

County Buildings
Wellington Square
AYR KA7 1DR
Tel. No. 01292 612169

30 October 2025

Dear Councillor

SOUTH AYRSHIRE COUNCIL

You are requested to participate in a meeting of South Ayrshire Council to be held **on Thursday 6 November 2025 at 10.00 a.m.** for the purpose of considering the undernoted business.

This meeting will be held in the County Hall, County Buildings, Ayr on a hybrid basis for Elected Members, will be live-streamed and available to view at <https://south-ayrshire.public-i.tv/>

Yours sincerely

CATRIONA CAVES
Chief Governance Officer

B U S I N E S S

1. Provost.
2. Sederunt and Declarations of Interest.
3. Presentation.
4. Minutes of meetings of the Council and Panels.

(a) Minutes of previous meetings.

Submit for approval as a correct record and authorise to be signed: -

- (i) 18 September 2025 (copy herewith).

(b) Minutes of Panels.

The minutes (copies previously issued) of the undernoted meetings are for noting:-

- (i) Appeals Panel of [23 October 2024](#).
- (ii) Audit and Governance Panel of [3 September 2025](#)
- (iii) Cabinet of [26 August 2025](#) and [23 September 2025](#).
- (iv) Chief Officers Appointments/Appraisal Panel of [23 June 2025](#).
- (v) Regulatory Panel – Licensing of [28 August 2025](#) and [25 September 2025](#).
- (vi) Regulatory Panel – Planning of [11 September 2025](#).
- (vii) Service and Partnerships Performance Panel of [20 August 2025 and 16 September 2025](#)

5. Results of Local Government By-Election 2025 – Ward 3 – Ayr North – Submit report by Chief Executive (copy herewith).
6. Appointment of Chief Officers – Submit report by Chief Executive (copy herewith).

7. Political Composition and Appointments to Panel – Submit report by Chief Governance Officer (copy herewith).
8. Scheme of Delegation – Submit report by Chief Governance Officer (copy herewith).
9. 2026-27 Budget Strategy and Budget Update - Submit report by Chief Financial Officer (copy herewith).
10. Pride in Place (PiP) Funding – Submit report by the Director of Communities and Transformation (copy herewith).
11. Redevelopment of the Former Hourstons Building and Former Arran Mall, Ayr – Submit joint report by Depute Chief Executive and Director of Housing, Operations and Development and Director of Health and Social Care Partnership (copy herewith).
12. Notice of Motion

(a) Moved by Councillor Bob Shields, seconded by Councillor George Weir:

"As Members will be aware, in recent years, as a Ward Councillor, have received a considerable number of complaints from residents of the flats in the Ayr Harbour area who live in single entry flatted dwellings about the impact of Short Term Lets on their community. These complaints reference noise, litter, parking issues, and anti-social behaviour

Consequently, I am requesting that Council supports this Motion that the Chief Executive requests relevant officers in the Planning Service and Short Term Lets Licensing Team to bring forward a joint report to Council within 6 months of todays date that provides details of any options for policies which could be considered by Council to address the issues raised by these residents. The report would include and address the option for the development of any appropriate planning guidance, and/or the steps that would require to be taken by planning officers for the creation of designated short term control area(s)."

13. Formal Questions

<p>For more information on any of the items on this agenda, please telephone Janice McClure, Committee Services on at 01292 612169, at Wellington Square, Ayr or e-mail: janice.mcclure@south-ayrshire.gov.uk www.south-ayrshire.gov.uk</p>
--

Webcasting

Please note: this meeting may be filmed for live and subsequent broadcast via the Council's internet site. At the start of the meeting, it will be confirmed if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during this webcast will be retained in accordance with the Council's published policy, including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site.

Generally, the press and public will not be filmed. However, by entering the Council Meeting, you are consenting to being filmed and consenting to the use and storage of those images and sound recordings and any information pertaining to you contained in them for webcasting or training purposes and for the purpose of keeping historical records and making those records available to the public. In making use of your information, the Council is processing data which is necessary for the performance of a task carried out in the public interest.

Live streaming and webcasting takes place for all public South Ayrshire Council meetings. By entering a public Council meeting you are consenting to the possibility that your image may be live streamed on our website, be available for viewing online after this meeting, and video and audio recordings will be retained on Council Records. Further information on how we process your personal data can be found at: <https://south-ayrshire.gov.uk/59239>

If you have any queries regarding this and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact Committee.Services@south-ayrshire.gov.uk

Copyright

All webcast footage is the copyright of South Ayrshire Council. You are therefore not permitted to download footage nor upload it to another website nor take still photographs from this footage and distribute it without the written permission of South Ayrshire Council. Please be aware that video sharing websites require you to have the permission of the copyright owner in order to upload videos to their site.

SOUTH AYRSHIRE COUNCIL.

Minutes of a hybrid webcast meeting
on 18 September 2025 at 10.15 a.m.

Present in County Buildings: Councillors Iain Campbell (Provost), Laura Brennan-Whitefield, Ian Cavana, Alec Clark, Chris Cullen, Ian Davis, Brian Connolly, Julie Dettbarn; William Grant, Hugh Hunter, Martin Kilbride, Mary Kilpatrick, Alan Lamont, Craig Mackay, Brian McGinley, Bob Pollock, Cameron Ramsay, Philip Saxton, Gavin Scott and Duncan Townson.

Present Remotely: Councillors Kenneth Bell, Martin Dowey, Stephen Ferry, Lee Lyons, Bob Shields and George Weir.

Apology: Councillor Ian Cochrane.

Attending in County Buildings: C. Sneddon, Chief Executive; K. Braidwood, Depute Chief Executive and Director of Housing, Operations and Development; J. Bradley, Director of Communities and Transformation; S. Mulholland, Acting Director of Education; T. Baulk, Chief Financial Officer; C. Cox, Assistant Director – Planning, Development and Regulation K. Dalrymple, Assistant Director – Housing and Operations; G. Hunter, Assistant Director – Communities; W. Carlaw, Service Lead – Democratic Governance; T. Simpson, Service Lead – Corporate Accounting; C. McMenamin, Service Lead – Legal and Licensing; F. Ross, Service Lead – Neighbourhood Services; P. Bradley, Service Lead – Professional Design Services; C. Neillie, Solicitor; H. Templeton, Procurement Contracts Co-ordinator; A. Steven, Co-ordinator, Democratic Governance; J. Chapman, Committee Services Officer; E. Moore, Clerical Assistant; and C. McCallum, Clerical Assistant.

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 no apologies had been received; and
- (3) referred to the recent sad death of Councillor Mark Dixon; advised that he had written to Mark's family expressing his condolences; invited Members to say a few words and Councillors Dettbarn, Davis, Dowey, Townson, Scott, Brennan-Whitefield and Connolly spoke of the great loss of Councillor Dixon. The Council then held a minute's silence.

2. **Sederunt and Declarations of Interest.**

Provost advised that he had been made aware that all Members may have an interest to declare in item 7 of this Minute entitled "Small Grants Scheme" as all Members were Trustees of the recipient Body and there was a connection but applying the objective test, there was no requirement to declare an interest as this was a non-financial interest on a personal basis. Members could claim the exemption and participate and vote on this item, therefore each Member did not require to declare an interest.

The Chief Executive then called the roll and 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.

Councillor Cochrane lost connectivity and did not re-join the meeting.

Councillor Lyons left the meeting at this point due to technical difficulties.

3. **Minutes of previous meetings**

(1) **Minutes of Previous Meeting of the Council.**

Provost Iain Campbell, seconded by Councillor Mary Kilpatrick, moved the Minutes of South Ayrshire Council of [26 June 2025](#) as a correct record.

The Council

Decided: to approve the Minutes of [26 June 2025](#) 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 [4 June 2025](#) and [25 June 2025](#).
- (ii) Cabinet of [28 May 2025](#) and [17 June 2025](#).
- (iii) Chief Officers Appointments/Appraisal Panel of [9 January 2025](#).
- (iv) Local Review Body of [6 May 2025](#)
- (v) Regulatory Panel – Licensing of [29 May 2025](#) and [19 June 2025](#).
- (vi) Regulatory Panel – Planning of [5 June 2025](#) and [24 June 2025](#).
- (vii) Service and Partnerships Performance Panel of [10 June 2025](#).

4. **Revised Portfolio Structure.**

There was submitted a [report](#) (issued) of 9 September 2025 by the Chief Executive seeking consideration of amendments to the Portfolio structure.

The Chief Executive introduced the report and advised that the report was being presented on behalf of the Administration who had identified changes to the current portfolio structure; highlighted the introduction of the terminology "Policy Lead" to denote the earlier involvement of Portfolio Holders in the development of policies and proposals to Council; and outlined that the Leader had communicated with the Opposition Groups proposing that they consider arrangements for Shadow Portfolio Holders/Policy Leads and that he had offered the opportunity for those shadow appointees to be participants in policy briefings; and that this was a live document which would be subject to further amendments.

Councillor Brian Connolly, seconded by Councillor Alec Clark, moved the recommendations as outlined in the report.

Questions were raised and comments made by Members in relation to:

- (1) welcoming that every new Administration organised the Council to suit its ideas and abilities; and asking whether the offer of Cabinet positions were non-remunerated and non-voting positions; and the Leader advised that these positions were not remunerated and that there would be a Shadow Cabinet with no voting rights and in addition two positions were being offered on Cabinet with voting rights;
- (2) seeking further clarification on the Shadow Cabinet; and the Chief Executive advised that the Leader had approached the Group Leaders in the opposition parties to share these proposals, suggesting that the opposition parties may wish to appoint a shadow spokesperson for each Portfolio who would attend the briefings with the appropriate Portfolio holder to allow the opposition parties to become more involved and more informed to help develop a greater approach to consensus;
- (3) whether two of the Shadow Policy Leads would be Cabinet Members with voting rights; and the Leader advised that was an option, however, that would be a decision for the opposition parties;
- (4) as Community Planning now fell within the Leisure and Community Services Portfolio, would this Policy Lead now be Chairing the Community Planning Partnership Board (CPPB); and the Leader advised that Councillor Dettbarn would remain as Chair of the CPPB;
- (5) being happy to have further discussions around the two Cabinet Members with voting rights; that there were Shadow Members on the Integration Joint Board which worked well; and referring to a typographical error in Appendix 2 of the document; and the Chief Executive advised that he would amend this error; and
- (6) congratulating the Leader on implementing what he said he would by offering the Opposition parties two positions on the Cabinet and hoping that these offers would be taken up as this would address a lot of historical issues regarding information sharing.

Twenty four Members voted for the Motion and one Member abstained and the Council, having considered the contents of the report,

Decided:

- (a) to agree the amendments to the Portfolio Structure proposed in Appendix 1 to the report and to note the Policy Leads for each of the Portfolios set out in Appendix 2 to the report; and
- (b) to request that the Chief Governance Officer arrange publication of the revised Scheme of Delegation incorporating any agreed amendments.

Councillor Lyons rejoined the meeting at this point.

5. Representation on Outside Bodies

There was submitted a [report](#) (issued) of 9 September 2025 by the Chief Governance Officer seeking approval to make alterations to the list of Outside Bodies.

The Service Lead – Democratic Governance introduced the report and advised that the Council had five positions on the AVJB and as a result of the recent death of Councillor Dixon, a vacancy had arisen.

Councillor Brian Connolly, seconded by Councillor Alec Clark, moved the recommendations as outlined in the report.

A comment was made by a Member that this matter should be deferred until following the by-election when the new Elected Member had been appointed; and the Service Lead – Democratic Governance advised that a meeting of the AVJB was taking place on 25 September 2025 to consider and approve the Board's annual accounts which required to be signed; and that the Vice-Chair was not available, therefore a Chair required to be in place for that meeting.

Nineteen Members voted for the Motion, 1 Member against the Motion and six Members abstained and the Council, having considered any other amendments which may be required to representation on Outside Bodies,

Decided:

- (1) to note the change in representative nominated by Members of the Administration identified in paragraph 4.1 of the report, namely that Councillor Gavin Scott replace Councillor Mark Dixon as a representative on the Ayrshire Valuation Joint Board (AVJB); and
- (2) to note the proposal that Councillor Gavin Scott be recommended to the AVJB as Chair from South Ayrshire Council membership of the Board, as outlined in paragraph 4.4 of the report.

6. SAC LLP (Nominees) Limited.

There was submitted a [report](#) (issued) of 9 September 2025 by the Chief Governance Officer seeking approval of a change of representative on the SAC LLP (Nominees) Limited.

The Service Lead – Legal and Licensing introduced the report.

Councillor Brian Connolly, seconded by Councillor Alec Clark, moved the recommendations as outlined in the report.

Questions were raised and comments made by Members in relation to:

- (1) why the Depute Chief Executive and Director of Housing, Operations and Development was being appointed to this position as previously it had been the Chief Executive and Leader who had been Directors of the company; and the Service Lead – Legal and Licensing advised that currently only a Secretary was in post who was a former officer of the Council so the company had no active Members and the purpose of this report was to allow the company to continue; and that a substitution of Directors of the company could be made in future should this be felt appropriate; and

- (2) the decision taken in 2018 to wind up the Ayr Renaissance LLP Agreement and transfer the assets and why this had taken so long to be undertaken; and the extent of discussions with the Heritage Lottery Fund and how quickly would matters be resolved; and the Service Lead – Corporate Accounting advised that there had been a number of claims ongoing and resolved regarding potential clawback from private home owners in connection with work around Townscape Heritage Initiative; that one claim remained outstanding which would hopefully be resolved in the next few weeks which would then clear the way for Ayr Renaissance LLP to be wound up, however, the company remained in place while the position was being confirmed with the Heritage Lottery Fund and other funders and that, once concluded the Council would be in a position to wind up the company.

The Council

Decided:

- (a) to note that Mike Newall, former Chief Executive, resigned as a Director of SAC LLP (Nominees) Limited with effect from 6 August 2025, and Councillor Martin Dowey resigned as a Director with effect from 17 August 2025; and
- (b) to approve the appointment of Councillor Brian Connolly and Kevin Braidwood, Director of Housing, Operations and Development, as Directors of SAC LLP (Nominees) Limited with immediate effect.

