

**SOUTH AYRSHIRE COUNCIL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 30th June 2011 at 10.00 a.m.

Present: Councillors Winifred Sloan (Provost), John Allan, Eddie Bulik, Andy Campbell, Douglas Campbell, Ian Cavana, Brian Connolly, Peter Convery, Hywel Davies, Ian Douglas, Stan Fisher, Ian Fitzsimmons, Ann Galbraith, Sandra Goldie, Bill Grant, John Hampton, Hugh Hunter, Mary Kilpatrick, Elaine Little, Mairi Low, John McDowall, Nan McFarlane, Bill McIntosh, Helen Moonie, Alec Oattes, Mike Peddie, Robin Reid, Philip Saxton, Tom Slider and Margaret Toner.

Attending: D. Anderson, Chief Executive; E. Howat, Executive Director – Corporate Services; H. Garland, Executive Director – Children and Community; L. Bloomer; Executive Director – Development and Environment; V. Andrews, Head of Legal and Administration; C. Monaghan, Head of Policy, Performance and Communication; K. Leinster, Head of Community Care and Housing; J. McQuillan, Head of Property and Neighbourhood Services; A. Wilson, Head of HR and Organisational Development; R. Kingisepp, Office Manager, Property and Asset Management; D. Sherlock, Improvement Manager; C. Downie, Public Communications Officer; and J. McClure, Committee Administrative Officer.

Also Attending: Peter Tait, Assistant Director Audit (Local Government); and Asif Haseeb, Senior Audit Manager.

1. **Provost.**

The Provost

- (1) welcomed Elected Members to the meeting; and
- (2) advised that she had written, on the Council's behalf, to Iain Henry Miller of Ayr who had been the recipient of an OBE in the Queen's Birthday Honours List, to express the Council's warmest congratulations.

2. **Sederunt.**

The Chief Executive called the Sederunt for the meeting.

3. **Minutes of previous Council meetings.**

The Minutes of 18th May and 21st June 2011 (Special) were submitted and authorised to be signed as correct records of these meetings.

#### **4. Minutes of previous meetings of Panels.**

The Minutes of the undernoted Panels (issued) were submitted and approved as a correct record of these meetings:-

- (1) Leadership Panel of 17th May and 14th June and (Special) of 28th June 2011.

The Provost advised that the item on Former School, St. Quivox, Ayr which had been continued from the Leadership Panel (Special) of 28th June 2011 for ultimate determination by the Council would be considered at the end of this meeting in private.

- (2) Appeals Panel of 10th May and 2nd June 2011.
- (3) Local Review Body of 10th May and 24th May 2011.
- (4) Regulatory Panel of 13th May (Site Visit), 19th May, 14th June (Site Visit), 16th June and 21st June (Special) 2011.
- (5) Development and Environment Standing Scrutiny Panel of 24th May and 21st June 2011.
- (6) Community Services Standing Scrutiny Panel of 25th May and 22nd June 2011.
- (7) Corporate and Community Planning Standing Scrutiny Panel of 26th May and 23rd June 2011.
- (8) General Purposes Panel of 1st June 2011.

The Council noted that the Minutes of the Scrutiny and Governance Management Panel of 28th June 2011 would be submitted to the next meeting of the Council on 6th October 2011.

#### **5. South Ayrshire Council Update.**

There was submitted a report (issued) of 20th June 2011 by the Chief Executive

- (1) updating the Council on the publication by Audit Scotland of the Assurance and Improvement Plan for South Ayrshire and on the Council's progress with its improvement work; and
- (2) advising that the report also included updates on progress with respect to three corporate projects, namely the re-opening of the Gaiety Theatre, South Carrick Regeneration Programme and Ayr Renaissance.

Having heard P. Tait, Assistant Director Audit congratulate the Council on its achievements in terms of the progress made, a full discussion took place regarding the challenges which had been and continued to be faced in the difficult financial environment. A question was then asked by a Member of the Council regarding the greatest risk faced by Scottish Local Authorities and P. Tait responded accordingly.

**Decided:**

- (a) to note the Assurance and Improvement Plan published by Audit Scotland;
- (b) to note the progress update on improvement work;
- (c) to agree that quarterly updates on improvement work would be provided from this point; and
- (d) to note the progress updates on the Gaiety Theatre, the South Carrick Regeneration Project and Ayr Renaissance.

