

Decided: to approve the extension of Ayr Town Centre Voucher Parking Contract with Imperial Civil Enforcement Solutions, Bristol until 31st December 2010.

14. Disabled Persons' Parking Places (Scotland) Act 2009.

Reference was made to the Minutes of Regulatory Panel of 29th October 2009 (Page 584, paragraph 3) when it had been decided:-

- (1) to instruct the Depute Chief Executive and Executive Director - Development and Environment to arrange for the implementation of the Act; and
- (2) to remit the report to the Leadership Panel to consider the financial implications that would be involved in its implementation,

and there was submitted a report (issued) of 16th November 2009 by the Depute Chief Executive and Executive Director – Development and Environment

- (a) advising of the Council's new duties in relation to the Disabled Persons' Parking Places (Scotland) Act 2009 and the resources required to meet these duties;
- (b) indicating that the Scottish Government had accepted the Scotland-wide cost to local authorities of implementing the Disabled Persons' Parking Places (Scotland) Act 2009 as being £1.7m but, to date, no specific additional funding was being made available to local authorities to implement this Act;
- (c) reporting that preliminary estimated costs to implement this Act would be £208,650 and that estimated ongoing annual costs for promoting and amending TROs would be £28,750; and
- (d) concluding
 - (i) that it was intended that any additional cost of enforcing off-street parking spaces should be met from any parking fine income generated;
 - (ii) that enforcement of on-street disabled bays currently lay with the Police but If parking enforcement was decriminalised, further resources would be required for the Council to enforce on-street disabled bays, although this could be offset by fine income; and
 - (iii) that at present, no new additional recourses had been identified to provide on-street disabled bays but an allocation of £25,000 per annum from the existing Revenue Budget would allow the Act to be implemented over an eight year period and that this would delay the implementation of other areas of works and service delivery.

Questions were raised by Members of the Panel in relation to the criteria applied to the issue of disabled persons' parking badges, the costs involved for providing disabled parking bays and the timescales for implementing the Act and the Supervisory Engineer – Traffic responded accordingly.

Decided:

- (A) to note the contents of the report; and
- (B) to ratify the Regulatory Panel's decision to proceed with the implementation of the Act and to note the future costs involved with its implementation and that these costs would be the subject of a resource demand through the 2010/11 budget process.

Corporate and Community Planning - Corporate, Strategic and Community Planning.

15. Surveillance and Other Covert Activities carried out by South Ayrshire Council Services.

There was submitted a report (issued) of 11th November 2009 by Depute Chief Executive and Executive Director – Development and Environment

- (1) advising of arrangements that were in place to authorise and control the use of covert techniques by Council Services to ensure compliance with the requirements of the Human Rights Act; and
- (2) seeking the endorsement of the Council's revised policies and procedures which have been placed in the Members' Library and Group Rooms.

A question was raised by a Member of the Panel in relation to whether surveillance was used to identify people dropping litter and the Trading Standards and Environmental Health Manager responded accordingly.

Decided:

- (a) to endorse the revised Council Policies and Procedures on the Use of Covert Human Intelligence Sources and the Use of Surveillance; and
- (b) to request that the Trading Standards and Environmental Health Manager ascertain the extent of interest by Elected Members in attending a Members Training Session on this matter and arrange accordingly.

16. Improvement Agenda : Second Progress Report.

Reference was made to the Minutes of South Ayrshire Council of 9th July 2009 (Page 396, paragraph 5) and there was submitted a report (issued) of November 2009 by the Head of Policy, Performance and Communication

- (1) advising that the first progress report had been submitted to the Leadership Panel on 15th September 2009 and as well as agreeing the status of the projects at that point, a traffic light system for reporting progress had been agreed as follows:-

Green: good progress being made and in line with delivery timescale set out in the Improvement Agenda with no significant issues or risks emerging;

Amber: some element of delivery as set out in the Improvement Agenda proving difficult or a new issue or risk having emerged which might impede delivery or which should otherwise be highlighted; and

Red: delivery against a timescale in the Improvement Agenda was unlikely to be met and/or a significant new issue or risk having emerged which required to be addressed;

- (2) indicating that the first progress report had included a recommendation that reports should be automatically remitted for consideration to the Corporate and Community Planning Standing Scrutiny Panel and that the Scrutiny Panel had agreed at their subsequent meeting that as well as considering the progress reports, they wished to give detailed consideration to individual improvement strands beginning with improvement strand 11, communication and engagement and with a programme worked up thereafter;
- (3) outlining a summary statement and the traffic light status for each improvement strand as at mid-November with more detailed information on each strand being attached at Annex A;
- (4) highlighting that overall, good progress had been made across all improvement strands and that two improvement strands had been graded as amber:-
- the finance strand because of the uncertainty over future budgets for 2011/11 and beyond; and
 - core ICT systems as further work was required to firm up the timeline for this strand; and
- (5) intimating that in addition to progressing the individual improvement strands, detailed consideration was now being given to:-
- preparing for the follow-through Best Value visit in Spring 2010 and that a draft submission would be considered by Council on 4th March 2010;
 - maximising the input of the Improvement Agenda's critical friends (Peter Wilson, the former chief constable of Fife Constabulary, and Michael Burke, a Director with Learning Unlimited); and

- ensuring that there was cohesion between the corporate Improvement Agenda and other improvement work ongoing within the Council such action plans arising out of inspections.