7. Small Grants Scheme.

There was submitted a [report](#) (issued) of 9 September 2025 by the Chief Governance Officer presenting options regarding the application of £50,000 from the 2025/26 approved revenue budget for a small grants scheme.

The Chief Financial Officer introduced the report and advised that officers had considered various options and, following a Members' briefing in August 2025, the Members' preference was for a contribution from South Ayrshire Council to continue the good work of the Trust since its inception.

Councillor Ian Davis, seconded by Councillor Brian Connolly, moved the recommendations as outlined in the report, namely to accept Option 2 as outlined in paragraph 4.7 of the report.

A comment was made regarding this Scheme being very worthwhile providing funding for both individuals and small groups.

The Council, having thanked the officers involved for their work on this matter and with the Elected Members' briefing,

Decided:

- (1) to contribute £50,000 for a small grants scheme per the Council's approved 2025/26 budget to South Ayrshire Charitable Trust for the purpose of providing grants and donations which met the purposes of that Trust; and
- (2) that, acting as Trustees of South Ayrshire Charitable Trust, the Council:
- (a) accept the contribution of £50,000 from South Ayrshire Council as set out in paragraph 2.1.1 of the report;

- (b) agree to accept Option 2 as set out in paragraph 4.7 of the report as how Members wished the contribution to be allocated;
- (c) approve the Business Plan for their preferred option for the operation of South Ayrshire Charitable Trust for the year 2025/26 as detailed in [Appendix 1](#) of the report;
- (d) agree to delegate to Committees of Trustees, as detailed in the Business Plan for Option 2, decisions for disbursement of the £50,000 contribution by way of grants and donations from South Ayrshire Charitable Trust; and
- (e) agree to continue to review the South Ayrshire Charitable Trust Business Plan and Committee arrangements on an annual basis.

8. **Standing Orders Relating to Contracts.**

There was submitted a [report](#) (issued) of 9 September 2025 by the Chief Financial Officer seeking approval to amend the Council's Standing Orders Relating to Contracts following their most recent review.

The Chief Financial Officer introduced the report.

Councillor Ian Davis, seconded by Councillor Brian Connolly, moved the recommendations as outlined in the report.

Questions were raised and comments made in relation to:

- (1) Standing Order No. 17.1, and the importance of community benefits, whether an additional line could be added stating "and/or community benefits"; and the Chief Financial Officer advised that the Standing Orders Relating to Contracts were in line with the Procurement Reform (Scotland) Act 2014 which included community benefits so the Council's Standing Orders already had this inbuilt;
- (2) whether the omission of "community benefits" within the Standing Orders mitigated against the consideration of community benefits; and the Chief Financial Officer advised that this would certainly not be the case; that there was the option to include community benefits for contracts between £10,000 and £50,000 and that, for contracts over £50,000, the Council was required to include it as part of the contract; and
- (3) that any improvements to the Standing Orders and operational arrangements around contracts was welcomed as this was a very important area for the Council's procedures and reputation and that, whilst there were improvements around the operation of contracts, previously who was eligible to approve contracts and evidence and tracking of this was lacking; that the governance arrangements required to be examined, how the contracts and procedures related to the priorities of the Council and the auditing and reporting mechanisms; and that consideration should be given to the strategic monitoring of these contracts, either by way of being considered at a Scrutiny Panel or the Council satisfying itself in terms of Best Value; and the Chief Financial Officer advised that he would take these comments on board and consider these proposals.

The Council, having considered the revisions proposed to the Standing Orders Relating to Contracts (summary of proposals contained in Appendix 1 to the report),

Decided: to approve the revised Standing Orders Relating to Contracts (Appendix 2) and the list of delegations (Appendix 3) with effect from 19 September 2025.

9. **Financial Regulations Review.**

There was submitted a [report](#) (issued) of 9 September 2025 by the Chief Financial Officer seeking approval of the revised Financial Regulations following review.

The Chief Financial Officer introduced the report and advised that the main amendments were outlined in paragraph 4.1 of the report and all amendments were highlighted in bold text throughout the document in Appendix 1 to the report.

Councillor Ian Davis, seconded by Councillor Brian Connolly, moved the recommendations as outlined in the report.

Comments were made and questions raised by Members in relation to:

- (1) paragraph 21.4 of the report regarding pre-printed, pre-signed cheques; and the Chief Financial Officer advised that cheques were still used to issue some benefits; and
- (2) the periodic review of insurance cover; and the Chief Financial Officer advised that the insurance cover must be reviewed annually, however, stating "periodically" in the Regulations allowed the insurance to be reviewed more frequently if necessary; and
- (3) the Transformation Fund being used for cashable benefits and whether this was in-year, medium term or if there was a timescale for the monies being used; and the Chief Financial Officer advised that all of these timescales applied; that cashable benefits required to be identified as soon as possible to allow the budget to go forward; that, as long as it was anticipated savings required to be made, cashable benefits required to be made through the Transformation Fund; and that the monies in the Fund would eventually be expended, however, there were currently sufficient funds.

The Council,

Decided: to approve the revised Financial Regulations (Appendix 1), to be effective from 19 September 2025.

10. **Treasury Management Annual Report 2024/25.**

There was submitted a [report](#) (issued) of 9 September 2025 by the Chief Financial Officer presenting, in line with the requirements of the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management, the annual report of treasury management activities for 2024-25 (as attached at [Appendix 1](#)) and seeking Members' consideration of its contents.

The Chief Financial Officer introduced the report and advised that the Audit and Governance Panel of 25 June 2025 had considered the report and agreed to remit it to Council for approval.

Councillor Ian Davis, seconded by Councillor Brian Connolly, moved the recommendations as outlined in the report.

Comments were made and questions raised in relation to the report being well written and easy to follow; and seeking clarification on the under borrowed position outlined in paragraph 4.3 and the overspend in item 6.3; and the Chief Financial Officer advised that, in terms of the under borrowed position, that reflected the Capital Investment Programme; that the Council had planned to borrow monies, however, if the Programme did not perform or there was slippage, the monies were moved; that interest rates in the last 18 months or so had been higher than anticipated; and that, despite borrowing less, interest rates had been higher, however interest rates were now coming down and there would hopefully be no overspend this year.

The Council, having thanked the members of the Audit and Governance Panel for scrutinising this report and the Treasury Management Team for the work undertaken,

Decided: to approve the Annual Treasury Management Report 2024/25, as attached at [Appendix 1](#).

11. **Guidance on Justification to Support Capital Projects.**

There was submitted a [report](#) (issued) of 11 September 2025 by the Depute Chief Executive and Director of Housing, Operations and Development seeking approval for the adoption of Guidance on the justification required for the approval of different categories of capital projects/ works; and that, if approved, adoption of the Guidance would involve some minor amendment to the Asset Management Plan and the Guidance would be included as Annex 1b to that Plan.

The Assistant Director – Planning, Development and Regulation introduced the report and advised that a flow chart had been developed to assist officers in working through the steps in the guidance, which could be provided to Members.

Councillor Brian Connolly, seconded by Councillor Ian Davis, moved the recommendations as outlined in the report.

A comment was made by a Member that, whilst understanding that procedures were necessary, it was hoped that these processes did not cause delays and possible price increases before projects could be delivered; and the Assistant Director – Planning, Development and Regulation advised that these procedures required to be adhered to and that setting them out earlier in the process provided early guidance to officers and Members to assist in delivering the projects more timeously.

The Council

Decided:

- (1) to approve the Guidance on the levels of justification required for different categories of capital projects/ works, as set out in Appendix 1; and
- (2) to approve the amended Asset Management Plan as set out in Appendix 2 at 5.2 and 5.3. as outlined in paragraph 4.2 of the report.

12. **Memorial Policy**

There was submitted a [report](#) (issued) of 9 September 2025 by the Depute Chief Executive and Director of Housing, Operations and Development seeking approval regarding the future management of both existing and new memorial tributes; and seeking approval of the increased selection of memorials that Neighbourhood Services could offer family and friends wishing to purchase a tribute to commemorate their loved one.

The Service Lead – Neighbourhood Services introduced the report and outlined the current options available to families to commemorate a loved one and the proposed options and locations for these, as outlined within the report.

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

Comments were made and questions raised by Members in relation to:

- (1) requesting that the locations of these memorials be discussed with ward members and that the public be made aware of these locations;
- (2) welcoming this report as there was a waiting list of people wishing to have a memorial to their loved ones; welcoming the different options available; requesting that consideration be given to introducing plaques on trees as a memorial; and requesting that a report be submitted to Council in one year with an update on how this matter was progressing; and the Service Lead – Neighbourhood Services advised that she would examine the potential of plaques on trees, however, when used previously these had been subject to vandalism or theft which had caused further upset to families; and that a proposal had been the use of QR codes on tree branches which she would also examine;
- (3) welcoming the affordable cost of a plaque on a memorial bench, however, having six plaques on a bench could be felt by families that it was not as personal as it was shared with another five families; and the Service Lead – Neighbourhood Services advised that historically it had been one plaque per bench, however there were now no available benches; and having multiple plaques on benches provided families with a location to remember a loved one;
- (4) paragraph 4.5 of the report outlining that the cost of a plaque on a bench was £250 for five years with a renewal option available and seeking clarification on the cost of the renewal; and the Service Lead – Neighbourhood Services advised that there would be a renewal cost, however, this was subject to change due to budgetary increases;
- (5) welcoming that Bereavement Services had recognised the requirement for these memorials, however, there had been no consultation with Elected Members on this matter; and seeking a quarterly update on progress; and the Service Lead – Neighbourhood Services advised that consultation had taken place with Community Councils on this matter; that the most popular requested areas for a memorial were Troon Promenade, Ayr Promenade, Rozelle Park and Belleisle Park, therefore those areas had been focussed on, however, should a specific area be requested, this would be examined; and the Chief Executive further advised that quarterly reporting was too regular for a new initiative as this required time to "bed in" and that an update report would be provided in one year;
- (6) requesting that the annual update report to Council be included as a recommendation; and Councillor Kilbride as the Mover of the Motion agreed to this request;

- (7) Troon being a hotspot for memorials and there had been historic problems with families failing to maintain benches which became a safety issue and the Council required to contact families to replace or remove the bench; that six plaques per bench may make this more manageable as the Council would be responsible for maintenance; that the people of Troon were very receptive to memorial sculptures in various locations; and would families be able to have a memorial tree at any suitable location; and the Service Lead – Neighbourhood Services advised that it was her intention to work with families to find suitable locations; that benches offered a different way to remember a loved one; and that a memorial hedge had been installed in Prestwick which had created a lot of positive interest;
- (8) the process for the introduction of the memorial hedge in Prestwick and congratulating the Service Lead – Neighbourhood Services on the consultation with ward members and Community Council members to establish a preferred location; and seeking clarification on the process for contacting family members to obtain permission to add additional plaques on existing benches; and the Service Lead – Neighbourhood Services advised that she speak to those families who she had contact details for, however, where the bench had already been purchased by a family, no additional plaques would be added;
- (9) the cost of the memorials; and the Service Lead – Neighbourhood Services advised that once the memorial had been purchased, the cost of maintenance then fell to Neighbourhood Services thus taking the burden off families; and
- (10) benches on golf courses; and whether a policy existed for the interment or scattering of ashes; and the Service Lead – Neighbourhood Services advised that she did not have responsibility for golf courses; and that there was no specific policy for ashes, however, some families had asked for a loved one's ashes to be interred at the time of planting a memorial tree and this had been facilitated.

The Council

Decided:

- (a) to approve the increased range of tributes, as detailed in [Appendix 1](#), that Neighbourhood Services was able to offer family and friends;
- (b) to request that officers finalise and agree appropriate Terms and Conditions with Legal Services to accompany the offer of the tributes identified above to the public; and
- (c) to request that an annual update report be submitted to Council.

13. Proposed Ward Capital Projects – Update 2023 to 2025 and Approval of New Capital Projects 2025 to 2026

There was submitted a [report](#) (issued) of 11 September 2025 by the Depute Chief Executive and Director of Housing, Operations and Development providing an update on ward capital projects approved by the Council of 29 June 2023 and 12 December 2024, and also by Cabinet at its meeting of 26 September 2023; and also recommending further capital projects for initiation and implementation during the financial years 2025/26 and 2026/27.

The Assistant Director – Housing and Operations introduced the report, gave an update: on the Ward Capital and Promenade profiled spend and advised that the budget was split into various factors for each ward and included the most up to date position; of the programme over the next 18 months; that some wards had budget commitments close to allocated; and that regular meetings had taken place on this matter and it was important that these meetings continue to consider potential future projects.

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

Comments were made and questions raised by Members in relation to:

- (1) thanking officers and the Ayr North Members for their excellent work on Ayr North projects;
- (2) the slow progress with projects in Prestwick and enquiring if there was a date for the reopening of the Prestwick Leisure Centre; and the Director of Communities and Transformation advised that the Centre would reopen on 29 September 2025;
- (3) the importance of the power supply at Boydfield Gardens, Prestwick; and the interest from the community, Community Council and organisers of the three main events in Prestwick of the banner signage and it would be welcomed if consultation on these matters could take place to allow them to advance;
- (4) that the work undertaken by officers had made a significant difference to the Ayr North community; and that Wallacetown residents should forward ideas to further improve the community;
- (5) welcoming how processes had advanced; that the report included more than just the ward capital projects; that Ayr East Members had received no consultation on Ayr Town Centre or Promenade Projects and enquiring if Members would be consulted in future; and the Assistant Director – Housing and Operations advised that Town Centres were dealt with separately and that, should Members prefer, two reports could be submitted for March 2026, one for Wards and one for Promenades; and the Assistant Director – Planning, Development and Regulation further advised that the majority of the Promenade works came from the Ayr Esplanade Strategy which had gone out to consultation in November 2023, however, there was not much response to this consultation; that most projects had not had the benefit of consultation; and that the Chief Executive was currently examining Working Groups and she would be requesting a change as to how the Ayr Town Centre Member/Officer Working Group was constituted;
- (6) the Ayr Town Centre Member/Officer Working Group; and the Assistant Director – Planning, Development and Regulation advised that the Group had been established in 2012 to oversee the work of Ayr Renaissance and had been constituted with ward members of Ayr West; that the Group had not met since 2019, however, had been reconvened earlier this year and that the Leader and relevant Portfolio Holders had been invited to the meeting; and that it was hoped to review the membership;
- (7) whether the timescales in the Kyle Ward of Autumn 2025 and October 2025 were achievable; and the Assistant Director – Housing and Operations advised that the Ayrshire Roads Alliance projects would advance quickly now the purchase orders had been obtained; and various other projects would come to fruition over the winter months; that there were issues with supplies due to other Local Authorities also using the same suppliers which had led to delays and slippage of timescales, however, regular update meetings would continue and Members would be kept advised of progress;

- (8) that the update meetings on how projects were progressing were welcomed and that discussions would take place with the Assistant Directors on how best to proceed to continue to update Members; and
- (9) thanking the officers for the work undertaken on the projects across all Wards that had been completed to date.