**6. Social Work Standby Services.**

There was submitted a report (issued) of 15th June 2011 by the Executive Director – Children and Community

- (1) advising
  - (a) of the work that had been undertaken between all three Ayrshire Councils to review the effectiveness of the existing Social Work Standby Service and to develop a Pan-Ayrshire Out of Hours Service;
  - (b) that the current financial contributions of the three Councils are as follows:-
    - South Ayrshire £120,428;
    - East Ayrshire £227,160; and
    - North Ayrshire £248,656; and
  - (c) that initial discussions with the NHS were encouraging and that a combined three Ayrshire Councils and NHS out of hours service would have a number of advantages:-
    - a combined contact centre for the citizens of Ayrshire;
    - a single point of contact for other emergency agencies; and
    - a possibility of better aligned responses between the Councils and the NHS, for example, around home care support for those at risk of emergency admission to hospital or care homes; and
- (2) proposing the appointment of a Project Manager to manage and support the implementation of the Pan-Ayrshire out of hours service for a period of one year, at a cost of £59,565. With this Council's share being £19,855 to be met from within the existing budget.

A question was raised by a Member of the Council in relation to whether this approach would reduce demand on service and the Head of Community Care and Housing responded accordingly.

**Decided:**

- (i) to agree to support this Council's withdrawal from the current Standby arrangements;
- (ii) to approve the preferred alternative option to develop a Pan-Ayrshire standby service alongside strategic partners; and
- (iii) to approve the initial management implementation plan and the appointment of a Project Manager for one year.

**7. Representation on Central Scotland Green Network Partnership Board.**

There was submitted a report (issued) of 21st June 2011 by the Head of Legal and Administration seeking approval to appoint a representative to the Central Scotland Green Network (CSGN) Partnership Board.

**Decided:** to agree to confirm the appointment of Councillor Peter Convery on the Central Scotland Green Network Partnership Board.

**8. Single Status: Progress Report.**

With reference to the Minutes of 21st April 2009 (Page 244, paragraph 4) when the Council had approved the single status job evaluation pay and grading structure and conditions of service package, there was submitted a report (issued) of 21st June 2011 by the Head of HR and Organisational Development

- (1) advising that the package had been subsequently introduced on 16th August 2009; and
- (2) detailing progress to date.

A question was raised by a Member of the Council in relation to the timescale for settling the outstanding equal pay grievances and tribunal cases and the Head of HR and Organisational Development responded accordingly.

**Decided:**

- (a) to note the progress to date; and
- (b) to agree that a final annual progress report be presented to South Ayrshire Council in June 2012.

**9. Waste Management - Kerbside Collection Services.**

There was submitted a report (issued) of 20th June 2011 by the Executive Director – Development and Environment

(1) advising

- (a) that the Council had a number of challenging waste recycling targets to meet in future years, as well as the requirement to divert increasing tonnages of biodegradable municipal waste (BMW) from landfill;
- (b) that this Council's latest recorded recycling and composting rate for the year 2010 was 43% and that this level of recycling exceeded the 2010 recycling target of 40% but was still some way short of the 2013 target of 50%;
- (c) that additional measures to recycle more waste would require to be put in place to ensure that the Council met the 2013 target of 50%, as specified in the new Zero Waste Plan for Scotland; and
- (d) that following the Waste Management Working Group's meeting of 26th May 2011, four options for change to the kerbside collection service had been considered and evaluated as detailed in Appendix 1 of the report;

(2) intimating

- (a) that having taken into account the requirement to achieve future recycling targets, the financial implications of each option, quality of service, etc., the Working Group's view, as detailed at Option D in Appendix 1 of the report, was that fortnightly blue bin collection was the preferred option;
- (b) that Option D would transfer the collection of glass from the black box to the blue bin and introduce a fortnightly collection of household blue bins in place of the current monthly collection frequency which would provide an increase in the Council's recycling rate by capturing more glass, paper, card etc., as well as providing a more 'user-friendly' system of kerbside recycling for the householder; and
- (c) that this proposal would also include the routine brown bin garden waste collection service during the winter months of December, January and February being suspended and that during those months, a request based brown bin collection service would be introduced up to a maximum of one collection per month per house, without charge, in accordance with the present service level; and

- (3) proposing that these improvements to the Council's kerbside recycling services be put in place with effect from 1st October 2011 (subject to the completion of formal contract arrangements for the CDR contract) which would allow sufficient time for operational issues to be addressed, as well as time for a waste awareness campaign to be introduced to ensure that householders were aware of the improvements being made to their recycling service.