Decided:

- (a) to consider the status of each improvement strand and the detailed information provided; and
- (b) to note that two improvement strands had been graded as 'amber'.

Corporate and Community Planning - Resources and Performance.

17. Council Tax Collection Statistics – Cash at 31st October 2009.

There was submitted a report (issued) of 13th November 2009 by the Head of Corporate Resources advising

- (1) of the collection levels which had been achieved in respect of Council Tax to 31st October 2009 and the action which had been taken to achieve Best Value in the collection thereof;
- (2) that the collection rate had been 56.82 per cent against the target collection of 56.91 per cent which equated to a negative variation of £58,082, as detailed in Appendix 1 of the report; and
- (3) that in order to address increased customer demand due to the economic recession, Corporate Services staff were working controlled periods of overtime to ensure accurate benefit awards together with the prompt rebilling and recovery of Council Tax and that, in the event of non-payment, Council Tax arrears were now being passed earlier to Stirling Park Sheriff Officers to maximise recovery and minimise the impact of the economic downturn upon collections.

Decided:

- (a) to approve the contents of the report; and
- (b) to request the Head of Corporate Resources to provide updated figures to the next meeting of this Panel.

18. Housing and Council Tax Benefit – Performance Monitoring – Position at 30th September 2009.

There was submitted a report (issued) of 13th November 2009 by the Head of Corporate Resources

- (1) advising of the service improvements being undertaken to help achieve the full range of national housing and Council Tax benefit performance standards;
- (2) detailing the position as at 30th September 2009 which highlighted the benefits service performance in key target areas;
- (3) informing
 - (a) that due to the economic recession, the Council's benefits service had experienced a 22 per cent increase in new benefit claims between April and September 2009 compared with the corresponding period for 2008;
 - (b) that the benefit caseload had increased by 13 per cent, with Housing and Council Tax benefit expenditure increasing simultaneously by 14 per cent;
 - (c) that the number of benefit recipients in employment had increased by 14 per cent since August 2008 whilst the number of Jobseeker allowance claimants (available for work but receiving benefit) had increased by 16 per cent since August 2009;
 - (d) that workloads remained particularly challenging, and additional benefit administration subsidy awarded by the Department for Work and Pensions to provide effective benefit support services for the unemployed had been utilised to procure technology to support the administration of housing and Council tax benefit, together with controlled periods of overtime to aid claim processing;
 - (e) that due to the continuing impact of the recession, it was increasingly difficult for Revenues and Benefits staff to meet the higher levels of customer demand currently being experienced, and therefore further approval was sought to close the Revenues and Benefits service to all public enquiries until 10.00 a.m. each morning with effect from Tuesday, 5th January 2010 and that this was in addition to the full day Wednesday closure, and would provide staff greater scope to process/ conclude work to reduce the incidence of consequential enquiries;
 - (f) that should approval be received for these revised opening hours, a publicity campaign would be conducted during December 2009 to advise the general public, and that all external stakeholders of the Revenues and Benefits service would also be formally notified of the new arrangements; and
 - (g) that the Revenues and Benefits office opening hours would be further reviewed once the Council's Corporate Contact Centre and Service Centres were fully operational and were able to support the work currently undertaken in this service area; and
- (4) reporting that it was proposed to contain the cost of service improvements within existing budget provision.

Questions were raised by Members of the Panel in relation to the staffing implications and the Contact Centre and the Revenue and Benefits Manager responded accordingly.

Decided:

- (i) to approve the contents of this report;
- (ii) to approve the revised office opening hours for Revenue and Benefits; and
- (iii) to request the Head of Corporate Services to provide a further quarterly report on service delivery to a future meeting of this Panel.

19. Treasury Management Quarter 2 Report 2009/10.

There was submitted a report (issued) of 13th November 2009 by Head of Corporate Resources

- (1) advising
 - (a) that the Chartered Institute of Public Finance and Accountancy (CIPFA) had issued an interim Treasury Management guidance document in March 2009, highlighting Best Practice recommendations for local authorities and suggesting that Elected Members should be informed of Treasury Management activities at least twice per year, but preferably quarterly; and
 - (b) that it was expected that CIPFA would issue an updated Treasury Management Code of Practice prior to the end of the current financial year 2009/10 and that this report would ensure that the Council was embracing the Best Practice recommendations made by CIPFA in the interim;
- (2) highlighting
 - (a) an update of the economic background from 1st July to 30th September 2009; and
 - (b) a forecast for interest rates; and
- (3) outlining the following within the Treasury Management Strategy
 - (a) investments; and
 - (b) borrowing and prudential indicators.