The Council

Decided:

- (a) to agree the capital investment projects identified in [Appendix 1](#) with a white background under project description for initiation and implementation during the financial years 2025/26 and 2026/27 and to approve the projects with a budget commitment in excess of £100,000 as detailed in Appendix 1;
- (b) to agree that, to ensure ongoing proper financial management, Ward Members provide a list of priority projects at the next round of officer/member Ward Capital meetings to plan the projects within the balance of the remaining ward and promenade budgets and to amend programmes in line with the overall budget provision, with an update provided to Council in December 2025;
- (c) to note that some of the projects in [Appendix 1](#) may require public consultation as part of an Integrated Impact Assessment prior to being able to be recommended to Council for approval;
- (d) to note the progress made with the capital investment projects identified in columns 6 and 7 of [Appendix 1](#);
- (e) to agree to remove all projects identified as red in Appendix 1; and
- (f) to note that a copy of [Appendix 1](#) containing all potential projects would be forwarded to Community Councils for information.

Adjournment

The time being 11.55 a.m., the Council adjourned.

Resumption of Meeting

The Council resumed at 12.05 p.m.

Councillor Philip Saxton left the meeting at this point.

14. Review of Capital Estimates: General Services Capital Investment Programme 2025/26 to 2036/37

There was submitted a [report](#) (issued) of 11 September 2025 by the Depute Chief Executive and Director of Housing, Operations and Development seeking approval to update the General Services Capital Investment Programme for financial years 2025/26 through to 2036/37, as a result of a combination of (a) re-profiling of budgets between financial years; (b) budget reductions to projects; and (c) budget increases to projects, which if approved, would lead to reduced debt charges to the Council and reduce the pressure on revenue budgets.

The Depute Chief Executive and Director of Housing, Operations and Development introduced the report.

Councillor Ian Davis, seconded by Councillor Bob Shields, moved the recommendations as outlined in the report.

Comments were made and questions raised by Members in relation to:

- (1) the Council facing a challenging budget setting for 2026/27 and that it was appropriate that steps be taken at this point to reduce the projected deficit; that the Council had carried out a capital review in February 2025 which had saved monies and that these further adjustments would save more in the coming years; and that, given the options available to Members, these decisions were the appropriate steps to take;
- (2) could the revenue spending be reduced further over the next two years; and the Depute Chief Executive and Director of Housing, Operations and Development advised that the programme was influenced by construction costs and inflation, however, he would continue to reprofile throughout the duration of the programme;
- (3) the £810,000 transferred from Climate Emergency Projects in 2025/26 to the Citadel Refurbishment; and the Service Lead – Professional Design Services advised that the Climate Emergency Fund was a Scottish Government Grant which had been allocated to provide enhanced efficiency measures in the Citadel;
- (4) the reduction in Ayr Town Centre regeneration works due to part of the budget being reallocated and did this affect the Hourstons Project; and the Service Lead – Professional Design Services advised that the Council had received Levelling Up funding from the Scottish Government which was being utilised for the Burns Statue Square project, which was what the Town Centre Regeneration monies were previously earmarked for; and that the Hourstons Project had a separate budget line; and
- (5) whether any external funding received had influenced this fund; and the Depute Chief Executive and Director of Housing, Operations and Development advised that income from capital grants from numerous sources influenced the capital programme.

The Council

Decided:

- (a) to approve the adjustments detailed in Appendices 2 and 3 attached to the report;
- (b) to approve the revised General Services Capital Programme 2025/26 to 2036/37 as detailed in Appendix 4; and
- (c) to note the associated debt charge implications as detailed in Appendix 5 and specifically the £1,442,080 reduction in the planned increase in debt charge budgets for 2026/27.

15. **Capital Investment Programme – Troon Regeneration.**

There was submitted a [report](#) (issued) of 9 September 2025 by the Depute Chief Executive and Director of Housing, Operations and Development providing an update on the development of potential regeneration projects and to identify funding priorities for the Troon Regeneration Projects budget.

The Assistant Director – Planning, Development and Regulation introduced the report and advised that the full Business Case was outlined in Appendix 1 to the report.

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

Comments were made by Members in relation to:

- (1) this project being an example of joint working of members and officers producing good results; that this process should be introduced for Ayr Town Centre to ensure that all buildings and walkways were continuously improved; and that further ways to improve Ayr Town Centre in conjunction with the Scottish Government and other agencies should be examined to ensure that the town centre was thriving again; and that good lessons had been learned from this project; and
- (2) this being an excellent piece of work with exciting projects which would transform Troon; the resurfacing of part of Academy Street car park which had highlighted the poor quality of the area owned by the Council; and that this also tied into the wider car parking strategy for the town centre which Ayrshire Roads Alliance would be examining.

The Council

Decided:

- (a) to note the development of potential regeneration projects in Troon and the options appraisal on the proposals in Appendix 2;
- (b) to agree the allocation of £1,000,000 from the Troon Regeneration Capital Budget to progress internal refurbishment and upgrades to the Troon Municipal Buildings, comprising the Town Hall/ Concert Hall and Walker Hall;
- (c) to agree an allocation of £150,000 to progress design work to improve the public realm around the Municipal Buildings and wider environment to support development of a café culture in the town; and
- (d) to agree an allocation of £500,000 to progress an extension to the swimming pool at Troon Leisure Club.

16. Troon Pool - Scotland's Public Sector Heat Decarbonisation Fund Phase 2

There was submitted a [report](#) (issued) of 11 September 2025 by the Depute Chief Executive and Director of Housing, Operations and Development

- (1) providing an update in relation to a grant award from Phase 2 Scotland's Public Sector Heat Decarbonisation Fund of £1,718,998 (£1.72m hereafter) towards building fabric upgrades of Troon Pool with the aim of reducing energy consumption, revenue costs, and carbon emissions from the property; and
- (2) that, in order to meet the terms of the £1.72m grant, the Council must make a contribution of £862,502 (£0.86m hereafter). The purpose of the paper is therefore to request approval of additional funding of £862,502 through a realignment of other budgets within the General Services Capital Programme to the Troon Swimming Pool - Health and Fitness Extension budget to enable the delivery of the project.

The Assistant Director – Planning, Development and Regulation introduced the report .

Councillor Chris Cullen, seconded by Councillor Ian Davis, moved the recommendations as outlined in the report.

Comments were made by Members in relation to:

- (1) this being a forward looking investment that demonstrated the Council's commitment to climate responsibility and sustainable service delivery by securing phase 2 funding from the Scottish Government Public Sector Heat Decarbonisation Fund putting this Council at the forefront of the transition to net zero; commending the officers for the work on this matter; and outlining the benefits of this investment;
- (2) that the Council should be proud of the sport and leisure facilities within South Ayrshire; and thanking the staff involved for their efforts with this programme of works;
- (3) that this upgraded facility would encourage people to become more active; and that the centre would become more financially viable which was commendable; and
- (4) that this project was a good example of the need to invest in the Council's assets, using national funding and other sources to make this sustainable; that support for a leisure centre in any town was not just around health benefits but also around building sustainable communities; and that when budget cuts were predicted, the Council should ensure that these community assets were protected.

The Council:

Decided:

- (a) to note the award of £1.72m from Phase 2 Scotland's Public Sector Heat Decarbonisation Fund for building fabric upgrades of Troon Pool; and
- (b) that, given the conditionality of said award, to approve £0.86m to be transferred from through a realignment of other budgets within the General Services Capital Programme to Troon Swimming Pool - Health and Fitness Extension budget to enable the delivery of the project.

17. **Ayrshire Growth Deal (AGD) Spaceport.**

There was submitted a [report](#) (issued) of 9 September 2025 by the Depute Chief Executive and Director of Housing, Operations and Development outlining that £3.279 million of capital expenditure incurred to date on the Prestwick Spaceport Project, which formed part of the Ayrshire Growth Deal investment programme was now not progressing following the agreed restatement of the AGD programme.

The Depute Chief Executive and Director of Housing, Operations and Development introduced the report.

Councillor Brian Connolly, seconded by Councillor Ian Davis, moved the recommendations as outlined in the report.

A question was raised regarding whether any of the preparatory work undertaken would be refundable and could be used for another capital programme; and the Chief Financial Officer advised that, following discussions with the Scottish Government, unfortunately the costs were at the risk of the Council and the work undertaken could not be converted to alternative works; and the Leader further advised that he had also asked these questions and the Chief Financial Officer had examined this matter; and commended the Depute Chief Executive and Director of Housing, Operations and Development on the programme in place to progress the Ayrshire Growth Deal.

The Council:

Decided:

- (1) to note the previous approval of 6 February 2025 authorising officers to re-profile the Ayrshire Growth Deal investment and submit to both Governments under the change management process which had now been approved;
- (2) to note the strategic rationale behind this decision following revised feasibility assessments and changes in market conditions; and
- (3) to note the £3.279m of capital expenditure associated with the Prestwick Spaceport Project had been met from the previously created provision currently held in the Council's balance sheet.

18. **Notice of Motion**

The Provost advised that, in terms of Standing Order No. 18, the Notice of Motion on the agenda had now been withdrawn due to it being incompetent as it was not seconded within the deadline.

19. **Formal Questions.**

The Council noted that no Formal Questions had been submitted.

Exclusion of press and public.

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 item 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.

20. **Citadel Leisure Centre**

There was submitted a joint report (Members only) of 9 September 2025 by the Depute Chief Executive and Director of Housing, Operations and Development and the Director of Communities and Transformation providing an update on progress on the delivery of the Refurbishment of the Citadel Leisure Centre project, the current financial position, and to set out the additional funding that was required as a result of market conditions in the construction industry to enable the delivery of the project in accordance with current programme scope and timelines.

The Depute Chief Executive and Director of Housing, Operations and Development introduced the report.

Councillor Chris Cullen, seconded by Councillor Ian Davis, moved the recommendations as outlined in the report.

Point of Order

A Point of Order was raised by Councillor Hunter that a Member had spoken on more than one occasion, however, Provost advised that one instance was a comment and one was a question.

Following a full discussion and questions, twenty one Members voted for the Motion and four Members against and the Council

Decided:

- (1) to note the current project status in respect of works completed and the current financial position requiring additional allocation; and
- (2) to approve additional funding of £4.9m through a transfer from Ayr Town Centre Regeneration Works budget to the Citadel Refurbishment budget to enable the delivery of the project in accordance with current programme timelines.

21. **Consideration of Disclosure of the above Confidential Report.**

Following advice from the Service Lead – Democratic Governance, nineteen Members voted for the Motion and six Members against the Motion and the Council

Decided: not to authorise the disclosure of this report under Standing Order 32.4:

- The Citadel Leisure Centre

Provost

Provost thanked everyone in attendance for their contribution.

The meeting ended at 1.15 p.m.

South Ayrshire Council

**Report by Chief Executive
to South Ayrshire Council
of 6 November 2025**

Subject: Results of Local Government By-Election 2025 – Ward 3: Ayr North

1. Purpose

1.1 The purpose of this report is to advise the Council of the outcome of the recent By-Election in Ward 3 - Ayr North.

2. Recommendation

2.1 **It is recommended that the Council notes the outcome of the By-Election for Ward 3 – Ayr North and the election of Wullie Hogg as Councillor for this electoral ward.**

3. Background

3.1 Following the death of Councillor Mark Dixon, a By-Election was held in Electoral Ward 3 – Ayr North on 16 October 2025.

3.2 Eight candidates stood in the election, with polling being conducted using the Single Transferable Vote System.

4. Proposals

4.1 The result of the By-Election was as follows:

<i>Candidate</i>	<i>First Preference</i>	<i>Elected at Stage</i>
BULIKJ, Orhan	51	
DOUGLAS, Ian	790	
DUNCAN, John	691	
GRAHAM, Mason	73	
HOGG, Wullie	850	8
PATERSON, David	195	
PETRIE, David	151	
RUSSELL, Andrew	584	

- 4.2 More detailed information is available on the Council's [website](#).
- 4.3 Wullie Hogg (Independent) was elected as Councillor to fill the Ward 3 – Ayr North vacancy.
- 4.4 With the election of Wullie Hogg, the political balance of the Council at the date of the by-election was:

Alba	1
Independent	11
Scottish Conservative and Unionist Party	6
Scottish Labour Party	5
Scottish National Party (SNP)	5

5. Legal and Procurement Implications

- 5.1 There are no legal implications arising from this report.
- 5.2 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 Not applicable.

7. Human Resources Implications

- 7.1 Not applicable.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

- 8.1.1 There are no risks associated with adopting the recommendations.

8.2 *Risk Implications of Rejecting the Recommendations*

- 8.2.1 There are no risks associated with rejecting the recommendations.

9. Integrated Impact Assessment (incorporating Equalities)

- 9.1 The proposals in this report do not require to be assessed through an Integrated Impact Assessment.

10. Sustainable Development Implications

- 10.1 ***Considering Strategic Environmental Assessment (SEA)*** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. Options Appraisal

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

12. Link to Council Plan

12.1 The matters referred to in this report contribute to Priority 4 of the Council Plan: Efficient and effective enabling services.