Questions were raised by Members of the Council in relation to whether householders would require to telephone to have their brown bins uplifted; whether a time would be allocated for this uplift; if there would be a charge for the uplift; the anticipated number of rebate requests expected from those householders who had an additional blue bin; what was proposed for the black boxes; the impact on staff; how many staff members would be affected; if the calendar could be extended to eighteen months and not just for a six month period; and if the Officer compiling the new calendar could ensure that blue bins were uplifted at the festive period due to the excess of paper, cardboard and glass at this time and the Head of Property and Neighbourhood Services responded accordingly and confirmed that he would submit the suggestions regarding the calendar to the Management Working Group for its consideration.

**Decided:** having recorded their appreciation of the work undertaken by the relevant Officers, to approve

- (i) the increase in frequency of household waste blue bin recycling collections from monthly to fortnightly with effect from 1st October 2011, or as soon as possible thereafter;
- (ii) the transfer of the collection of glass for recycling from the black box to blue bins, with the cessation of the separate black box collection service with effect from 1st October 2011, or as soon as possible thereafter;
- (iii) the suspension of the brown bin garden waste collection service during the winter months of December, January and February and the provision during those months of a request based brown bin collection service up to a maximum of one collection per month per house; and
- (iv) the issue of new recycling calendars to all householders for the period 1st October 2011 to 31st March 2012 along with advice and information regarding the amendments to the Council's kerbside recycling services.

## 10. **Annual Accounts 2010/11.**

There was submitted a report (issued) of 22nd June 2011 by the Executive Director - Corporate Services

- (1) providing an overview of the figures contained in the Abstract of Accounts for the year ended 31st March 2011;
- (2) explaining significant variations from the budget;
- (3) indicating how the 2010/11 out-turn impacted on the Council's overall financial position; and

## (4) reporting

- (a) that the Annual Accounts to 31st March 2011 showed an accumulated surplus of £15.304m and that after adjustment for the factors outlined in the report, the Council had uncommitted funds of £10.654m at 31st March 2011; and
- (b) that after adjusting for the issues outlined in the table at paragraph 4.2.4 of the report, uncommitted reserves of £8.034m were currently projected at 31st March 2012; and
- (c) that best practice recommended that Councils should hold reserves of between 2 and 4 per cent of annual running costs, equivalent to approximately £5.278m to £10.556m for South Ayrshire Council and that the Council had committed to achieving an uncommitted balance of £8.000m by 31st March 2013.

A full discussion then followed and a question was raised by a Member of the Council in relation to the Council's reserves for 2009/10 and 2010/11 and the Executive Director – Corporate Services responded accordingly.

Councillor Moonie, seconded by Councillor Saxton, moved

- (i) that the recommendations contained within paragraphs (2) 2.1 (1) to (3) in the report be agreed; and
- (ii) that Appendix 4 "Housing Revenue Account – Out-turn for the Year to March 2011" be remitted to the Corporate and Community Planning Standing Scrutiny Panel for its consideration of the implications arising from the fiscal management of HRA funds.

By way of Amendment, Councillor Reid, seconded by Councillor McIntosh, moved

- (A) that the contents of the report be noted and that all figures remained subject to audit; and
- (B) approval of
  - (I) the accounting policies used in preparing the draft financial statements, as detailed in the Annual Accounts; and
  - (II) the balance of uncommitted funds of £7.534m at 31st March 2011 be held in reserve at this stage, for the reasons outlined in paragraph 5 of the report and at 4(a) to (c) above.

A Member of the Council requested a roll call vote.

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

Winifred Sloan (Provost)	Amendment
John Allan	Amendment
Eddie Bulik	Amendment
Andy Campbell	Motion
Douglas Campbell	Amendment
Ian Cavana	Motion
Brian Connolly	Amendment
Peter Convery	Amendment
Hywel Davies	Amendment
Ian Douglas	Amendment
Stan Fisher	Amendment
Ian Fitzsimmons	Amendment
Ann Galbraith	Amendment
Sandra Goldie	Motion
Bill Grant	Amendment
John Hampton	Amendment
Hugh Hunter	Amendment
Mary Kilpatrick	Amendment
Elaine Little	Amendment
Mairi Low	Amendment
John McDowall	Motion
Nan McFarlane	Amendment
Bill McIntosh	Amendment
Helen Moonie	Motion
Alec Oattes	Amendment
Mike Peddie	Amendment
Robin Reid	Amendment
Philip Saxton	Motion
Tom Slider	Amendment
Margaret Toner	Amendment

Twenty four members voted for the Amendment and six members for the Motion. The Amendment was accordingly declared to be carried.