Questions were raised by Members of the Panel in relation to the cost of carry and the present situation with the Icelandic Banks and the relevant officers responded accordingly.

Decided: to approve the contents of the Treasury Management Quarter 2 Report for 2009/10.

20. The Local Government Pensions Scheme (Scotland) Regulations 2008.

There was submitted a report (issued) of 13th November 2009 by the Head of HR and Organisational Development

- (1) advising
 - (a) that the Council, as an employer whose employees were eligible to join the Local Government Pension Scheme (LGPS), was required to publish its policy on the discretions available and that as a result of the introduction of the new Local Government Pension Scheme Regulations, a review of the current policy and application of discretions was appropriate; and
 - (b) that in addition to taking steps to formally publish an updated Council policy on discretions, the opportunity had been taken to bring together the various options for retirement under one coherent framework and that the Appendix of the report set out the current arrangements for retirement for those employees covered by the Local Government Pension Scheme and was supported by operational procedures at a local level; and
- (2) reporting that all costs associated with the discretions should be justified in terms of best value and to the Council and were subject to approval by the Chief Executive in conjunction with the Executive Director - Corporate Services in line with the Scheme of Delegation.

Decided: to approve the published discretions in line with the Local Government Pensions Scheme (Scotland) Regulations 2008 as detailed in the Appendix of the report.

21. Managing Workforce Change.

There was submitted a report (issued) of 13th November 2009 by the Head of HR and Organisational Development advising

- (1) that as part of the workforce strategy, the current managing change policy required to be reviewed and that over the course of recent years, the policy had been adapted, reviewed supplemented to support the Council through major structure and organisational changes;
- (2) that fundamentally, the approach to managing workforce change had to be structured in a way that reflected best HR and employment legislation and practice, provided flexibility while ensuring consistency and ultimately supports the workforce in the delivery of services; and
- (3) that in consultation and agreement with Trade Unions, the policy had been reviewed and that the proposals for managing future workforce change were set out in the Appendix of the report which set out a clearly focused, consistent and unambiguous approach to positively supporting employees and the organisation through change.

Decided: to approve the revised policy on managing workforce change as detailed in the Appendix of the report.

22. National Contractual Arrangements for Natural Gas.

There was submitted a report (issued) of 13th November 2009 by the Executive Director – Corporate Services

- (1) advising
 - (a) that the McClelland review of Public Sector Procurement had been published in spring 2006, and had been widely welcomed by Ministers, the various stakeholders in Scottish Public life and many private sector interests and that this review had recommended the development of national contracts for category A commodities (category A commodities being goods or services that were standard or of a similar nature across the public sector);
 - (b) that Procurement Scotland had been launched in March 2008 with a remit of developing and implementing procurement strategies for national category A commodities on behalf of all Scottish public bodies; and
 - (c) that the Council already had an agency agreement with Procurement Scotland for the purchase of electricity and that arrangements were now being put in place for a national contract for the procurement of natural gas which would allow Procurement Scotland to purchase natural gas on behalf of Councils;
- (2) indicating that it was intended that Procurement Scotland would act for and on behalf of public bodies through an addendum to the agency agreement for electricity with authorities being asked to commit to this addendum;
- (3) outlining the key aspects of the strategic sourcing plan, which harnessed the combined purchasing power of Scottish public bodies to realise significant financial, environment and service benefits and the benefits of collaboration expected to accrue were outlined in Appendix 1 of the report;
- (4) indicating that South Ayrshire Council was committed to a contract with Scotland Excel for the procurement of energy until 31st March 2010, and would therefore procure through the national contracts with effect from 1st April 2010; and
- (5) reporting that the resource implications could not be quantified at this stage and that greater certainty over pricing would be available as energy would be purchased in tranches prior to the period of consumption.

Decided: to authorise the Executive Director – Corporate Services to sign, on behalf of South Ayrshire Council, an addendum to the agency agreement with Procurement Scotland for electricity, to include the supply of natural gas.