13. Link to Shaping Our Future Council Yes No

13.1 Not applicable.

14. Results of Consultation

14.1 Not applicable.

15. Next Steps for Decision Tracking Purposes

15.1 If the recommendations above are approved by Members, the Chief Executive will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

Implementation	Due date	Managed by
Report for noting only – no further action	Not applicable	Not applicable

Background Papers None

Person to Contact Cleland Sneddon, Chief Executive
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612002
E-mail cleland.sneddon@south-ayrshire.gov.uk

Date: 21 October 2025

South Ayrshire Council

**Report by Chief Executive
to South Ayrshire Council
of 6 November 2025**

Subject: Appointment of Chief Officers

1. Purpose

- 1.1 The purpose of this report is to update Members in relation to the recent recruitment exercise for Chief Officer vacancies.

2. Recommendation

- 2.1 It is recommended that the Council notes the contents of this report.**

3. Background

- 3.1 At its meeting on 23 June 2025, the Chief Officers' Appointments/ Appraisal Panel agreed:

- 3.1.1 that the Chief HR Officer contact the Society of Local Authority Chief Executives (Solace) to discuss the selection process for the posts of Director of Education, Director of Health and Social Care and Head of Community Health and Care Services.

- 3.2 At its meeting on 26 June 2025, the Council was advised of the resignation of the Chief Executive with effect from 30 June 2025 and agreed the appointment of an interim Chief Executive with effect from 14 July 2025.

- 3.3 Subsequently, the Chief Executive vacancy was incorporated into the selection process, with Solace engaged to support the assessment centre element.

4. Detail

- 4.1 Following a comprehensive two-day assessment centre and panel interview process, which included a joint panel with Health Board colleagues for the Health and Social Care Partnership appointments, the Chief Officers' Appointments/ Appraisal Panel confirmed the following appointments:

- Chief Executive – Stephen Penman;
- Director of Education – Scott Mulholland;
- Director of Health and Social Care Partnership – Mark Inglis; and
- Head of Community Health and Care Services - Stewart Marshall.

4.2 At its meeting on 26 June 2025, the Council agreed to review the interim leadership arrangements at the December 2025 Council meeting. To close this action, Stephen Penman will assume the role of Chief Executive on Monday 17 November 2025. A two-week handover period will follow, during which the interim Chief Executive will support the transition. Thereafter, the interim Chief Executive's tenure will conclude on Sunday 30 November 2025.

4.3 It has been agreed that Mark Inglis will assume the role of Director of Health and Social Care Partnership on Monday 10 November 2025. Thereafter, the interim Director of Health and Social Care Partnership's tenure will conclude on Sunday 16 November.

4.4 The Chief Officers' Appointments/ Appraisal Panel considered and agreed that for all future Chief Officer appointments including joint appointments, Solace should be engaged to deliver the assessment centre component of the selection process.

5. Legal and Procurement Implications

5.1 There are no legal implications arising from this report.

5.2 There are no procurement implications arising from this report.

6. Financial Implications

6.1 Costs will be met from existing budget provision.

7. Human Resources Implications

7.1 As outlined in this report.

8. Risk

8.1 Risk Implications of Adopting the Recommendations

8.1.1 There are no risks associated with adopting the recommendations.

8.2 Risk Implications of Rejecting the Recommendations

8.2.1 There are no risks associated with rejecting the recommendations.

9. Integrated Impact Assessment (incorporating Equalities)

9.1 The proposals in this report do not require to be assessed through an Integrated Impact Assessment.

10. Sustainable Development Implications

10.1 ***Considering Strategic Environmental Assessment (SEA)*** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11/

11. Options Appraisal

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

12. Link to Council Plan

12.1 The matters referred to in this report contribute to Priority 4 of the Council Plan: Efficient and effective enabling services.

13. Link to Shaping Our Future Council Yes No

13.1 Not applicable.

14. Results of Consultation

14.1 There has been no public consultation on the contents of this report.

14.2 Consultation has taken place with Councillor Brian Connolly, Policy Lead for Economy and Strategy, and the contents of this report reflect any feedback provided.

15. Next Steps for Decision Tracking Purposes

15.1 If the recommendations above are approved by Members, the Chief Executive will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

Implementation	Due date	Managed by
Finalisation of recruitment documentation and issuing of contracts	31 October 2025	Chief HR Officer

Background Papers [Chief Officers' Appointments/ Appraisal Panel – 23 June 2025 - Minutes](#) (page 1, item 4)

[South Ayrshire Council - 26 June 2025 - Minutes](#) (page 22, item 17)

Person to Contact Cleland Sneddon, Chief Executive
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612002
E-mail cleland.sneddon@south-ayrshire.gov.uk

Date: 21 October 2025

South Ayrshire Council

**Report by Chief Governance Officer
to South Ayrshire Council
of 6 November 2025**

Subject: Political Composition and Appointments to Panel

1. Purpose

- 1.1 The purpose of this report is to advise on changes to the political composition of the Council notified to officers and to seek the Council's approval to make alterations to the composition of Panels and representatives thereon.

2. Recommendation

2.1 It is recommended that the Council:

- 2.1.1 notes the resignation of Councillors Alan Lamont and Mary Kilpatrick from the Audit and Governance Panel;**
- 2.1.2 notes the changes to the political composition of the Council notified to officers as at 22 October 2025;**
- 2.1.3 considers the current membership of Panels and the 22 October 2025 composition based on proportionality (outlined in [Appendix 1](#)), approves any required changes to membership of Panels and nominates and appoints members to vacant positions;**
- 2.1.4 delegates to the Chief Executive to seek nominations for the appointment of substitute members of the Chief Officers' Appointments/ Appraisal Panel, one from the Administration and one from the Opposition Groups; and**
- 2.1.5 requests that officers make the required amendments to the composition of Panels to reflect these changes.**

3. Background

- 3.1 In terms of para 11.2 of the Council's Scheme of Delegation, the selection and de-selection of Councillors and officers to serve on and/ or to represent the Council on Joint Committees, Joint Boards and other external bodies and organisations is reserved to Council.

4/

4. Detail

Resignations from Panels

- 4.1 Councillors Alan Lamont and Mary Kilpatrick have intimated their resignation as members of the Audit and Governance Panel.

Changes to Council Political Composition

- 4.2 Councillor Gavin Scott has notified officers of his intention to join Reform UK.
- 4.3 Councillor Ian Davis has notified officers that he has left the Conservative Group and will now sit as an Independent Councillor.
- 4.4 As notified in a separate report to Council at this meeting, Councillor Wullie Hogg was elected as an Independent Councillor following the Ward 3 By-Election on 16 October 2025.
- 4.5 As a result of the above changes notified to officers, as at 22 October 2025, the revised political composition of the Council is stated as:

Alba	1
Conservative and Unionist Party	5
Independent	11
Labour Party	5
Reform UK (confirmation awaited)	1
SNP	5
Total	28

- 4.6 The table in [Appendix 1](#) outlines the current membership of each Panel, the composition as at 22 October 2025 based on proportionality and changes intimated or required.

Chief Officers' Appointments/ Appraisal Panel

- 4.7 Recent recruitment arrangements for the appointment of Chief Officers have highlighted issues regarding availability of members of the Chief Officers' Appointments/ Appraisal Panel. It is, therefore, recommended that the Council nominates and appoints two substitute members of the Panel, one from the Administration and one from the Opposition Groups, who could attend meetings where the substantive member(s) were not available.
- 4.8 Members may wish to consider any other amendments which might be required to membership of Panels.

5. Legal and Procurement Implications

- 5.1 There are no legal implications arising from this report.

5.2 There are no procurement implications arising from this report.

6. Financial Implications

6.1 Not applicable.

7. Human Resources Implications

7.1 Not applicable.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

8.1.1 There are no risks associated with adopting the recommendations.

8.2 *Risk Implications of Rejecting the Recommendations*

8.2.1 There are no risks associated with rejecting the recommendations.

9. Integrated Impact Assessment (incorporating Equalities)

9.1 The proposals in this report do not require to be assessed through an Integrated Impact Assessment as they relate to governance matters.

10. Sustainable Development Implications

10.1 ***Considering Strategic Environmental Assessment (SEA)*** – This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. Options Appraisal

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

12. Link to Council Plan

12.1 The matters referred to in this report contribute to Priority 4 of the Council Plan: Efficient and effective enabling services.

13. Link to Shaping Our Future Council Yes No

13.1 Not applicable.

14. Results of Consultation

14.1 Consultation has taken place with Councillor Brian Connolly, Leader of the Council and Policy Lead for Economy and Strategy, and the contents of this report reflect any feedback provided.

15. Next Steps for Decision Tracking Purposes

15.1 If the recommendations above are approved by Members, the Chief Governance Officer will ensure that all necessary steps are taken to ensure full implementation of the decisions within the following timescales, with the completion status reported to the Leadership Panel in the 'Council and Leadership Panel Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Publish updated details of membership of Panels	14 November 2025	Service Lead – Democratic Governance

Background Papers [Scheme of Delegation](#)

Person to Contact **Catriona Caves, Chief Governance Officer**
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612556
E-mail catriona.caves@south-ayrshire.gov.uk

Date: 30 October 2025

Panel Membership and Proportionality

Panel	Current Membership	2025 Membership based on Proportionality <i>(0.18 parties/ 0.48 independent)</i>	Changes Intimated or Required
Audit and Governance <i>(non-Cabinet members only)</i>	Membership: 8 2 Conservative 2 Independent 2 Labour 2 SNP	Membership: 8 1 Conservative 4 Independent 1 Labour 1 SNP 1 to be confirmed between parties	1 Conservative and 1 Independent member resigning Replace with 2 additional Independent members not on Cabinet and leave 2 Labour and 2 SNP members given they have no members on Cabinet .
Regulatory Panel	Membership: 9 3 Conservative 2 Independent 2 Labour 1 SNP 1 Vacancy	Membership: 8 2 Conservative 2 Independent 2 Labour 2 SNP	Option 1: Revert back to the original membership of 8; remove 1 Conservative member; and add 1 SNP member based on proportionality.
		Membership: 9 2 Conservative 3 Independent 2 Labour 2 SNP	Option 2: Retain membership as 9; Remove 1 Conservative member; and add 1 Independent member and 1 SNP member based on proportionality.
Local Review Body	As Regulatory Panel	As Regulatory Panel	As Regulatory Panel

Panel	Current Membership	2025 Membership based on Proportionality <i>(0.18 parties/ 0.48 independent)</i>	Changes Intimated or Required
Licensing	Membership: 7 2 Conservative 3 Independent 1 Labour 1 SNP	Membership: 7 Status quo remains if SNP, Labour and Conservative happy extra member remains Conservative.	No Change.
Service and Partnerships Performance Panel	Membership: 8 2 Conservative 2 Independents 2 Labour 2 SNP	Membership: 8 1 Conservative 4 Independent 1 Labour 1 SNP 1 to be confirmed between parties	No Change. Status quo to remain since adding 2 additional Independent members is difficult when only 2 Independent members are not part of the Administration.
Appeals Panel	Membership: 6 3 Independents 2 Labour 1 SNP	Membership: 6 1 Conservative 3 Independents 1 Labour 1 SNP	Option: Remove 1 Labour member and appoint 1 Conservative member based on proportionality.
Ayrshire Shared Services Joint Committee	Membership: 4 1 Conservative 1 Independent 1 Labour 1 SNP	Membership: 4 No Change	No Change.

South Ayrshire Council

**Report by Chief Governance Officer
to South Ayrshire Council
of 6 November 2025**

Subject: Scheme of Delegation

1. Purpose

1.1 The purpose of this report is to seek approval to amend the Scheme of Delegation following review.

2. Recommendation

2.1 It is recommended that the Council approves the revised Scheme of Delegation (attached as Appendix 1) with effect from 7 November 2025.

3. Background

3.1 It is a requirement of corporate governance that the Council's Scheme of Delegation be kept under review. The last update was approved by Council on 12 December 2024.

4. Proposals

4.1 Proposed updates to the Scheme of Delegation include:

4.1.1 revisions to the management structure;

4.1.2 out of cycle decision-making authority granted to the Chief Executive, as Chair of the Transformation Board, and an increase to the Board's financial limit (CX25 refers);

4.1.3 powers delegated to the Director of Education, to accept and administer any new Trusts and small endowments for schools, to be amended to also include other bequests, up to a value of £25,000 (ED05 refers);

4.1.4 a new power delegated to the Chief Financial Officer to accept and administer monetary bequests made to the Council, up to a value of £25,000, being those not related to schools and covered by the delegation referred to in 4.1.3 above (FP13 refers);

4.1.5 a new power delegated to the Cabinet to accept and determine the arrangements for the administration of any bequests made to the Council above the value of £25,000 (2.1.18 refers);

- 4.1.6 a new power delegated to the Chief Governance Officer, in conjunction with the relevant Policy Lead, whether to bring a report to Cabinet in certain circumstances, seeking review and possible amendment of the Council's current Sexual Entertainment Venue Licensing Policy (LRS67 refers);
 - 4.1.7 a new power delegated to the Director of Housing Operations and Development, in relation to the Council's functions under the Community Empowerment (Scotland) Act 2015 (HOD96 refers);
 - 4.1.8 a new power delegated to the Director of Housing Operations and Development, to carry out the administration of applications for community asset transfer, including verification thereof, and make appropriate arrangements for meetings of the Community Asset Transfer Advisory Group (HOD97 refers); and
 - 4.1.9 a new power delegated to the Chief Governance Officer, as a member of the Community Asset Transfer Advisory Group (CATAG), to include a provision for an appropriate officer to attend the Group as a substitute for the Chief Governance Officer, where required (LRS68 refers).
- 4.2 The proposed amendments are tracked and highlighted in **bold text** in the revised Scheme (attached as Appendix 1).
 - 4.3 Subject to approval, it is proposed that the revised Scheme of Delegation is adopted with effect from 7 November 2025.
 - 4.4 Subject to approval, the revised Scheme of Delegation will be published on The Core and the Council's website and will also be notified to employees by way of the SAC Staff Community Hub.

5. Legal and Procurement Implications

- 5.1 There are no legal implications arising from this report.
- 5.2 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 Not applicable.

7. Human Resources Implications

- 7.1 Not applicable.