**Decided:** to approve the terms of the Amendment as outlined at (A) and (B) (I) to (II) above.

**11. Housing Capital Investment Programme 2010/11: Monitoring Report as at Period 12: 31st March 2011.**

There was submitted a joint report (issued) of 22nd June 2011 by the Executive Director – Development and Environment and Executive Director – Corporate Services

- (1) advising of the actual capital expenditure and income, together with progress made on the Housing Capital Investment Programme projects for the year ended 31st March 2011; and

- (2) reporting
- (a) that the total expenditure at the end of Period 12 was £12,377,326 as outlined in Appendix 1 of the report, based on a budget of £13,495,477 which represented expenditure in percentage terms of 91.71% and that actual income stood at £12,377,326;
  - (b) that in 2010/11, Capital Financing from Current Reserves (CFCR) of £10,120,021 had been required to fund the Programme; and
  - (c) that as detailed in Appendix 1 of the report, £1,118,151 was required to be returned to the accumulated surplus in 2010/11, to be drawn down in 2011/12, to complete projects not completed during 2010/11.

**Decided:**

- (i) to note the progress which had been made on the delivery of the approved Housing Capital Investment Programme at Period 12; and
- (ii) to agree that resources of £1,118,151 be earmarked as a draw on the 2011/12 accumulated surplus to fund projects outstanding from 2010/11, as contained in paragraph 5.1 of the report.

**12. General Services Capital Programme 2010/11: Monitoring Report as at Period 12 : 31st March 2011.**

There was submitted a joint report (issued) of 22nd June 2011 by the Executive Director – Development and Environment and Executive Director – Corporate Services

- (1) providing information on the actual capital expenditure and income together with progress made on General Services projects for the year ended 31st March 2011;
- (2) advising
  - (a) that as detailed in Appendix 1 of the report, at the end of Period 12, actual expenditure stood at £15,777,143 and income stood at £15,999,441;
  - (b) that as it had been anticipated that a number of projects would not be completed during 2010/11, appropriate funding had been transferred to 2011/12 to reflect the newly profiled expenditure in relation to these projects;
  - (c) that, on a number of these projects expenditure in 2010/11 had exceeded the anticipated in-year budget but was still within overall project budgets which had resulted in expenditure being funded by in-year borrowing and would be offset by a corresponding reduction in the 2011/12 programme budget, with the total in respect of these projects being £760,477;

- (d) that excluding the expenditure incurred in relation to the projects as detailed in (2)(b) above and based on an approved budget of £15,344,496, this equated to an overall spend of 97.86%;
  - (e) that to complete the 2010/11 Programme, as identified in Appendix 1 to the report, a total of £222,298 would be required to be carried forward to 2011/12; and
  - (f) that, as agreed at the Leadership Panel of 26th October 2010, any capital receipts in excess of £988,491 would be carried forward to assist in funding the 2011/12 Programme, therefore, as identified in Appendix 1 to the report, £105,689 was available for that purpose; and
- (3) recommending that £327,987 be carried forward, of which £222,298 was required to complete projects from 2010/11 in 2011/12 with the balance of £105,689 being available to assist in funding the 2011/12 Programme.

**Decided:**

- (i) to note the progress made on the delivery of the General Services Capital Programme at Period 12, to 31st March 2011; and
- (ii) to agree to carry forward £327,987, of which £222,298 was required to complete projects from 2010/11 in 2011/12, with the balance of £105,689 being available to assist in funding the 2011/12 Programme.

