

SOUTH AYRSHIRE COUNCIL.

Minutes of a hybrid webcast meeting
on 21 June 2024 at 10.00 a.m.

Present in County Buildings: Councillors Iain Campbell (Provost), Kenneth Bell, Laura Brennan-Whitefield, Ian Cavana, Alec Clark, Chris Cullen, Ian Davis, Brian Connolly, Julie Dettbarn, Mark Dixon, Martin Dowey, William Grant, Hugh Hunter, Martin Kilbride, Mary Kilpatrick, Alan Lamont, Lee Lyons, Bob Pollock, Cameron Ramsay, Philip Saxton, Gavin Scott, Bob Shields, Duncan Townson and George Weir.

Present Remotely: Councillors Ian Cochrane, Stephen Ferry and Craig Mackay.

Apology: Councillor Brian McGinley.

Attending in County Buildings: M. Newall, Chief Executive; J. Bradley, Director of Strategic Change and Communities; K. Braidwood, Director of Housing Operations and Development; C. Caves, Chief Governance Officer; T. Baulk, Chief Financial Officer; L. Kerr, Service Lead – Destination South Ayrshire; J. McClure, Committee Services Lead Officer; A. Gibson, Committee Services Officer; K. Hancox, Committee Services Officer; R. Anderson, Committee Services Assistant; and C. McCallum, Committee Services Assistant.

Attending Remotely: K. Dalrymple, Assistant Director – Housing and Operations.

1. Provost.

The Provost

- (1) welcomed everyone to the meeting, outlined the procedures for conducting this meeting and advised that this meeting would be broadcast live;
- (2) intimated that apologies had been received from Councillor McGinley; and
- (3) advised that he had written, on the Council's behalf, to express the Council's warmest congratulations to the following who had received Honours in the King's Birthday Honours List:
 - (i) Dr Ann Wilson Moulds of Ayr who received a CBE for services to the victims of stalking; and
 - (ii) Robert Stanley Lawrence Woodward of Maybole who received a CBE for services to Public Sector Development.

2. Sederunt and Declarations of Interest.

The Chief Executive called the Sederunt for the meeting and having called the roll, confirmed that there were no declarations of interest by Members of the Council in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

3. Minutes of previous meetings

(1) Minutes of Previous Meetings of the Council.

- (a) The Chief Governance Officer advised that a matter had been raised with her regarding page 6, paragraph (xvi) in the Minutes of 29 February 2024 when the third line should read “when he advised that the Labour budget had not included the charge for emptying brown bins and he was now Leader of the Labour Group and would not support this charge”

Provost Iain Campbell, seconded by Councillor Mary Kilpatrick, moved the [Minutes](#) of South Ayrshire Council of 29 February 2024 as a correct record subject to the amendment as outlined above.

The Council

Decided: to approve the Minutes of 29 February 2024 subject to the above amendment and authorise these minutes to be signed as a correct record.

- (b) Provost Iain Campbell, seconded by Councillor Mary Kilpatrick, moved the [Minutes](#) of South Ayrshire Council of 6 March 2024 as a correct record.

The Council

Decided: to approve the Minutes of 6 March 2024 and authorise these minutes to be signed as a correct record.

(2) Minutes of previous meetings of Panels.

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

- (i) Audit and Governance Panel of [22 February 2024](#) and [20 March 2024](#).
- (ii) Cabinet of [14 February 2024](#), [12 March 2024](#) and [23 April 2024](#)
- (iii) Chief Officers Appointments/Appraisal Panel of [17 October 2023](#), [9 November 2023](#) and [17 April 2024](#).
- (iv) Local Review Body of [20 February 2024](#) and [19 March 2024](#)
- (v) Regulatory Panel – Licensing of [15 February 2024](#), [14 March 2024](#) and [25 April 2024](#).
- (vi) Regulatory Panel – Planning of [28 February 2024](#), [22 March 2024](#), [28 March 2024](#), [30 April 2024](#) and [9 May 2024](#).
- (vii) Service and Partnerships Performance Panel of [9 January 2024](#), [5 March 2024](#), [16 April 2024](#) and [14 May 2024](#).
- (viii) Ayrshire Shared Services Joint Committee of [9 June 2023](#), [1 September 2023](#), [1 December 2023](#) and [1 March 2024](#)

4. **Schedule of Meetings**

There was submitted a [report](#) (issued) of 13 June 2024 by the Chief Governance Officer seeking approval of a proposed timetable of meetings from August 2025 to June 2026.