8. Risk

8.1 Risk Implications of Adopting the Recommendations

- 8.1.1 There are no risks associated with adopting the recommendations.

8.2 Risk Implications of Rejecting the Recommendations

- 8.2.1 The risk associated with rejecting the recommendations is that the Council's corporate governance will be less effective.

9. Integrated Impact Assessment (incorporating Equalities)

9.1 The proposals in this report do not require to be assessed through an Integrated Impact Assessment.

10. Sustainable Development Implications

10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. Options Appraisal

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

12. Link to Council Plan

12.1 The matters referred to in this report contribute to Priority 4 of the Council Plan: Efficient and effective enabling services.

13. Link to Shaping Our Future Council Yes No

13.1 Not applicable.

14. Results of Consultation

14.1 There has been no public consultation on the contents of this report.

14.2 Consultation has taken place with Councillor Brian Connolly, Policy Lead for Economy and Strategy, and the contents of this report reflect any feedback provided.

15. Next Steps for Decision Tracking Purposes

15.1 If the recommendations above are approved by Members, the Chief Governance Officer will ensure that the following steps are taken within the following timescales, with progress reported to the Cabinet in the ‘Council and Cabinet Decision Log’ at each of its meetings until such time as the steps are completed:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Updated Scheme of Delegation to be published and notified to employees	14 November 2025	Chief Governance Officer

Report to South Ayrshire Council of 1 May 2025 – [Review of Management Structure](#)

Person to Contact **Catriona Caves, Chief Governance Officer**
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612556
E-mail catriona.caves@south-ayrshire.gov.uk

Date: 29 October 2025

Scheme of Delegation

November 2025

V2.0



Document Control

Author:	Catriona Caves, Chief Governance Officer
Source Location:	Council report
Published Location:	Council website
Related documents:	
Review Date:	Annual (minimum)

Version Control:				
Version	Revision Date	Change summary	Distribution	Author
V1.0	18 September 2025	Changes approved by Council on 18 September 2025	The Core/ Council website	Catriona Caves
V2.0	6 November 2025	Changes approved by Council on 6 November 2025	The Core/ Council website	Catriona Caves

Index of Contents

Section	Content	Page
Introduction	Scheme of Delegation – Introduction - General Provisions	
Section 1	Powers Reserved to Council	
Section 2	Delegations to the Cabinet – Terms of Reference and Remit	
Section 3	Terms of Reference and Delegations to Scrutiny Panels	
Section 4	Terms of Reference and Delegations to Panels, Etc	
Section 5	Functions Delegated to the Ayrshire Shared Services Joint Committee	
Section 6	Functions Delegated to the South Ayrshire Integration Joint Board	
Section 7	Powers Delegated to Officers (a) ‘Rules’ Governing the Exercise of Powers by Officers (b) General Delegations to Officers (c) Specific Delegations to Officers	
Section 8	Statutory Appointments of Officers	

Scheme of Delegation

Introduction

General Provisions

1. Introduction

1.1 Like every other Local Authority, South Ayrshire Council is only able to do what the law empowers it to do. In the absence of a decision by the Council to the contrary, all of its powers would have to be exercised through meetings of the full Council. That is, all decisions no matter how large or how small would need to be taken at meetings of the full Council.

1.2 Recognising that this would be unworkable and would detract from the Council's aims and values, the Council has chosen to exercise one of the powers available to it – the power to delegate. There are, of course, some powers which the law says cannot be delegated and others which the Council chooses to keep for itself.

1.3 Every decision taken under delegated power is considered to be a decision of the Council.

1.4 This section of the Scheme describes how decision-making operates within the Council. The remaining sections detail the specific delegations that have been agreed by the Council.

1.5 The Scheme is based upon the principles of:

- Democracy;
- Transparency;
- Effectiveness; and
- Accountability.

1.6 The principles underpin this Scheme, and support the Council's governance to be:

- Robust and responsive in taking decisions;
- Efficient in its decision-making structures to maximise its impact in the achievement of its objectives; and
- Reflective of the professional skills of its officers, whilst holding them fully accountable for the operational decisions they take.

1.7 The terms of the Scheme must be read alongside the Council's other key governance documents, namely the Financial Regulations, Standing Orders Relating to Contracts and Standing Orders Relating to Meetings.

2. Extent of Delegation

2.1 The Council can only delegate to a committee, sub-committee, an officer of the Council, a Joint Committee with another Council(s) or an Integration Joint Board in terms of the Public Bodies (Joint Working) (Scotland) Act 2014. Unless the Council

states otherwise, committees may further delegate to officers. Sub-committees can also further delegate to officers. This Council's committees are named Panels.

2.2 Officers with delegated powers can delegate to other officers but this does not release them from the responsibility arising from the exercise of the authority that has been delegated to them in this Scheme. When officers further delegate their powers, they have to record this in writing.

2.3 Where a responsibility has been further delegated, there is nothing to prevent the committee or person who was originally given delegated powers under this Scheme from dealing with the responsibility themselves or from withdrawing or amending the delegation.

3. Distribution of Decision-making Powers

3.1 It is virtually impossible to specify all of the powers that are available to the Council and assign them to a variety of delegates. As a result, the Council has decided that:

3.1.1 except for matters which must be dealt with at the level of the Council itself (as required by statute or as agreed by Council), all other powers are delegated to its committees, sub-committees, a Joint Committee with another Council(s), an Integration Joint Board in terms of the Public Bodies (Joint Working) (Scotland) Act 2014 or officers;

3.1.2 the matters that the Council has chosen to reserve to itself or to delegate to its committees, sub-committees, a Joint Committee with another Council(s) or an Integration Joint Board in terms of the Public Bodies (Joint Working) (Scotland) Act 2014 are mainly the strategic, policy or regulatory issues, while the day-to-day operational matters of running the Council's services are delegated to officers;

3.1.3 strategic, policy and regulatory issues that are not specifically reserved to the Council or specifically delegated to its committees, etc (other than the Cabinet) are delegated to the Cabinet; and

3.1.4 all powers that are not specifically reserved to Council or delegated to its committees, etc, are delegated to officers.

3.2 While every attempt has been made to list the specific powers that are available to officers, if a specific power is not mentioned in this Scheme, it does not necessarily mean that officers cannot exercise that power. Unless it has been specifically reserved to Council or delegated to its committees etc, the power will still be delegated to officers.

4. Reservations to the Council

4.1 In terms of the law, full Council must exercise certain responsibilities. However, there are also certain matters that the Council has chosen to deal with itself. These are detailed at Section 1 and the Council has decided that these powers will not be delegated.

4.2 The Council is the main scrutiny and debating forum for issues affecting the Council area and for the provision of democratic leadership and promotion of the area's well-being. It exercises Strategic Leadership for the area and promotes the Council's core values.

5. Delegations to Committees and Panels

5.1 The Council has made provision in its Standing Orders, under Section 57 of the Local Government (Scotland) Act 1973, for the establishment of the following committees, sub-committees and Joint Committees of the Council to discharge functions on its behalf:

- Cabinet;
- Scrutiny Panels;
- Ayrshire Shared Service Joint Committee; and
- other Panels.

In addition, in accordance with the terms of the Public Bodies (Joint Working) (Scotland) Act 2014, the Council has delegated certain functions relating to health and social care services to the South Ayrshire Integration Joint Board. These delegations are set out in Section 6 of this Scheme.

Cabinet

5.2 The Cabinet has a strategic role focusing on policy development, policy, service review and strategic management of the Council's services, within the established strategic objectives and corporate policies of the Council. The Cabinet does not generally deal with operational matters or consider reports which are for information only. The functions delegated to the Cabinet are detailed at Section 2.

5.3 The Council operates an eight-weekly cycle of meetings. At every second meeting of the Cabinet, in addition to discharging ordinary business, the Cabinet discharges education functions on the Council's behalf. The Council's Standing Orders make provision for the membership of the Cabinet to include three representatives of religious bodies appointed, under Section 124 of the Local Government (Scotland) Act 1973, at this point.

Policy Lead Role Within Cabinet

5.4 Eight members of the Cabinet will take on specific accountabilities as Policy Leads for specific areas of Council services and interests referred to as portfolios. Appointment to the role of Policy Lead for a specific area is a political decision taken by full Council following nomination by political groups.

5.5 The Leader of the Council will be the Policy Lead for the Economy and Strategy portfolio and, whilst Policy Leads will hold responsibility for the remit of their portfolio, it is expected that they will act corporately in the best interests of the Council as a whole by promoting collaborative working across portfolios.

5.6 In any situation of uncertainty, it is for the Chief Executive to determine within which portfolio a function or power delegated to the Cabinet lies. For the avoidance of doubt, there is no delegation of powers, function or decision making on behalf of the Council to any individual member of the Council.

5.7 The portfolios which the Council have agreed are as follows:

- Economy and Strategy;
- Commercial/ Operational Services;
- Education and Lifelong Learning;
- Health and Social Care;
- Housing and Property Services;
- Planning and Regulatory Services;
- Finance and Corporate Services; and
- Leisure and Community Services.

5.8 Legally, the Council cannot delegate powers to individual Councillors. This means that all decisions on matters delegated to the Cabinet must be taken at a properly convened meeting of the Cabinet and individual Policy Leads do not have delegated authority to make decisions on behalf of the Council.

Scrutiny Panels

5.9 The Council has established two Panels to discharge functions relating to governance and scrutiny of decisions, performance and improvement activity. These Panels are:

- Audit and Governance Panel (which will operate as the Audit Committee of the Council); and
- Service and Partnerships Performance Panel.

These Panels are collectively referred to as 'Scrutiny Panels'.

5.10 The role of these Panels is to undertake a range of scrutiny activity in relation to the financial and other governance of the Council, the performance of services across the Council and those delivered in partnership with other persons or bodies, and the decisions of the Cabinet. Any of the decisions taken by the Cabinet can be 'called in' to the Audit and Governance Panel to enable broader discussion, consideration and investigation of these decisions and if considered necessary refer them back to Cabinet and on to the full Council for final deliberation. The Service and Partnerships Performance Panel can also carry out more in-depth investigations into any aspect of the Council's service performance through scrutiny reviews in accordance with the Council's approved Scrutiny Handbook. The Panel also considers performance by external bodies and Public Petitions to the Council in terms of the Petitions Protocol.

5.11 The Council is required to establish an Audit Committee and the Council has agreed that the Audit and Governance Panel will carry out that function.

5.12 The terms of reference and remits of each of the Scrutiny Panels are detailed at Section 3.

Other Panels, Etc

5.13 There are some quasi-judicial roles and other operational responsibilities that the Council has to make alternative arrangements for or has decided to delegate to committees, sub-committees or Joint Committees with other Councils. The delegated powers available to Panels, sub-committees and Joint Committees may be altered from time to time by the Council.

5.14 Details of the Terms of Reference and remits of the various other Panels, Committees and Joint Committees are set out in Section 4.

6. Delegations to Officers

6.1 The Council's approach to delegation has been influenced by its commitment to facilitate community participation in the decision-making process and to delegate to officers. The result is that the Council has reserved very few powers to itself and has agreed extensive delegations to officers.

6.2 Officers can be granted delegated powers by Council, a committee, a Panel or another officer. The approach employed by the Council is to require delegations to be to the Chief Executive and/ or one or more of the Council's Directors or its Heads of Service, that is:

- the ~~Depute Chief Executive and~~ Director of Education;
- the Director of Housing, Operations and Development;
- the Director of Communities and Transformation;
- the Director of Health and Social Care Partnership;
- the Chief Financial Officer;
- the Chief Governance Officer; and
- the Chief HR Officer.

6.3 As set out above, delegated authority granted to these officers can be further delegated but where this occurs the delegator must create a written record and provide a written copy to the delegate.

6.4 Delegations that have been agreed for the Chief Executive, Directors and Heads of Service are a mix of general delegations (that is, each of the officers listed is similarly empowered) and specific delegations (that is, the delegations are specific to individual officers). When exercising any delegated authority, officers must have regard to a variety of stipulations that the Council has decided should govern and influence the exercise of delegated powers.

6.5 Details of the rules that apply in exercising these delegated powers are contained in Section 7 (a). Details of general and specific delegations to officers are contained in Sections 7 (b) and 7 (c).

6.6 The only exceptions to the practice of routing all officer delegations through the Chief Executive, Directors and Heads of Service arise through statutory appointments. In terms of various statutes, the Council is required to appoint officers for a variety of purposes. Officers appointed to perform these statutory functions are empowered to take the action that is implicit in their roles. The

statutory appointments that have been made by the Council are detailed in Section 8.

- 6.7 The Council may require officers to publish information about the exercise of certain specified categories of delegated authority. Officers may choose to publish information about the exercise of other categories of delegated authority.
- 6.8 The method of publicising this information is through the Councillors' Information Bulletin, which is published monthly. This Bulletin includes details of decisions either taken or about to be taken by officers under delegated authority.

7. Review

- 7.1 The Council reviews its Scheme periodically. Between reviews, arrangements are made for the publication of amendments to the Scheme arising from decisions by Council or made necessary by changes in legislation.
- 7.2 In addition, this Scheme may be extended by the Monitoring Officer notifying the Chief Executive in writing in advance of the specific power to be exercised by the relevant officer, provided the proposed amendment is not in conflict with any existing Council policy, with any statutory provision, or with any other provision of this Scheme or any of the Council's other governance documents, in which case the Chief Executive may give effect to such extension and this Scheme will be amended accordingly.

Powers Reserved to Council

The powers reserved to the Council are a mixture of those which must be reserved in terms of statute and those which the Council has chosen to reserve. Powers which are not reserved, are delegated in accordance with the provisions of this Scheme.