**13. Ayr Gaiety Partnership.**

With reference to the Minutes of 7th October 2010 (Page 517, paragraph 3), there was submitted a report (issued) of 23rd June 2011 by the Executive Director – Corporate Services

- (1) advising
  - (a) that the Ayr Gaiety Partnership had now prepared an outline business case for the period 2011 to 2014 and a detailed model of the first three years operation of the café;
  - (b) that a working capital injection of £50,000 by way of a loan from the Ayr Common Good Fund had been requested;
  - (c) that Ayr Common Good Fund currently received interest of 2 per cent on surplus funds and approximately £3,000 of interest would be lost if an interest free loan was granted;
  - (d) that the cashflow statement indicated that the café required around £33,000 of working capital, with a break even position being achieved by month 15, based on modest income and general cost assumptions;

- (e) that the Partnership would be unlikely to be able to secure a loan from a financial institution and the lack of working capital would seriously jeopardise the likelihood of the café reopening;
  - (f) that if the Ayr Gaiety Partnership defaulted on the loan, the cost of up to £50,000 would be borne by Ayr Common Good Fund; and
  - (g) that the Partnership might wish to approach the Council for release of the remaining £250,000 at a later date; and
- (2) further advising that Heads of Terms for a Lease of the Theatre building were currently being negotiated between the Council and Ayr Gaiety Partnership and delegated authority was requested to allow the Heads of Terms and Lease to be concluded over the summer period.

A full discussion took place on this matter and a question was raised by a Member of the Council in relation to whether the purchase price of £1 was for the theatre or for the cafe and the Head of Property and Neighbourhood Services responded accordingly.

Councillor Galbraith, seconded by Councillor Reid, moved that the Council

- (i) approve a five year interest free loan of £50,000, repayable in monthly instalments in years 2 to 5;
- (ii) delegate authority to the Executive Director – Development and Environment to negotiate Heads of Terms and enter into a finalised lease agreement in respect of the premises, at a rent of £1 per annum and incorporating an option for Ayr Gaiety Partnership to purchase the property at a price of £1 and on such other reasonable terms and conditions as the Executive Director should consider appropriate; and
- (iii) delegate authority to the Executive Director – Development and Environment or Executive Director – Corporate Services to accept the most economically advantageous Tender received (whether or not the lowest tender received) and to award the contract for improvements to the café/ bar and front of house facilities on that basis, notwithstanding paragraph 16.2 (ii) of the Standing Orders relating to Contracts.

By way of Amendment, Councillor Moonie, seconded by Councillor Cavana, moved that in respect of (ii) and (iii) above, authority should not be delegated to Officers and that the matters referred to be submitted to a future meeting of the Council for approval.

A Member of the Council requested a roll call vote.

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

Winifred Sloan (Provost)	Motion
John Allan	Motion
Eddie Bulik	Motion
Andy Campbell	Amendment
Douglas Campbell	Motion
Ian Cavana	Amendment
Brian Connolly	Motion
Peter Convery	Motion
Hywel Davies	Motion
Ian Douglas	Motion
Stan Fisher	Motion
Ian Fitzsimmons	Motion
Ann Galbraith	Motion
Sandra Goldie	Amendment
Bill Grant	Motion
John Hampton	Motion
Hugh Hunter	Motion
Mary Kilpatrick	Motion
Elaine Little	Motion
Mairi Low	Motion
John McDowall	Amendment
Nan McFarlane	Motion
Bill McIntosh	Motion
Helen Moonie	Amendment
Alec Oattes	Motion
Mike Peddie	Motion
Robin Reid	Motion
Philip Saxton	Amendment
Tom Slider	Motion
Margaret Toner	Motion

Six Members voted for the Amendment and twenty four for the Motion which was accordingly declared to be carried.

**Decided:** to approve the terms of the Motion as outlined at (i) to (iii) above.

#### 14. **Notice of Motions.**

- (1) Councillor McDowall, seconded by Councillor Cavana, moved that Officers of the Council are requested to explore options for the creation of an Assistance Fund to provide financial grant assistance to those owners of lairs and memorials which have been identified as requiring remedial work as a result of the headstone stability programme in instances where such owners can demonstrate that they do not have the financial resources available to meet the cost of the required remedial work and that Officers report on such options to a future meeting of the Leadership Panel before the end of the calendar year.

By way of Amendment, Councillor Convery, seconded by Councillor D. Campbell, moved that this Council request that Officers consider all feasible options around the current Management Rules in relation to responsibility for maintenance and safe condition of privately owned cemetery memorials and, further, that a report be brought to the Leadership Panel no later than December 2011.

A full discussion then took place on the terms of the Motion and the Amendment.

A Member of the Council requested a roll call vote.

