

## **CABINET**

Minutes of a hybrid webcast meeting on 18 February 2025 at 10.00 a.m.

**Present**

in County Councillors Martin Dowey (Chair), Alec Clark, Brian Connolly, Ian Davis,  
Hall: William Grant, Hugh Hunter, Martin Kilbride, Bob Pollock and Bob Shields.

**Attending  
in County**

Hall: M. Newall, Chief Executive; L. McRoberts, Depute Chief Executive and Director of Education; K. Braidwood, Director of Housing, Operations and Development; J. Bradley, Director of Communities and Transformation; C. Caves, Chief Governance Officer; T. Baulk, Chief Financial Officer; C. Cox, Assistant Director – Planning and Development; K. Dalrymple, Assistant Director – Housing and Operations; G. Hunter, Assistant Director – Communities; K. Briggs, Service Lead – Legal and Licensing; T. Burns, Service Lead – Asset Management and Community Asset Transfer; G. Cockburn, Service Lead – Education Support Services; N. Gemmell, Service Lead – Revenues and Benefits; A. Mutch, Service Lead – Sport, Leisure and Golf; F. Ross, Service Lead – Neighbourhood Services; K. Gallagher, Co-ordinator – Golf and Community Facilities; L. McChristie, Co-ordinator – Licensing; E. Schendel, Co-ordinator – Grounds Maintenance and Bereavement; A. Valenti, Quality Improvement Manager – Early Years; K. Hancox, Committee Services Officer; and E. Moore, Committee Services Assistant.

**Attending**

Remotely: L. Reid, Assistant Director – Transformation

**Also**

**Attending  
In County**

Hall: L. Donnelly; N. Fullard; I. Gall; D. Gemmell; A. Ingram; G. Laird and H. McGuire (in attendance in items for items 4 and 5 only)..

### **Opening Remarks.**

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

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

In terms of Council Standing Order No. 17 and the Councillors' Code of Conduct, it was noted that Councillor Davis would declare an interest in the item entitled "Civic Government (Scotland) Act 1982 – Licensing of Sexual Entertainment Venues" and leave the meeting during consideration of this matter due to a conflict of interest.

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

The minutes of 21 January 2025 ([issued](#)) were submitted and approved.

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

The Cabinet

#### **Decided:**

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

### **Education.**

#### 4. **Establishment of Additional Support Needs Education Provision – Troon Primary School.**

There was submitted a report ([issued](#)) of 11 February 2025 by Depute Chief Executive and Director of Education informing the Cabinet on the outcome of a recent public consultation, regarding Additional Support Needs (ASN) education provision within South Ayrshire and to request that the Cabinet approved the establishment of an ASN education provision within Troon Primary School.

Having heard the Depute Chief Executive and Director of Education respond to Members enquiries that the ASN provision was adequate and would continue to be reviewed, the Cabinet

#### **Decided:**

- (1) to consider the content of the Consultation Report, attached as Annex 1 of the report, on the outcome of the recent statutory consultation; and
- (2) to approve the establishment of an ASN education provision within Troon Primary School.

#### 5. **Redesign of Early Years Provision to Reduce Number of Centres Offering Full Year Provision.**

There was submitted a report ([issued](#)) of 12 February 2025 by Depute Chief Executive and Director of Education requesting Cabinet approval to redesign early years provision and reduce the number of centres offering full year provision.

Following discussion, which included the result of the consultation that had taken place with members of staff and the unions regarding the impact of the proposals, the Cabinet

#### **Decided:**

- (1) to agree to reduce the number of centres offering 52 week provision from thirteen to nine centres;
- (2) to agree that the changes would take effect from August 2025; and
- (3) to note the changes to the Early Years patterns of attendance options in the Admissions Guidelines.

**The Education representatives left the meeting at this point.**

**Buildings, Housing and Environment.**

**6. Ash Dieback - Update Report.**

There was submitted a report ([issued](#)) of 11 February 2025 by Director of Housing, Operations and Development providing an annual report relating to the implementation of the Ash Dieback Plan and seeking Cabinet approval for year 3 funding of the Council's Ash Dieback Plan.

The Chair advised that additional information provided by the Service Lead – Neighbourhood Services ([issued](#)) would be uploaded to the Council website.

Having heard Members speak in relation to the damage caused by the recent storm and the financial impact regarding the removal of Ash Dieback, the Cabinet

**Decided:**

- (1) to approve the carry forward of £94,353 Ash Dieback allocated funds in the Neighbourhood Services budget to financial year 2025/26 for year 3 of the programme;
- (2) to approve funding of £180,000 from the Councils uncommitted reserves to supplement the funding carried forward for year 3 of the programme; and
- (3) to approve' funding of £21,500 from the Councils uncommitted reserves for financial year 2025/26 to enable Ayrshire Roads Alliance to undertake a third year of managing trees that pose a risk to South Ayrshire Council roads.