The following is a comprehensive list of what is reserved to the Council, categorised as statutory and non-statutory:

Statutory Reservations

1. ***Local Government (Scotland) Act 1973***
 - 1.1 To change the name of the Council (Section 23);
 - 1.2 To approve the reasons for the non-attendance of Members at meetings (Section 35);
 - 1.3 To set Council tax (Section 56 (6));
 - 1.4 To appoint Committees (Section 57);
 - 1.5 To promote and oppose private legislation (Section 82); and
 - 1.6 To determine certain planning applications (Section 56 (6A)).
2. ***Local Government and Housing Act 1989***
 - 2.1 To consider reports by the Head of Paid Service (Section 4); and
 - 2.2 To consider reports by the Monitoring Officer (Section 5).
3. ***Local Government etc (Scotland) Act 1994***
 - 3.1 To appoint the Convener and Depute Convener of the Council and to decide on their titles (currently Provost and Depute Provost) (Section 4).
4. ***Licensing (Scotland) Act 2005***
 - 4.1 To decide whether or not to divide the Council's area into licensing divisions and to appoint Members to the Licensing Board (Section 5 and Schedule 1).
5. ***Local Authority Accounts Regulations***
 - 5.1 To receive the certified unaudited annual accounts of the Council (unless received and considered by the Audit and Governance Panel); and
 - 5.2 to receive, consider and approve the audited Annual Accounts (including the statements which form part of the Annual Accounts) by no later than 30 September immediately following the financial year to which the accounts relate (unless received, considered and approved by the Audit and Governance Panel), and in so doing to have regard to any report

made or advice provided on the Annual Accounts by the Proper Officer or appointed auditor.

6. Approval of the Council's Treasury Management and Investment Strategy.
7. Any other function or remit which is, in terms of statute or other legal requirement, required to be undertaken by the Council itself.

Non-Statutory Reservations

8. *Elections*

- 8.1 To consider matters relating to the fixing or amendment of the Council's geographic boundaries, its electoral boundaries and wards or matters relating to the fixing or amendment of the boundaries of the Scottish and Westminster Parliamentary Constituencies lying wholly or partly within the South Ayrshire Council area; and
- 8.2 To deal with all matters relating to the election of Councillors where these are not the responsibility of the Returning Officer.

9. *Councillors' Allowances*

- 9.1 To determine and keep under review a Scheme of Members' Remuneration and Allowances and to determine all matters relevant to the level of Councillors' Remuneration and Allowances within the terms of current Regulations.

10. *Codes of Conduct*

- 10.1 To determine any issues relating to the maintenance of standards and conduct of Councillors and officers all in line with any legislative provisions.

11. *Committee Structure and Corporate Governance Arrangements*

- 11.1 To fix and amend the terms of reference and remit, membership and delegation of functions of the Cabinet and other Panels, Committees and Sub-Committees and to appoint and remove Chairs, Vice-Chairs, members of Committees and Policy Leads;
- 11.2 To select, and de-select, Councillors and officers to serve on and/ or to represent the Council on Joint Committees, Joint Boards and other external bodies and organisations, where such power is not expressly delegated to the Cabinet or another Panel;
- 11.3 To fix and amend a programme of Council, Cabinet and other Panel meetings, subject to the provisions of the Council's Standing Orders Relating to Meetings;
- 11.4 To make and amend a Scheme of Delegation detailing terms of reference and remits for, and delegations to, a Cabinet, Panels, Committees, Sub-Committees and officers of the Council;

- 11.5 To make and amend Standing Orders Relating to Meetings, Standing Orders Relating to Contracts and Financial Regulations;
- 11.6 To delegate a power or duty of the Council to, or to accept a delegated power or duty from, any other local authority; and
- 11.7 To determine whether to co-operate or combine with other local authorities in providing services.

12. ***Referrals from Scrutiny Panels***

- 12.1 To finally determine any decisions of the Cabinet referred to the Council following call-in.
- 12.2 To finally determine any decisions of the Cabinet referred to the Council following review of a Community Asset Transfer request.

13. ***Council Plan, Policies and Strategies***

- 13.1 To approve, review and amend, the Council Plan, including the Council's strategic objectives, and all major policies and organisational strategies (either with or without prior consideration by the Cabinet), including any new policies or changes to policies which may have a significant impact on the Council's strategic objectives, corporate policies or its resources.

14. ***Resources – Financial***

- 14.1 To determine the Council's Annual Revenue Budget and Capital Programme, and to determine the level of Council house rents and service charges in terms of Part XI of the Housing (Scotland) Act 1987.

15. ***Chief Officers and Statutory Appointments***

- 15.1 To exercise control over the establishment of Chief Officers;
- 15.2 To determine the process for selection, appointment and dismissal of the Chief Executive, any Director, any Head of Service or any Assistant Director and to fix the salaries of these officers; and
- 15.3 To appoint officers for the purposes, or to perform the roles, detailed in Section 8 of this Scheme.

16. ***Local Government in Scotland Act 2003***

- 16.1 On a recommendation from the Cabinet, to decide whether or not to exercise the power of well-being subject always to the provisions of the 2003 Act (Sections 20 to 22 (Part 3)).

17. ***Civil Defence and Protection in Peacetime***

- 17.1 To exercise emergency planning duties and powers (Section 2 of the Civil Contingencies Act 2004).

18. ***Management Rules and Statutory Orders, Etc***
 - 18.1 To make and as necessary, revoke or amend, Byelaws, Management Rules, Compulsory Purchase Orders and Exclusion Orders; and
 - 18.2 To consider and respond to any statutory report from the Controller of Audit or from the Council's external auditor.
19. ***Coat of Arms***
 - 19.1 To authorise the use of the Council's Coat of Arms.
20. ***Dissolution of Community Councils***
 - 20.1 To consider and take decisions on any reports and/ or recommendations regarding the proposed dissolution of a Community Council within the South Ayrshire area.

Delegations to the Cabinet

Terms of Reference and Remit

- 1.1 In relation to the powers and functions delegated to the Cabinet, special areas of service responsibility, known as portfolios, have been identified, as set out below in para 4. In addition to the general delegations to the Cabinet of functions and powers in relation to all areas (para 2), there are certain specific delegations to the Cabinet which relate to particular portfolio areas and are set out below at para 4.
- 1.2 The Cabinet shall comprise up to eight members who shall also be Policy Leads. The Leader of the Council will be appointed as the Policy Lead for Economy and Strategy and will be the Chair of the Cabinet and the Depute Leader will be the Vice-Chair of the Cabinet and will be appointed as the Policy Lead for Commercial/Operational Services. Six other Policy Leads will be appointed by Council and a portfolio allocated to each of them.
- 1.3 The Cabinet may choose not to discharge a particular function or power but to make a recommendation on the matter to the Council. The Cabinet may report, with recommendations, to the Council, with regard to functions or powers that the Council has reserved to itself.
- 1.4 In any situation of uncertainty, the Chief Executive will determine where and in what circumstances the Cabinet is empowered to exercise authority which has been delegated to it by the Council.

2. Functions and Powers Delegated to the Cabinet: General Delegations

- 2.1 In accordance with and subject to the provisions of paragraph 3 above under 'Introduction – General Provisions', the following general functions and powers may be exercised by the Cabinet:
 - 2.1.1 exercising strategic leadership of the Council and promoting the Council's core values;
 - 2.1.2 taking executive decisions within the budget, and strategy/ policy framework approved by the Council and recommending to Council budgets and strategic policy frameworks and to incur revenue or capital expenditure which is not contained within the Annual Revenue Budget and Capital Programme, and which requires supplementary adjustments;
 - 2.1.3 co-ordination of the development, monitoring and review of the functions and services contained within each portfolio remit, in terms of this Scheme, developing new policies consistent with the overall strategic objectives of the Council, and making recommendations to Council for the adoption or alteration of Council policies or strategies which are not specifically delegated to the Cabinet;
 - 2.1.4 instructing or commissioning research or other studies on matters of policy or service provision and undertaking such consultation and engagement with communities and citizens and establishing such Working Groups as the Cabinet considers necessary in connection with each portfolio remit in order to inform strategy/ policy development, implementation, monitoring and review;

- 2.1.5 receiving, scrutinising and approving services' plans for implementation of the Council Plan, its strategic objectives and strategies and policies for service delivery and establishing appropriate service targets and performance indicators for services within each portfolio remit and providing political accountability for the Council's performance;
- 2.1.6 securing overall Best Value in the performance of services by ensuring continuous improvement and by maintaining a balance between the quality of the outcome of services delivered and the cost of these services, always having regard to the efficiency, effectiveness and economy of services' actions and how well those actions comply with the requirements of equalities legislation and their potential to contribute to the achievement of sustainable development;
- 2.1.7 co-ordinating, guiding, monitoring and reviewing the discharge of the functions and service provision within each portfolio remit, by officers, and/ or partner organisations, in terms of this Scheme of Delegation;
- 2.1.8 taking decisions that are contrary to or not wholly in accordance with the approved revenue budget, provided that any associated spend must be offset by additional income or savings from elsewhere within the budget;
- 2.1.9 taking decisions to increase the costs of individual projects in the capital programme to cover an overspend, where the cost increase is in excess of £100,000, but only if this can be offset elsewhere in the approved capital programme;
- 2.1.10 incurring expenditure or making grants or loans under the powers contained in Section 84 of the Local Government (Scotland) Act 1973 in respect of incidences of emergency or disaster affecting the Council area;
- 2.1.11 determining arrangements for the administration of Common Good Funds and Trusts for which the Council is responsible following consultation with local Elected Members;
- 2.1.12 convening in the event of a major emergency and determining the general policy to be followed in the disposition of Council resources;
- 2.1.13 establishing working groups (comprising Councillors and/ or officers) to advise on any aspect of its remit;
- 2.1.14 determining whether or not to accept any recommendation made by the Scottish Public Services Ombudsman which includes financial redress;
- 2.1.15 considering and determining Community Asset Transfer requests in terms of the Community Empowerment (Scotland) Act 2015, and the Asset Transfer Request (Review Procedure) (Scotland) Regulations 2016;
- 2.1.16 determining the imposition or waiving of charges for the use of piers, harbours, car parks and/ or other facilities or assets which are owned or controlled by the Council; **and**
- 2.1.17 considering and determining any recommendations regarding the operation of any Community Council within the South Ayrshire area, with

the exception of decisions regarding the proposed dissolution of a Community Council; **and**

2.1.18 to accept and determine the arrangements for the administration of any bequests made to the Council above the value of £25,000.

3. Education Authority

3.1 As set out in the Council's Standing Orders Relating to Meetings, (Standing Order 35.2 paras (10) and (11)), at every second meeting of the Cabinet, the Cabinet will direct and supervise the discharge of functions of the Council as an Education Authority, insofar as such matters relate to the delivery of education services to pre-fives and children of school age, in terms of the Education (Scotland) Act 1980 as amended and any other enactments amending or extending such functions and in terms of the Self-Governing Schools (Scotland) Act 1989, the Standards in Scotland's Schools, Etc Act 2000, the Education (Disability Strategies and Pupils' Educational Records) (Scotland) Act 2002, the Education (Additional Support for Learning) (Scotland) Act 2004, the Scottish Schools Parental Involvement Act 2006 and the Schools (Consultation) (Scotland) Act 2010.

3.2 All other matters falling within the remit of the Cabinet can be dealt with at any meeting of the Cabinet.

4. Policy Lead Key Purpose

4.1 To improve the quality and effectiveness of services and provide a focus for a particular Council service and an effective overview of its performance and functions.

4.2 Specific accountabilities:

- To undertake the role of Policy Lead and spokesperson in relation to the services and topics included in the portfolio.
- To form an effective working relationship with other members of the Cabinet and the Council in support of the strategic interests of South Ayrshire.
- To represent the policy development and service implementation/ performance within your portfolio within Cabinet and the wider Council.
- To form an effective working relationship with the Council's Corporate Leadership Team and staff throughout the Council.
- To represent the Council, as appropriate, at meetings and events both within and external to the Council.
- To develop effective working with relevant key partners.

4.3 Core accountabilities:

- To support the creation of an inclusive working environment.
- To support the development of an effective Member/ officer partnership.

- To maintain the highest standards of conduct.
- To be an advocate for South Ayrshire and its citizens.
- To represent the views of the relevant Ward but always in the context of what is best for South Ayrshire as a whole.

5. Policy Lead Portfolios

5.1 *Council Leader, Economy and Strategy*

The Policy Lead role for the Economy and Strategy portfolio will always be fulfilled by the Council Leader. The Policy Lead will be responsible for exercising political leadership of the Council, coordinating strategic planning and communicating the vision, outcomes and objectives of the Council and its services. The Policy Lead will hold accountability for securing Best Value on behalf of the communities of South Ayrshire.

The Policy Lead will take a coordinating role in relation to Council transformation activity taken forward by services throughout the Council.

The role will include responsibility for economic development services across all industry sectors including representing the Council in regional working such as the Ayrshire Growth Deal and other pan Ayrshire economic initiatives

The portfolio will therefore include responsibility for:

- ensuring the development and ongoing monitoring of a cross-Council corporate strategy in relation to the Council's powers and duties in pursuit of Best Value as contained in the Local Government in Scotland Act 2003;
- setting policy for and ensuring ongoing monitoring and review of the Council Plan and the preparation of a revised/ new Plan(s);
- planning and delivery of the South Ayrshire elements of the Ayrshire Growth Deal and associated economic growth and inward investment opportunities;
- Economic Development services and associated initiatives and events;
- the development of potential Shared Services opportunities;
- monitoring and review of cross-Council and external communications;
- monitoring and review of the decision-making structure and corporate governance arrangements;
- monitoring and review of Members' remuneration and allowances;
- service review framework;
- monitoring and review of electoral arrangements;
- monitoring and review of emergency planning arrangements;

- monitoring and review of Corporate Safety and Health and Safety (including Occupational Health);
- monitoring and review of Risk Management and Insurance;
- overview of Business Continuity Strategy and operation;
- Leadership of the Council's Transformation Programme in conjunction with the Policy Lead for Finance and Corporate Services.

5.2 ***Council Depute Leader, Commercial/ Operational Services***

To exercise strategic and political leadership to secure Best Value in the planning and delivery of commercial/ operational services supporting the vision and priorities set out within the South Ayrshire Council Plan.