23. General Services Capital Programme – Extension and Refurbishment of Forehill Primary School.

There was submitted a report (issued) of 11th November 2009 by the Depute Chief Executive and Executive Director – Development and Environment

- (1) advising
 - (a) that as part of the Council's General Services Capital Programme for 2010/11, it was intended to carry out the final phase of refurbishment and extension to Forehill Primary School, including a proposal to relocate a public library to the School;
 - (b) that Phase 1 of the works comprising the extension and refurbishment of the Junior School would be completed by December, 2009 and that Phase 2 would start on site in the same month and was due for completion in the spring of 2010, with the final phase starting immediately after;
 - (c) that architectural services for Phases 1 and 2 of the project have been provided by ARPL (Trading as ARP Lorimer during Phase 1) with the appointment for Phase 2 being subject to competitive tender; and
 - (d) that it would be highly desirable, to ensure continuity of design detail and finish throughout all of the phases of the project, if the same architectural practice could be employed on the final phase;
- (2) seeking approval in accordance with the provisions of Section 16(3) of the Council's Standing Orders Relating to Contracts, to negotiate with such an architectural practice for professional services in connection with the final phase of the refurbishment of Forehill Primary School in Ayr; and
- (3) reporting that the Council had approved funding of £1,200,000 in 2010/11 for this project and that the draft Five Year Capital Plan had included further funding of £1,000,000 in 2011/12 to complete the work with the cost of the professional fees for the architectural services being funded from these amounts.

Decided: to agree that the Executive Director - Development and Environment be authorised to enter into negotiations with Messrs. ARPL of Ayr to extend their existing contract for the provision of architectural design services for the refurbishment project at Forehill Primary School to include the final phase of the work and that a contract be awarded for the work if Best Value for the Council could be demonstrated in terms of both price and quality.

24. Exclusion of press and public.

The Panel resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded during consideration of items 25 to 28 of business on the agenda, on the grounds that they involved the likely disclosure of exempt information in terms of paragraphs 6, 9, 10 and 12 of Part 1 of Schedule 7A of the Act.

25. Education 4 Ayrshire Limited – v- South Ayrshire Council – Commercial Action in the Court of Session.

There was submitted a report (issued to members only) of 13th November 2009 by the Executive Director – Corporate Services updating the Panel on the current position with the Court of Session action raised by Education 4 Ayrshire Limited against the Council.

Questions were raised by Members of the Panel in relation to further appeals and the costs involved and the relevant Officers responded accordingly.

Decided: to approve the ongoing action required in order to protect the Council's position, including, if necessary, the defence of any appeal proceedings, in consultation with Messrs. Burness and Counsel.

C-I

26. Proposed Grant of an Option to purchase land at Cockhill Farm, Ayr.

There was submitted an amended report (issued to members only) of 6th November 2009 by the Depute Chief Executive and Executive Director – Development and Environment seeking approval for the negotiation and agreement of beneficial and appropriate terms and conditions of an “Option to Purchase” the land and buildings of Cockhill Farm in favour of John Lynch (Developments) Limited and Cala Management Limited as detailed in the report and extending to 121.16 acres (49.03 hectares) or thereby as identified on the plan.

Decided: to approve the grant of an Option to Purchase the lands and buildings of Cockhill Farm, Ayr in favour of John Lynch (Developments) Limited and Cala Management Limited (and/or such other companies as shall constitute the SE Ayr Consortium) on terms and conditions acceptable to the Depute Chief Executive and Executive Director - Development and Environment.

Development and the Environment - Sustainability and the Environment.

27. Review of Grounds Maintenance Service - Final Report.

Reference was made to the Minutes of the Development and Environment Standing Scrutiny Panel of 3rd November 2009 (Page 594, paragraph 6) when that Panel had agreed

- (1) the review conclusions and the recommendation that the Hybrid option as set out in the report be adopted as the preferred service delivery model; and
- (2) that the findings of the Grounds Maintenance Service Review be presented to a future meeting of the Leadership Panel seeking approval for the review recommendations and the implementation of the review Action Plan,

and there was submitted a report (issued to members only) of 6th November 2009 by the Depute Chief Executive and Executive Director – Development and Environment outlining the findings of the Review of the Grounds Maintenance Services.

Decided:

- (a) to record the Panel's appreciation of the work undertaken by the Grounds Maintenance Review Team, and the members of the Development and Environmental Scrutiny Panel; and
- (b) to agree that Officers would, in conjunction with the relevant Portfolio-holders prepare a final implementation report on the Review of Grounds Maintenance to be submitted to this Panel at its meeting on 9th March 2010.

Development and the Environment - Sustainability and the Environment.**28. Troon Municipal Clubhouse.**

There was submitted a joint report (issued to members only) of 12th November 2009 by the Depute Chief Executive and Executive Director – Development and Environment and the Executive Director – Children and Community seeking approval to initiate a tendering exercise for the redevelopment of Troon Municipal Clubhouse.

Decided:

- (1) to agree to initiate a tendering exercise for the redevelopment of Troon Municipal Clubhouse including on-going maintenance of the building and the services contract for restaurant and bar provision; and
- (2) to note that the Executive Director - Children and Community would submit a report to a future meeting of the Leadership Panel on the outcome of the tendering exercise.

The meeting ended at 11.45 a.m.