**Having previously declared an interest in the following item, Councillor Davis left the meeting at this point.**

**7. Civic Government (Scotland) Act 1982 – Licensing of Sexual Entertainment Venues.**

There was submitted a report ([issued](#)) of 11 February 2025 by Chief Governance Officer providing Members with an update following the second public consultation on the licensing of Sexual Entertainment Venues (SEVs) in South Ayrshire and, in light of the consultation responses and other information provided, asked the Cabinet to determine the appropriate number of SEVs for South Ayrshire and each relevant locality.

Having heard Members speak in support of Option 1, the Cabinet

**Decided:**

- (1) to consider the information in this report, including the responses to the recent public consultation exercise, detailed in Appendix 1;
- (2) to consider the Options detailed in paragraph 4.1;
- (3) to agree to follow Option 1 and resolves to specify the appropriate number of SEVs in the South Ayrshire area at zero, with no relevant locality for such venues identified;

- (4) to approve the draft Statement of Policy on the Licensing of SEVs, detailed in Appendix 2, taking into account the decision at paragraph 2.1.3;
- (5) to approve the fee for an application for grant or renewal of an SEV licence as £2,275; and
- (6) to grant delegated power to the Service Lead, Legal and Licensing, to finalise the draft SEV Statement of Policy at Appendix 2 and arrange for publication of the appropriate Notice at least 28 days prior to the proposed date of implementation of the SEV licensing regime, 1 May 2025.

**Councillor Davis rejoined the meeting at this point.**

**Finance, HR and ICT.**

**8. General Services Capital Programme 2024/25: Monitoring Report as at 31 December 2024.**

There was submitted a report ([issued](#)) of 13 February 2025 by Director of Housing, Operations and Development updating Cabinet on the actual capital expenditure and income, together with progress made on the General Services Capital Programme projects as at 31 December 2024 (Period 9), and to agree the changes to budgets in 2024/25, 2025/26 and 2026/27.

The Cabinet

**Decided:**

- (1) to note the progress made on the delivery of the General Services Capital Programme to 31 December, resulting in spend of £29.278m or 53.93%, as detailed in Appendix 1;
- (2) to approve the adjustments contained in Appendix 2; and
- (3) to approve the revised budget for 2024/25 at £45.400m, 2025/26 at £82.632m and 2026/27 at £65.827m as highlighted in Appendix 2.

**9. Service Review - Benefits Services.**

There was submitted a report ([issued](#)) of 11 February 2025 by the Chief Financial Officer seeking Members' approval of the review of Benefits Services within the Revenues and Benefits Service.

Having heard Members note that the post for deletion was vacant, the Cabinet

**Decided:**

- (1) to approve the service review of Benefit Services (as detailed in Appendix 1);
- (2) to note the implementation of the review will result in an annual cost saving of £0.156m; and
- (3) to request that the Service Lead - Revenues and Benefits now completes the implementation of the review.

## **Sports and Leisure.**

### **10. Golf South Ayrshire - Strategy Update.**

There was submitted a report ([issued](#)) of 11 February 2025 by the Director of Communities and Transformation updating the Cabinet on progress regarding the Golf Strategy (2022-2032) and seeking approval to continue to deliver against the approved strategic objectives.

Following discussion regarding the importance of the strategy, in terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Cabinet moved to a vote undertaken for or against the Motion. Eight Members voted for the Motion and one Member voted against the Motion. The Cabinet

#### **Decided:**

- (1) to consider the progress made by officers in the implementation of the Golf Strategy (a full update was attached as Appendix 1); and
- (2) to request that the Director of Communities and Transformation provided a follow up report to the Service and Partnerships Performance Panel in March 2026.

## **Finance, HR and ICT/Buildings, Housing and Environment.**

### **11. Housing Capital Programme 2024/25: Monitoring Report as at 31 December 2024.**

There was submitted a report ([issued](#)) of 14 January 2025 by the Director of Housing, Operations and Development updating the Cabinet on the actual capital expenditure and income, together with progress made on the Housing Capital Programme projects as at 31 December 2024 (Period 9), and to agree the changes to budgets in 2024/25 and 2025/26.

The Cabinet

#### **Decided:**

- (1) to note the progress made on the delivery of the Housing Capital Programme to 31 December 2024, resulting in spend of £36.549m, or 62.72%, as detailed in Appendix 1;
- (2) to approve the adjustments contained in Appendix 2; and
- (3) to approve the revised budget for 2024/25 at £49.189m and 2025/26 at £71.717m, as highlighted in Appendix 2.

## **Adjournment.**

The time being 11.15 a.m., the Cabinet agreed to adjourn for ten minutes.

## **Resumption of meeting.**

The Cabinet resumed at 11.25 a.m.

## **12. Exclusion of press and public.**

The Cabinet resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded during consideration of the remaining items of business on the grounds that it involved the likely disclosure of exempt information in terms of paragraphs 8 and 9 of Part 1 of Schedule 7A of the Act.