The Chief Governance Officer referred to a typographical error within the timetable of meetings where the Local Review Body of Tuesday 9 September 2025 should be deleted.

Councillor Martin Dowey, seconded by Councillor Lee Lyons, moved the recommendations as outlined in the report subject to the amendment as outlined above.

The Council

Decided:

- (1) to approve the timetable of Council, Cabinet and Panel meetings from August 2025 to June 2026 as detailed in Appendix 1 to the report subject to the amendment as outlined above; and
- (2) to request the Chief Governance Officer to submit a timetable of meetings from August 2026 onwards to a future meeting of the Council.

5. **Audit and Governance Panel – 2023/24 Annual Report**

There was submitted a [report](#) (issued) of 13 June 2024 by the Chief Financial Officer providing the Audit and Governance Panel annual report for 2023/24, attached as Appendix 1 to the report.

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

Councillor Dettbarn, as Chair of the Auditor and Governance Panel welcomed this report; outlined that it was important that the Panel presented this report and was held accountable by the Council; thanked the relevant officers for their support; referred to the Panel's journey of continuous improvement and outlined that all training and briefings requested had been carried out timeously which had been beneficial to the Panel; advised that, along with the Vice-Chair, she had met with the external auditors which had been beneficial and that future meetings with the external auditors would include all Panel members; and thanked all Panel Members for their contributions over the past year.

Comments were made by Members in relation to:

- (1) the positive feedback received from the annual survey, however, the number of Members who had responded was disappointing; and
- (2) thanking the relevant officers and the Members of the Audit and Governance Panel for the work undertaken over the past year.

The Council, having considered the Audit and Governance Panel annual report for 2023/24,

Decided: to approve the report.

6. **Financial Regulations Review**

There was submitted a [report](#) (issued) of 13 June 2024 by the Chief Financial Officer seeking approval of the revised Financial Regulations following review.

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

A comment was made by a Member in relation to welcoming that the report specified what the Transformation Budget was utilised for; and a question was raised asking why there had been an increase in the Transformation Budget from £50,000 to £100,000 that the Chief Executive could allocate; and the Chief Financial Officer advised that this was due to inflation and also bringing this budget in line with other matters within the document.

The Council

Decided: to approve the revised Financial Regulations, as outlined at Appendix 1 to the report, to be effective from 22 June 2024

7. **Notices of Motion**

In accordance with Council Standing Order No. 18, three Notices of Motion were submitted.

- (1) Submitted by Councillor Chris Cullen, seconded by Councillor Hugh Hunter, as follows:

“After over 30 years of success the historical Ayr Holy Fair was dropped from the Council’s events programme with no consultation having taken place with elected members or the general public. What was a renowned traditional family event that attracted thousands to the town, has been unceremoniously dropped.

While the longstanding event may have been replaced by the Summer Family Festival, this in no way conveys the history and tradition of the event. Council requests the Chief Executive to reverse the name change and bring back the historic Holy Fair to the Low Green for future years.”

Councillor Laura Brennan-Whitefield, seconded by Councillor William Grant, moved as an Amendment:

“To change the name of the event taking place on 22 June 2024 under the name “Summer Family Fest with Armed Forces and Pipes in the Park” to “Summer Family Festival with the Holy Fair, Armed Forces and Pipes in the Park” going forward in future years.”

Adjournment

The time being 10.25 a.m. the Council adjourned for ten minutes.