On the basis that the Ayrshire Roads Authority is responsible for delivery of roads services as set out Section 5 of this Scheme, and also on the basis that the Cabinet will make recommendations to Council as appropriate, in accordance with the provisions set out in Section 1 of this remit, the Policy Lead will oversee the following services/ functions within their portfolio to ensure their effective management and continuous improvement:

- Grounds Maintenance including Parks;
- Waste Services Strategy and Operations (Refuse Collection, Streetscape and Cleansing);
- Road Network Management and Maintenance;
- Flood Prevention;
- Facilities Management Services (Catering and Cleaning);
- Fleet Management;
- Transportation Planning;
- Museums and cultural services;
- Rural Communities;
- Development of Rural Areas – for example, planning and economic development;
- Access to Countryside;
- Tourism;
- Links with Europe; and
- Public Libraries.

5.3 ***Education and Lifelong Learning***

To exercise strategic and political leadership to secure the effective management of education and lifelong learning in South Ayrshire ensuring social justice.

This portfolio includes ensuring, wherever possible, the provision of co-ordinated and integrated education and related services, designed around the needs of children, young people and families. The Policy Lead will, where appropriate, ensure investment in education, skills, training and the creative development of current and future workforce skills, so as to engender greater self-fulfilment, social mobility and employment opportunities.

On the basis that the Cabinet will make recommendations to Council as appropriate, in accordance with the provisions set out in Section 1, in pursuit of this remit the Policy Lead will oversee the following services/ functions to ensure their effective management and continuous improvement:

- Early Years Services;
- Primary School Education;
- Secondary Schools Education;
- Additional Support for Learning and Inclusion;
- Parental Involvement;
- Children/ Disability;
- Play and Out of School Care;
- Youth Support (in conjunction with the Youth Champion);
- Skills Development and Training;
- Adult and Continuing Education;
- School Sport; and
- School Estate;

and will jointly, with the Policy Lead for Health and Social Care, oversee the children's services areas set out within the Cosla Children and Young People panel.

5.4 ***Health and Social Care***

To exercise strategic and political leadership in relation to the provision of services which contribute to social well-being of residents in South Ayrshire and Community Safety as it relates to the Council's functions. This portfolio also has responsibility for strategic and operational oversight of Equalities and Fairer Scotland duties.

On the basis that the South Ayrshire Integration Joint Board is responsible for the strategic and operational oversight of integrated health and social care services that

are delivered by the Council, the Policy Lead for this portfolio will oversee the following services/ functions to ensure their effective management and continuous improvement and be a member of the Integration Joint Board:

- Social Care Services (including in the Community/ the Elderly/ Care Establishments);
- Assistance to Chronically Sick and Disabled;
- Community Justice Services;
- Looked After and Accommodated Children;
- Care and Protection of Children;
- Adult Support and Protection;
- Fostering and Adoption;
- Council Alcohol and Drug Services;
- Through Care and After Care; and
- Youth Justice.

5.5 ***Housing and Property Services***

To exercise strategic and political leadership and to formulate appropriate strategic and operational plans to achieve the Council's objectives in relation to Housing (across all sectors), Property Asset Management and Customer First objectives, and to ensure the effective implementation of those plans and objectives. This should be undertaken specifically in relation to the implementation of strategic plans covering Housing procedures, allocations, lettings, homelessness and the maintenance of a balanced housing supply across the range of sectors.

On the basis that the Cabinet will make recommendations to Council as appropriate, in accordance with the provisions set out in Section 1, the Policy Lead will oversee the following services/ functions to ensure their effective management and continuous improvement:

- Housing Capital Programme (in conjunction with the Policy Lead for Finance and Corporate Services);
- Housing Plans, Policies and Strategies;
- Housing Policies and Procedures (Allocations, Lettings, Homelessness, etc);
- Housing Management Operations;
- Homelessness Services;
- Asylum and Immigration Support;

- Landlord Functions and Responsibilities (All Sectors);
- Asset Management and Professional Design Services (including capital project delivery and all acquisitions and disposals) and Infrastructure;
- Property Planned and Reactive Maintenance Services;
- Biodiversity; and
- Renewable Energy Strategy.

5.6 ***Planning and Regulatory Services***

To exercise strategic and political leadership to ensure the wider public protection objectives of the Council are being met through the protection, planning and improvement of the built and natural environment and its supporting infrastructure all in accordance with the Council's Strategic Aim for the Promotion of Sustainability.

On the basis that the Cabinet will make recommendations to Council as appropriate, in accordance with the provisions set out in Section 1 of this remit, the Policy Lead will oversee the following services/ functions to ensure their effective management and continuous improvement:

- Planning Policy and Maintenance of the Local Development Plan;
- Building Standards;
- Environmental Health Services;
- Consumer and Trading Standards Services;
- Licensing Services;
- Road Traffic Regulation;
- Registration Services;
- Burials and Bereavement Services.

5.7 ***Finance and Corporate Services***

To exercise strategic and political leadership in relation to the management, regulation and control of the Council's resources and ensure that these fully reflect the Council Plan, strategic objectives and outcomes.

The following functions comprised within this portfolio are hereby delegated to the Cabinet as specific delegations (subject to the exceptions at para 1.1 above and in addition to the general delegation to the Cabinet at para 3.1 above and on the basis that the Cabinet will make recommendations to Council as appropriate in accordance with the provisions set out in Section 1 of this Scheme):

- ensuring the development and ongoing monitoring and review of a cross-Council integrated planning, budgeting and performance management

framework (applicable to all corporate and service planning processes);

- monitoring and review of arrangements for the management, regulation and control of the finances of the Council to ensure their effective and efficient utilisation;
- monitoring and reviewing expenditure and ensuring final out-turns within the allocations provided for in the Council's approved revenue and capital budgets;
- receiving, scrutinising and approving services' bids for resources for new service initiatives within the remit of each of the portfolios and making appropriate recommendations to Council – in particular to approve services' Annual Capital Programme bids as regards project priorities within the remit of each of the Cabinet's portfolios;
- ensuring compliance with the Council's corporate governance regime, and both national and local corporate governance frameworks; and
- ensuring compliance with the Council's approved cross-Council corporate strategies including Asset Management, Human Resources, Information Technology and their associated policies and procedures in all areas for which the Cabinet has responsibility.

In pursuit of this remit the Policy Lead will oversee the following functions/ services to ensure their effective management and continuous improvement:

- Audit and Review Services (Internal and External);
- Corporate Accounting and Accounting Services;
- Management of the Housing Revenue Account and Related Issues;
- Housing and General Services Capital Programmes (in conjunction with the Housing and Property Services Policy Lead);
- Council Tax and Benefits;
- Information Governance and Records Management (including the Ayrshire Archives);
- Human Resources and Employee Relations;
- Organisational Development (OD) and Training and Development;
- Treasury Management/ Service Arrangements;
- Procurement and all Contracts (in conjunction with other Policy Leads as appropriate);
- Legal and Democratic Services;
- Customer Contact Services;

- Payments and Administration; and
- ICT Strategy and Operations.

5.8 ***Leisure and Community Services***

To exercise strategic and political leadership and to formulate appropriate strategic and operational plans to achieve the Council's objectives in relation to the promotion of sport and leisure and the development of the capacity of communities in South Ayrshire through effective community planning activities.

The following functions comprised within this portfolio are hereby delegated to the Cabinet as specific delegations (subject to the exceptions at para 1.1 above and in addition to the general delegation to the Cabinet at para 3.1 above and on the basis that the Cabinet will make recommendations to Council as appropriate in accordance with the provisions set out in Section 1 of this Scheme).

In pursuit of this remit the Policy Lead will oversee the following functions/ services to ensure their effective management and continuous improvement:

- Sports Development;
- Leisure Services Operations and Facilities;
- Leisure Trusts;
- Golf;
- ensuring strategic and political leadership of the Community Planning process to (a) review the achievement of Community Planning objectives, (b) prepare a revised/ new Community Plan(s), (c) ensure collaborative planning between agencies to tackle cross-cutting issues, (d) ensure continued improvement in services through collaborative working;
- monitoring and review of the Community Plan for the South Ayrshire area;
- monitoring and review of the Council's community engagement and locality planning in relation to those matters not included in the Economy and Strategy portfolio, in particular, the Policy Lead will oversee the following functions/ services to ensure their effective management and continuous improvement:
 - * Community Councils;
 - * Area Community Planning;
 - * Community Development; and
 - * others as appropriate.

Terms of Reference and Delegations to Scrutiny Panels

Scrutiny Panels will focus on issues being decided on by the Cabinet and which support the Council Plan and the Council's Strategic Objectives and Outcomes.

In *all but one case* the specific legislative powers of the Council have either been reserved to the Council itself or delegated to officers, Joint Boards, Committees, Sub-Committees, Joint Committees, Panels or the Cabinet. The *one exception* is in the case of the Council's statutory audit function which has been delegated to the Audit and Governance Panel.

The Audit and Governance Panel has a specific power to consider and determine call ins of decisions of the Cabinet (see section 4 below).

The Service and Partnerships Performance Panel will receive and consider petitions received by the Council from the public in accordance with the Petitions Protocol.

Otherwise, the Scrutiny Panels' functions relate to the governance and scrutiny of decisions, performance and improvement activity and all recommendations arising from the carrying out of the scrutiny process are to be reported back to the Cabinet or Council for decision.

In any situation of uncertainty, it is for the Chief Executive to determine which Scrutiny Panel should undertake any particular scrutiny activity.

The Council has established two Scrutiny Panels, and their remits and terms of reference are as follows:

1. Audit and Governance Panel

- 1.1 To act as the Audit Committee of the Council within the remit and powers as set out in detail in the Audit Committee Handbook approved by Council, and including:
 - 1.1.1 considering the overall adequacy and effectiveness of the Council's framework of governance, risk management and control arrangements, including the associated anti-fraud and anti-corruption arrangements;
 - 1.1.2 undertaking regular scrutiny of the Council's risk register and challenging the effectiveness of the risk mitigations put in place by risk owners to reduce the risks in line with the Council's risk tolerance;
 - 1.1.3 receiving and considering the Council's unaudited Annual Accounts (including the statements which form part of the Annual Accounts) as submitted to the auditor by the Proper Officer (unless received and considered by full Council);
 - 1.1.4 receiving and considering the Annual Report to Members of the Council and the Controller of Audit in the annual audit;
 - 1.1.5 receiving, considering and approving the audited Annual Accounts (including the statements which form part of the Annual Accounts) by no later than 30 September immediately following the financial year to which the accounts relate (unless received, considered and approved by full Council), and in so doing to have regard to any report made or advice

provided on the Annual Accounts by the Proper Officer or appointed auditor;

- 1.1.6 ensuring that any issues arising from the process of drawing up, auditing and certifying the Annual Accounts are properly dealt with;
 - 1.1.7 undertaking the same role and remit as set out in paragraphs 1.1.2, 1.1.3, 1.1.4 and 1.1.5 above in relation to the Annual Accounts of charitable trusts administered by the Council and of which Councillors are Trustees;
 - 1.1.8 receiving and reviewing summary Internal Audit reports and the main issues arising, and seek assurance that action has been taken where necessary;
 - 1.1.9 receiving the annual report of the Chief Internal Auditor and monitoring the performance of the Internal Audit service;
 - 1.1.10 receiving and considering all reports of the external auditors, Audit Scotland, Accounts Commission (and other inspection agencies, where not within the remit of the Cabinet), including reports relating to charitable trusts administered by the Council and of which Councillors are Trustees, and, where appropriate, remit to another Scrutiny Panel for further detailed scrutiny;
 - 1.1.11 monitoring management action in response to the issues raised by the external auditors, including but not limited to the Strategic Audit Priorities and follow-up to any Best Value Audit reports.
- 1.2 To deal with called-in decisions of the Cabinet for further discussion, consideration and investigation, all in accordance with the provisions of the Scrutiny Handbook, and to:
- 1.2.1 agree the Cabinet decision(s); or
 - 1.2.2 continue the matter to the next meeting of the Panel (which may include an additional meeting held in terms of Standing Order 35.3 (2)) for further discussion, consideration, investigation or agreement; and/ or
 - 1.2.3 refer the matter back to the Cabinet, with recommendations, for final deliberation.
- 1.3 To deal with applications for review of decisions in relation to Community Asset Transfer requests for further discussion, consideration and investigation, and to:
- 1.3.1 agree the Cabinet decision(s); or
 - 1.3.2 continue the matter to the next meeting of the Panel (which may include an additional meeting held in terms of Standing Order 35.3 (2)) for further discussion, consideration, investigation or agreement; and/ or
 - 1.3.3 refer the matter back to the Cabinet, with recommendations, for final deliberation.

- 1.4 To keep under review the Council's local Code of Corporate Governance (in terms of the Delivering Good Governance Framework) and ensure arrangements for its review and continuing relevance leading to the publication of an annual statement as part of the Council's Annual Accounts confirming how well the Council is complying with the framework.
- 1.5 To monitor and review the effectiveness of the Council's Scrutiny Panel arrangements having regard to the Council's powers and duties under Best Value, continuous improvement and effective resource management in the provision of services, performance management frameworks, value for money, and business improvement/ re-design.
- 1.6 To promote and maintain high standards of conduct by all Elected Members of the Council, including consideration of the management and operation of ethical standards as set out in the Councillors' Code of Conduct within the Council, and recommending to Council, if appropriate, the adoption of any protocols relating to Members' conduct supplementary to the Councillors' Code of Conduct, and to consider and advise the Council on any requirements for supplementary training or additional support for Members in relation to ethical standards or any other matters.
- 1.7 To consider any issues which are referred to it by the Council or Cabinet for detailed scrutiny.
- 1.8 To ensure that areas of concern arising from the Audit Committee function are reported to Council, including those that may require further scrutiny either by the Panel or Council.
- 1.9 To make recommendations to the Cabinet or Council (as appropriate) on matters arising from the outcome of the scrutiny processes carried out by the Panel including recommendations for areas for Service Review in accordance with the Council's approved framework.