## **Buildings, Housing and Environment.**

### **13. 25 Year Lease for Kiosk No 1 at Esplanade, Ayr.**

There was submitted a report (Members Only) of 11 February 2025 by the Director of Housing, Operations and Development obtaining Cabinet's approval to proceed with a Common Good Consultation for a proposed 25-year lease for Kiosk No 1 at Pavillion Road, Ayr to allow for the refurbishment of the kiosk on the basis of the terms and conditions contained in the Addendum (confidential) to this report. The location of the site was shown outlined in red in Appendix 1.

The Cabinet

#### **Decided:**

- (1) to grant authority to the Council's Chief Governance Officer to conclude the proposed lease for Kiosk No 1 at Pavilion Road, Ayr, subject to, and in accordance with the agreed terms and conditions contained in the Addendum (confidential) to the report, and subject to the outcome of the Common Good consultation in paragraph 2.1.2;
- (2) to authorise the Service Lead – Asset Management and Community Asset Transfer to carry out a Common Good consultation under the Community Empowerment (Scotland) Act 2015 section 104 on the proposed lease for Kiosk No 1 at Pavillion Road, Ayr on the basis of the terms and conditions contained within the Addendum (confidential) to the report, agreed between the Council and the proposed Tenant without exposing the 25 year Lease opportunity to the open market;
- (3) to note that a further report would be brought to Cabinet detailing the representations received in response to the consultation in order that the Council may have regard to these in deciding whether to proceed with the proposed lease; and
- (4) to note that, as the property is inalienable Common Good, if, subsequent to the further report being brought to Cabinet, Members decide to proceed with the proposed lease of Kiosk No 1, the Chief Governance Officer would be requested to petition the Sheriff in terms of section 75(2) of the Local Government (Scotland) Act 1973 for the required authority to proceed.

### **14. 25 Year Lease for Kiosk No 2 at Esplanade, Ayr.**

There was submitted a report (Members Only) of 11 February 2025 by the Director of Housing, Operations and Development obtaining Cabinet's approval to proceed with a Common Good Consultation for a proposed 25-year lease for Kiosk No 2 at the Esplanade, Ayr to allow for the redevelopment of the kiosk into an indoor café and kiosk, on the basis of the terms and conditions contained in the Addendum (confidential) to this report. The location of the site was shown outlined in red in Appendix 1.

The Cabinet

**Decided:**

- (1) to grant authority to the Council's Chief Governance Officer to conclude the proposed lease for Kiosk No 2 at Esplanade, Ayr, subject to, and in accordance with the agreed terms and conditions contained in the Addendum (confidential) to the report, and subject to the outcome of the Common Good consultation in paragraph 2.1.2;
- (2) to authorise the Service Lead – Asset Management and Community Asset Transfer to carry out a Common Good consultation under the Community Empowerment (Scotland) Act 2015 section 104 on the proposed lease for Kiosk No 2 at Esplanade, Ayr on the basis of the terms and conditions contained within the Addendum (confidential) to the report, agreed between the Council and the proposed Tenant, without exposing the development opportunity and 25 year Lease to the open market;
- (3) to note that a further report would be brought to Cabinet detailing the representations received in response to the consultation in order that the Council may have regard to these in deciding whether to proceed with the proposed lease; and
- (4) to note that, as the property is inalienable Common Good, if, subsequent to the further report being brought to Cabinet, Members decide to proceed with the proposed lease of Kiosk No 2, the Chief Governance Officer would be requested to petition the Sheriff in terms of section 75(2) of the Local Government (Scotland) Act 1973 for the required authority to proceed.

**15. Surplus Land and Buildings Assets.**

There was submitted a report (Members Only) of 11 February 2025 by the Director of Housing, Operations and Development requesting the Council to declare the buildings listed in Appendix 1 surplus to the Council's requirements to enable them to either be sold on the open market, transferred to a third party or leased.

The Cabinet

**Decided:**

- (1) to agree that the land and buildings listed in Appendix 1 and identified in the plans attached in Appendix 2, were surplus to the Council's requirements;
- (2) to agree that a report be brought back to a future Cabinet meeting on any disposal in Appendix 1 not constituting Common Good property and with a value exceeding £100,000;
- (3) to agree that officers report back to future Cabinet meetings on any Common Good consultation requirements as a result of offers received on Common Good land or buildings.

**16. Consideration of Disclosure of the above confidential reports.**

**Decided:**

- (1) to agree that under Standing Order 32.4, the undernoted report remain exempt subject to the relevant information being released regarding the public consultation:
  - 25 Year Lease for Kiosk No 1 at Esplanade, Ayr;
- (2) to agree that under Standing Order 32.4, the undernoted report remain exempt subject to the relevant information being released regarding the public consultation:
  - 25 Year Lease for Kiosk No 2 at Esplanade, Ayr; and
- (3) to authorise the disclosure under Standing Order 32.4 of the following report subject to redaction for GDPR:
  - Surplus Land and Building Assets.

The meeting ended at 11.55 a.m.