Resumption of Meeting

The Council resumed at 10.35 a.m.

Following the adjournment, Councillor Laura Brennan-Whitefield, seconded by Councillor William Grant, edited their Amendment as follows:

“To agree that the leaders of the parties, a representative agreed by the independents and the relevant Portfolio Holder meet to agree the name of the 2025 event taking cognisance of the historic traditions of the name Holy Fair and the Armed Forces whilst recognising the event should be inclusive of non-secular members of the public and report back to Council with this proposal.”

Councillors Cullen and Hunter, as the Mover and Seconder of the Motion agreed to accept the terms of the edited Amendment above which then became the Substantive Motion.

A full debate took place regarding the terms of the Motion and the Amendments and the Council

Decided: unanimously to agree the terms of the Substantive Motion as follows:-

“To agree that the leaders of the parties, a representative agreed by the independents and the relevant Portfolio Holder meet to agree the name of the 2025 event taking cognisance of the historic traditions of the name Holy Fair and the Armed Forces whilst recognising the event should be inclusive of non-secular members of the public and report back to Council with this proposal.”

Provost advised that, in order to consider the following Motion, as this referred to a decision taken within the last six months the Council would, in accordance with Standing Order No. 22.1, require to agree to do so by a two thirds majority of those present and voting.

- (2) Submitted by Councillor Chris Cullen, seconded by Councillor Duncan Townson, as follows:

“Brown bin charge reversal - since the passing of the budget the lack of public support for this taxation has been widespread throughout all local media channels and my own inbox. This motion calls for Council to request that the Chief Executive bring forward one or more replacement saving proposals to Council in October in order to scrap the previously approved brown bin charges savings proposal going forward.”

Point of Order

A point of order was raised by Councillor Martin Dowe regarding the competence of this Motion as the Council was in the period of purdah, therefore it was not appropriate for this Motion to be on the agenda; and the Chief Governance Officer advised that the Council was able to continue with its business during the pre-election period.

Point of Order

Councillor Julie Dettbarn raised a point of order stating that she had been advised that she could not submit a Notice of Motion due to the pre-election period; and the Chief Governance Officer noted this and advised that she would take this forward.

A Member requested a roll-call vote and this was agreed by Provost. Another Member subsequently advised that the Chief Governance Officer had commenced the vote, therefore a roll-call vote could not take place and the Chief Governance Officer agreed that this was the case.

On a vote being taken by electronic means, twelve Members voted in favour of Suspending Standing Orders, fifteen Members voted against Suspending Standing Orders and, therefore, in terms of Standing Order No. 21.1(5), the following Motion could not be considered as a two thirds majority was not achieved.

- (3) Submitted by Councillor Chris Cullen, seconded by Councillor William Grant, as follows:

“The A77 runs alongside and through 7 out of South Ayrshire’s 8 wards. Each of these wards experience different consequences from issues both rural and urban, relating to this Major Arterial Route. Currently there is an A75/A77 Lobbying Action Group which is attended at present by two administration councillors.

This motion calls on Council to adjust the South Ayrshire Council membership in the A75/A77 Lobbying Action Group to allow cross party representation to reflect the concerns of the various wards along the A77 route. This is in addition to Councillors Pollock and Clark who already represent SAC.”

Point of Order

A point of order was raised by Councillor Grant that the vote should be re-taken by means of a roll call as the vote was inconclusive due to a Member changing their vote; and this was agreed by Provost.

The Chief Governance Officer took the vote For or Against the Motion by calling the roll as follows:-

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

Fourteen Members voted against the Motion and thirteen Members voted for the Motion, therefore, the Council

Decided: not to agree the terms of the Motion.

Adjournment

The time being 11.20 a.m. the Council adjourned for ten minutes.

Resumption of Meeting

The Council resumed at 11.30 a.m.

8. Formal Question.

In terms of Council Standing Order No. 26.2, there were submitted [Formal Questions](#) from Councillors Weir, Brennan-Whitefield, Saxton, Grant and Mackay, along with the responses, which were made available to all Members.