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

Winifred Sloan (Provost)	Amendment
John Allan	Amendment
Eddie Bulik	Amendment
Andy Campbell	Motion
Douglas Campbell	Amendment
Ian Cavana	Motion
Brian Connolly	Amendment
Peter Convery	Amendment
Hywel Davies	Amendment
Ian Douglas	Amendment
Stan Fisher	Amendment
Ian Fitzsimmons	Amendment
Ann Galbraith	Amendment
Sandra Goldie	Motion
Bill Grant	Amendment
John Hampton	Amendment
Hugh Hunter	Amendment
Mary Kilpatrick	Amendment
Elaine Little	Amendment
Mairi Low	Amendment
John McDowall	Motion
Nan McFarlane	Amendment
Bill McIntosh	Amendment
Helen Moonie	Motion
Alec Oattes	Amendment
Mike Peddie	Amendment
Robin Reid	Amendment
Philip Saxton	Motion
Tom Slider	Amendment
Margaret Toner	Amendment

Twenty four Members voted for the Amendment and six for the Motion. The Amendment was accordingly declared to be carried.

**Decided:** to approve the terms of the Amendment.

- (2) Councillor Andy Campbell, seconded by Councillor Goldie, moved that, in consideration of the Scottish Government's Moratorium on the Closure of Rural Schools, that this Council agrees to suspend Standing Orders of the Council in order to reconsider its decision of Wednesday, 18th May 2011 to close St. Ann's Primary School and that the proposed closure should not now proceed.

The Head of Legal and Administration advised that, in order to reconsider a Motion contrary to a previous decision of the Council within six months from the date of that decision, the Council would require to suspend the provisions of Council Standing Order No. 15, in accordance with Standing Order No. 29 (two thirds majority).

On a vote being taken by a show of hands, six Members voted for the suspension of Standing Orders and twenty four Members voted against.

Accordingly, as the Motion to suspend Standing Orders was not supported by two-thirds of those Members present and voting at the meeting, the second part of the Motion was incompetent and did not proceed.

## 15. **Formal Questions.**

In terms of Council Standing Order No. 16(b), there was submitted (tabled) a Formal Question from Councillor Slider, details of which, together with the Answer, are outlined below:-

### **Question**

The Council owned site adjacent to the racecourse and St. John's Primary School has been used as a free car park for people attending race meetings. At the Council meeting of 7th October 2010 it was agreed to implement car parking charges on this site. How much has been raised in parking charges since 7th October 2010? How much has it cost to collect these charges? Are there any plans to charge for parking for other sports events in the vicinity?

### **Answer**

No charges have yet been levied for car parking on the Craigie Road site and no costs have been incurred. Anticipated progress on this has been delayed due to management capacity in Neighbourhood Services. It is intended to progress charging as soon as possible. We need to levy charges fairly - so that for example if we charge for users attending Race meetings, we would also plan to charge users connected to other sporting events. The operational details of how we introduce charges and enforce them for different events is yet to be determined.

### **Adjournment.**

The time being 12.20 p.m. the Council adjourned for fifteen minutes.

### **Resumption of Meeting.**

The meeting resumed at 12.35 p.m.

**16. Exclusion of press and public**

The Council resolved, in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded from the meeting during discussion of the remaining business on the grounds that they involved the likely disclosure of exempt information in terms of paragraphs 1 and 9 of Part 1 of Schedule 7(A) of the Act.

**17. Ayr Town Centre Access Guide for Disabled People.**

There was submitted a report (issued to Members only) of 13th June 2011 by the Executive Director – Children and Community seeking approval for the development and maintenance of an access guide for disabled people to Ayr town centre provided by working with Disabled Go, a disability organisation designed to improve access to public places.

A full discussion then followed and questions were raised by Members of the Council in relation to why this matter was being held in private; whether the work already undertaken by the South Ayrshire Access Panel would be duplicated by Disabled Go or if they were working in partnership; whether discussions had also taken place with Ayr Renaissance LLP Board; whether copyright issues had been considered; and whether the 'Town Centre' also included Burns Statue Square or the Railway Station and the Head of Community Care and Housing responded accordingly.

Councillor McFarlane, seconded by Councillor Kilpatrick, moved that the Council

- (1) agree to Officers working with Disabled Go to support the production of an accessibility audit of Ayr Town Centre along with other elements, as outlined in paragraph 4.2 of the report, where work would be funded by Disabled Go and sponsored by Marks and Spencer, at no cost to the Council; and
- (2) agree that a contract be entered into with Disabled Go to provide updated access guides for Ayr town centre at a cost of £8,000 per annum for five years from 2012/13, based on paragraph 4.2.9 of the Council's Standing Orders.