Point of Order

A point of order was raised by Councillor Bell regarding whether those Councillors who had not submitted Formal Questions could raise a question on the responses; and the Provost advised that they could not.

Councillor Saxton raised a supplementary question in relation to why the Ark was not guaranteed a space in the Citadel once the refurbishment had been completed; and the Director of Communities and Transformation advised that commercially lettable spaces had been built into the proposed design and that she would be happy to discuss this with representatives of the Ark.

Councillor Grant raised supplementary questions in relation to:-

- (1) tendering for food and bars at the Ayr Show, why the tender had gone outwith South Ayrshire; and why Quick Quote had been used; and the Service Lead – Destination South Ayrshire advised that a Prior Information Notice had been issued via Public Contract Scotland in response to a business engagement event held for local South Ayrshire businesses as concerns had been raised that only certain businesses had been invited to bid to be the Local Village Manager; that responses had been received from local and national companies, however, enough responses were received from South Ayrshire companies, therefore only local companies were being invited to return the quick quote for the Food Village Manager and the successful bidder would be from South Ayrshire; and that, in relation to the bar suppliers, this was tendered via quick quote and assessed on quality and income for the Council and a company outside South Ayrshire was the highest scoring through the quick quote process; and
- (2) seeking clarification on whether the Battle of Britain Memorial Flights would be in attendance at the Ayrshow as it was rumoured that these were grounded due to the Trooping of the Colour; and the Service Lead – Destination South Ayrshire advised that she was currently liaising with the strategic partner, Skylab who were working closely with the team to ascertain if they could attend and, if they could fly, they would attend the Ayrshow.

Councillor Mackay raised supplementary questions in relation to:-

- (1) did the Chief Executive agree that ease of access to a busy library was vital, that Building Standards were there for good reason, and that having an access ramp that was too long, too steep, too narrow and relied on applying for relaxations of the current building standards was neither in the interests of library users or in keeping with the condition approved at October Council; and the Chief Executive advised that he would respond to this question in writing; and
- (2) did the Chief Executive agree that Council officers did a fantastic job, that the small portion of enquiries that require to be repeatedly chased becomes embarrassing and, having participated in the trial of the new caseload management system, after a month having only had responses to four of the nine enquiries submitted, can assurances be given that a workable way forward can be found in accordance with the Council's "making a difference every day"; and the Chief Executive advised that officers endeavour to reply within the timescales set down, that where this has not occurred he apologised; and that officers would endeavour to ensure that, going forward, the timescales were complied with.

Exclusion of press and public.

Councillor Martin Dowey, seconded by Councillor Lee Lyons, moved that the remaining item of business on the agenda be considered in private.

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Panel moved to a vote undertaken for or against the Motion. Twenty four Members voted for the Motion and three Members voted against the Motion and the Council

Decided: to agree to consider the remaining item of business in private.

The Council resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded during consideration of the remaining items of business on the grounds that they involved the likely disclosure of exempt information in terms of paragraphs 1, 6 and 13 of Part 1 of Schedule 7A of the Act.

9. Affordable Housing Proposals, Riverside Place, Ayr

There was submitted a report (Members only) of 14 June 2024 by the Director of Housing, Operations and Development advising on the negotiations for the removal of the telecommunications mast from Block 1 Riverside Place, Ayr and the timescales associated with the removal of the mast.

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

Following a full discussion and questions from Members, the Chief Governance Officer advised that she would issue a briefing note to Members outlining the current position.

The Council, having noted the contents of the report,

Decided: to request that officers submit a further report to Council on conclusion of the negotiations.

10. Consideration of Disclosure of the above confidential report.

Affordable Housing Proposals, Riverside Place, Ayr

Following advice from the Chief Governance Officer, the Council

Decided: in terms of Standing Order No. 32.4, not to authorise the disclosure of the above report.

The meeting ended at noon