By way of Amendment, Councillor Moonie, seconded by Councillor Goldie, moved that this matter be continued for further consideration of the matters brought to the attention of Officers and Members by the Access Panel in conjunction with the Access Panel and brought back to the next meeting of the Leadership Panel on Tuesday, 16th August 2011 for further consideration.

A Member of the Council requested a roll call vote.

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

Winifred Sloan (Provost)	Motion
John Allan	Motion
Eddie Bulik	Motion
Andy Campbell	Amendment
Douglas Campbell	Motion
Ian Cavana	Amendment
Brian Connolly	Motion
Peter Convery	Motion
Hywel Davies	Motion
Ian Douglas	Motion
Stan Fisher	Motion
Ian Fitzsimmons	Motion
Ann Galbraith	Motion
Sandra Goldie	Amendment
Bill Grant	Motion
John Hampton	Motion
Hugh Hunter	Motion
Mary Kilpatrick	Motion
Elaine Little	Motion
Mairi Low	Motion
John McDowall	Amendment
Nan McFarlane	Motion
Bill McIntosh	Motion
Helen Moonie	Amendment
Alec Oattes	Motion
Mike Peddie	Motion
Robin Reid	Motion
Philip Saxton	Amendment
Tom Slider	Motion
Margaret Toner	Motion

Six Members voted for the Amendment and twenty four for the Motion which was accordingly declared to be carried.

**Decided:**

- (a) to approve the terms of the Motion as outlined at (1) and (2) above; and
- (b) having confirmed the legal position with the relevant Officers, that this report should now be made available to the public.

**18. Revenue Budget 2012/13.**

There was submitted a report (issued to Members only) of 23rd June 2011 by the Executive Director – Corporate Services seeking approval for a range of efficiency measures and a draw from the Repairs and Renewals Fund.

A full discussion followed and questions were raised by Members of the Council in relation to the Repairs and Renewals Fund and the payback period and the Chief Executive responded accordingly.

Councillor Davies moved, seconded by the Provost, that in accordance with Standing Order No. 27 of the Council, the question be now put to the vote, as the subject had been sufficiently discussed, and that the vote should be taken without further debate.

The Council so concurred.

Councillor Reid, seconded by Councillor McFarlane, moved that the Council

- (1) approve the efficiencies outlined in Appendices 1 and 2 of the report;
- (2) note the efficiencies outlined in Appendix 3 of the report;
- (3) approve the early retirement of the Head of Community Development; and
- (4) approve a draw of £939,000 from the Repairs and Renewals Fund as outlined in Appendix 4 of the report.

By way of Amendment, Councillor Moonie, seconded by Councillor Saxton, moved that the terms of the Motion not be approved and that the Administration be required to provide specific details in relation to Appendix 3 of the report prior to any subsequent approval by Members.

On a vote being taken by a show of hands, six Members voted for the Amendment and twenty four for the Motion which was accordingly declared to be carried.

**Decided:** to approve the terms of the Motion as outlined at (1) to (4) above.

**19. Former School, St. Quivox. Ayr.**

The Provost advised that, in accordance with the Standing Orders for Meetings, the Council would now consider the decision relating to the former school at St. Quivox, Ayr as the Leadership Panel (Special) of 28th June 2011 had not agreed with the recommendation from the Corporate and Community Planning Standing Scrutiny Panel of 23rd June 2011.

The Head of Property and Neighbourhood Services referred to a misprint on the plan where the site should have been identified as 0.16ha and not 1.604ha.

A question was raised by a Member of the Council regarding whether this error would now make the sale invalid and the Head of Legal and Administration responded accordingly.

**Decided:**

- (1) that the recommendation of the Corporate and Community Planning Standing Scrutiny Panel should not be accepted; and
- (2) to confirm the decision taken at the meeting of the Leadership Panel on 14th June 2011 to declare the former St. Quivox School (identified as an area of 0.16ha) surplus to requirements and available for disposal to Edward O'Neil, failing which the next highest offer from Allanvale Land Investments, on terms and conditions to be agreed by the Executive Director - Development and Environment.

**20. Closing Remarks.**

With reference to item 18 on Page 338 of this Minute when the Council had approved the early retirement of the Head of Community Development, the Provost referred to the forthcoming retiral of Roddy MacDonald and, together with various members of the Council, wished him well for the future and thanked him for his service to the Council.

Mr. MacDonald then thanked the Members for their kind words.

The meeting ended at 2.00 p.m.