2. Service and Partnerships Performance Panel

- 2.1 To monitor, review and challenge the performance of the Council's services and service delivery having regard to the Council Plan, the Council's strategic objectives and outcomes, corporate improvement programme, the approved Service and Improvement Plans and performance targets, across all service areas in accordance with the Scrutiny Handbook and including:
 - 2.1.1 receiving and considering regular reports in relation to performance in terms of the approved Service and Improvement Plans and corporate improvement programme;
 - 2.1.2 receiving and considering service benchmarking information; and
 - 2.1.3 reviewing the effectiveness of performance reporting arrangements.
- 2.2 To consider external inspection agency reports relating to services which have been referred to this Panel by the Cabinet or the Audit and Governance Panel.
- 2.3 To undertake in-depth reviews of particular issues of concern in areas of service provision where performance issues have been identified through the Panel's consideration of the Service and Improvement Plans or other performance reports, all as detailed in, and in accordance with, the Scrutiny Handbook and as set out in

the Panel's annual work programme, and to refer any recommendations arising from such review to the Cabinet for consideration.

- 2.4 To receive and consider regular reports on public complaints handling and information governance arrangements within the Council.
- 2.5 To consider any issues which are referred to it by the Council, Cabinet or the Audit and Governance Panel for detailed scrutiny.
- 2.6 To make recommendations to the Cabinet or Council (as appropriate) on matters arising from the outcome of the scrutiny processes carried out by the Panel, including recommendations for areas for Service Review in accordance with the Council's approved framework.
- 2.7 To monitor, review and challenge the performance of services in South Ayrshire which are delivered through or in partnership with external bodies, including improvement actions and performance targets, where applicable, having regard to the Council Plan and the Council's strategic objectives and outcomes, and its duties of Best Value, Following the Public Pound, continuous improvement and effective resource management, in accordance with the Scrutiny Handbook, and including (but not limited to) performance of and in relation to:
 - 2.7.1 Any Leisure trusts and other arm's length external organisations in which the Council participates;
 - 2.7.2 Police Scotland;
 - 2.7.3 the Scottish Fire and Rescue Service;
 - 2.7.4 the use of Common Good funds and assets;
 - 2.7.5 Community Planning (including funded projects);
 - 2.7.6 Ayrshire Shared Services Joint Committee;
 - 2.7.7 hub South West Scotland Ltd; and
 - 2.7.8 Any other South Ayrshire Council funded projects and organisations.
- 2.8 To receive and hear Petitions addressed to the Council from members of the public, in accordance with the Council's Petitions Protocol, and to determine the appropriate action to be taken within the terms of that Protocol, including, where considered appropriate by the Panel, to report to Cabinet with recommendations.

Terms of Reference and Delegations to Panels, Etc

With the exception of powers which have been reserved to the Council itself and powers which have been delegated to officers or to Joint Committees, Joint Boards, the South Ayrshire Integration Joint Board or the Ayrshire Shared Service Joint Committee, all other powers are distributed between Committees and Sub-Committees.

In order to allow the Cabinet to concentrate on strategy, a number of Committees of the Council (to be known as Panels) and Sub-Committees have been established with delegated powers to deal with a specific range of functional and operational responsibilities.

The Panels, Joint Committees, Joint Boards, etc, are as follows:

Panel
Appointments/ Appraisal Panel
Appeals Panel
Regulatory Panel
Education Appeals Panel
Local Review Body
South Ayrshire Integration Joint Board
Ayrshire Shared Service Joint Committee

The terms of reference of Panels, etc, in respect of which they have been granted delegated powers, are as follows:

Panel, etc

Remit

Chief Officers Appointments/ Appraisal Panel

The appointment of Chief Executive, Directors, Heads of Service and Assistant Directors and Performance Appraisal issues.

Appeals Panel

The determination of appeals in terms of the Council's approved Disciplinary and Grievance Procedures, Finance, Rating, Maintenance Allowance Appeals, Road Traffic Orders, Allocations and other Housing Appeals, etc.

Regulatory Panel

The exercise of the Council's functions under the Civic Government (Scotland) Act 1982, Building Standards, Environmental Health, Trading Standards and Road Traffic Regulation Legislation, insofar as not delegated to officers or to East Ayrshire Council as Ayrshire Roads Authority.

The exercise of the Council's functions in relation to the approval of venues for civil marriages and civil partnerships under the Marriage (Scotland) Act 1977 and 2002, the Civil Partnerships Act 2004 and the

Panel, etc

Remit

Local Electoral Administration and Registration Services (Scotland) Act 2006, insofar as not delegated to officers.

The exercise of the Council's functions in relation to Houses in Multiple Occupation under the Housing (Scotland) Act 2006 in so far as not delegated to officers.

The exercise of the Council's functions in relation to landlord registration (and de-registration) under the Antisocial Behaviour Etc (Scotland) Act 2004 insofar as not delegated to officers.

The determination of Planning Applications and other matters under Planning Legislation insofar as not delegated to officers or reserved to full Council.

Education Appeals Panel

The determination of appeals in relation to placing requests and exclusions, under section 28D and Schedule A1 of the Education (Scotland) Act 1980, (chaired by a member of the Appeals Panel).

Local Review Body

To review planning decisions taken by Appointed officers on 'local developments' as that term is defined in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

South Ayrshire Integration Joint Board

To discharge the functions set out in Section 6 of this Scheme, and the strategic planning and the operational oversight of integrated health and social care services and through the chief officer (the Director of Health and Social Care Partnership) the operational management of the integrated services, in accordance with the Council's policies and procedures where applicable.

Ayrshire Shared Service Joint Committee

To undertake discharge of statutory functions in terms of s56 and 57 of the Local Government (Scotland) Act 1973 and s15 of the Local Government in Scotland Act 2003 specifically to oversee the delivery of a range of discrete Local Authority services to the communities of East, North and South Ayrshire.

The functions to be delegated to the control of the Joint Committee shall be carried out by a Lead Authority, being the authority charged by East Ayrshire Council, North Ayrshire Council and South Ayrshire Council (or at least two of them) to undertake the provision of defined services.

The specific services and functions to be delegated to the Joint Committee (each referred to as a 'Shared Service') are set out in Section 5 of this Scheme.

Functions Delegated to the Ayrshire Shared Services Joint Committee

The following are the specific functions that have been delegated to the Ayrshire Shared Services Joint Committee to be carried out by South Ayrshire Council as lead authority:

Ayrshire and Arran Tourism Team

AAT01 To manage and oversee the delivery of tourism activities that are agreed by the three Ayrshire Councils (East, North and South) to be shared from time to time.

Ayrshire Civil Contingencies Team

ACCT01 To manage and oversee the planning, and discharge, by the three Ayrshire Councils (East, North and South) of their duties as local authorities in relation to civil emergencies.

The following are the specific functions that have been delegated to the Ayrshire Shared Services Joint Committee to be carried out by East Ayrshire Council as lead authority:

Ayrshire Roads Alliance

ARA01 to carry out the functions of the Council (including maintaining registers, inspecting and enforcing) in terms of the Reservoirs Act 1975;

ARA02 to carry out the functions of the Council (including reporting and inspecting) in terms of the Flood Prevention (Scotland) Act 1961, the Flood Protection and Drainage (Scotland) Act 1997 and the Flood Risk Management (Scotland) Act 2009;

ARA03 to carry out all the following functions of the Council in terms of the Roads (Scotland) Act 1984 (as amended from time to time):

ARA03.01 under Section 13 in relation to the imposition on frontagers of the requirements to make up and maintain private roads including the service of appropriate notices;

ARA03.02 under Section 15 in relation to the completion of necessary work on private roads occasioned by an emergency (other than an emergency constituted by a danger as defined in Section 91);

ARA03.03 under Section 16 (1) (b) in relation to the consideration and determination of applications for the adoption of private roads as public;

ARA03.04 under Section 18 in relation to the adoption of footpaths associated with development;

ARA03.05 under Section 21 in relation to applications for construction consent for new roads built by a person other than the roads authority;

- ARA03.06 under Section 23 in relation to stopping up or temporarily closing any new road constructed by a person other than the roads authority, without consent or in contravention of, or in non-compliance with, a condition imposed by a construction consent;
- ARA03.07 under Section 31 (3) in relation to the service of notices in connection with the drainage of public roads or proposed public roads, on the owner and occupier of the land affected;
- ARA03.08 under Section 35 (1) and (4) and after giving notice in terms of Section 35 (5) in relation to the provision of road lighting and related structures;
- ARA03.09 under Sections 36 and 37 in relation to the construction of road humps;
- ARA03.10 under Section 51 in relation to the authorisation and withdrawal of authorisation for the planting and maintenance of trees, shrubs, grass or other plants by a person other than the roads authority within the boundaries of a public road;
- ARA03.11 under Section 56 in relation to the authorisation of works and excavations in or under a public road;
- ARA03.12 under Section 57 in relation to the prevention of termination of dangerous works or excavations in or under a public road;
- ARA03.13 under Section 58 in relation to the granting of permission for the deposit of building materials on roads;
- ARA03.14 under Section 59 in relation to the control of obstructions in roads;
- ARA03.15 under Section 60 in relation to the marking lighting and fencing of obstructions or roadworks and for shoring buildings requiring protection in similar circumstances;
- ARA03.16 under Section 61 in relation to granting permission to place and thereafter maintain apparatus in or under a public road;
- ARA03.17 under Section 62 in relation to the temporary prohibition or restriction of traffic on roads for reasons of public safety or convenience;
- ARA03.18 under Section 63 in relation to the imposition of the requirement to construct new accesses across road verges or footways where appropriate;
- ARA03.19 under Section 64 (2) in relation to the issue of consent to statutory undertakers for work on footways, footpaths or cycle tracks in connection with their apparatus in terms of Section 64 (1) (b);

- ARA03.20 under Section 66 in relation to enforcing maintenance of vaults, arches, cellars, tunnels and related structures within the vicinity of a road;
- ARA03.21 under Section 67 in relation to enforcing safety provisions countering outward opening doors, gates, windows, window shutters or bars interfering with the safety or convenience of road users;
- ARA03.22 under Section 78 (2) in relation to the service of notices prior to the diversion of waters where necessary in connection with the construction, improvement or protection of a public road;
- ARA03.23 under Section 79 to negotiate terms and enter into agreements with bridge owners in relation to future maintenance obligations;
- ARA03.24 under Section 83 in relation to the prevention of obstructions of the view of road users at or near corners, bends and junctions;
- ARA03.25 under Section 85 in relation to granting permission for the location of builders' skips on roads;
- ARA03.26 under Section 86 in relation to the removal or repositioning of any builders' skip which is causing or is likely to cause, a danger or obstruction;
- ARA03.27 under Section 87 in relation to the removal from roads of unauthorised structures and the consequent reinstatement of the site;
- ARA03.28 under Section 88 in relation to the removal of projections interfering with safe or convenient passage along a road;
- ARA03.29 under Section 89 in relation to the removal of accidental obstructions from roads;
- ARA03.30 under Section 90 in relation to the granting of consent for fixing or placing over, along or across a road any overhead bridge, beam, rail, pipe, cable, wire or other similar apparatus;
- ARA03.31 under Section 91 in relation to the prevention of danger to road users and the prevention of obstructions caused by roadside vegetation, fences or walls;
- ARA03.32 under Section 92 in relation to granting consent for planting trees or shrubs within five metres of the edge of the made up carriageway;
- ARA03.33 under Section 93 in relation to the protection of road users from dangers near a road;
- ARA03.34 under Section 94 in relation to the infill of dangerous ditches adjacent to or lying near a road;
- ARA03.35 under Section 97 in relation to the issue of consent for trading;

- ARA03.36 under Section 99 (2) in relation to the issue of consent to persons undertaking works or excavations necessary to ensure compliance with Section 99 (1) (prevention of the flow of water, filth, dirt or other offensive matter onto the road);
- ARA03.37 under Section 99 (3) in relation to the service of notices on owners or occupiers requiring works or excavations to be undertaken to ensure compliance with Section 99 (1);
- ARA03.38 under Section 140 in relation to authorising persons to enter land to take any action or execute any work authorised or required to be taken or executed by the roads authority under the Roads (Scotland) Act 1984;
- ARA03.39 under Section 30 in relation to the serving of notices subject to Section 31 (3), in connection with carrying out works for protecting roads against hazards of nature;
- ARA03.40 to exercise the functions of the Council under Section 152 (2) to re-determine the means of exercise of a public right of passage over a road; and
- ARA03.41 to act as the Proper Officer to issue a certificate as provided in Section 96 (1);
- ARA04 to carry out the following functions of the Council in terms of the Road Traffic Regulations Act 1984:
 - ARA04.01 under Section 14 in relation to the temporary prohibition or restriction of traffic on roads;
 - ARA04.02 under Section 23 in relation to pedestrian crossings on roads other than trunk roads;
 - ARA04.03 under Section 65 in relation to the placing of traffic signs;
 - ARA04.04 under Section 68 in relation to the placing of traffic signs in connection with the exercise of other powers of the Authority as defined in sub-section (1) thereof;
 - ARA04.05 under Section 69 in relation to the removal of signs; and
 - ARA04.06 under Section 71 (1) in relation to the power to enter land in connection with the placing, replacing, converting and removal of traffic signs;
- ARA05 to arrange for the advertisement of any proposal for the making, revocation, or variation of Orders and Schemes under:
 - ARA05.01 The Road Traffic Regulation Act 1984; and
 - ARA05.02 Sections 68, 69, 70 and 71 of the Roads (Scotland) Act 1984;
- ARA06 to grant Wayleaves in respect of public utilities;

- ARA07 to carry out the functions of the Road Safety Officer;
- ARA08 to deal with all requests for information in connection with grant applications made under Section 8 of the Railways Act 1974 (Grants to assist the provision of facilities for freight haulage by rail);
- ARA09 to carry out the functions of the Council under the Public Utilities Street Works Act 1950 and the New Roads and Street Works Act 1991 in relation to roads for which the Council is responsible;
- ARA10 to make grants to householders for the purpose of making good fabric and decoration (excluding curtains) in houses affected by work carried out by the Council under the Noise Insulation (Scotland) Regulations 1975 at the rates and on conditions which may be prescribed from time to time by the Council;
- ARA11 to exercise the functions of the Council under Section 12 of the Roads (Scotland) Act 1984 in relation to the stopping up or diversion of highways crossing or entering routes of proposed new highways;
- ARA12 to agree terms for Bridge Agreements with the British Railways Board and terms of discharge of the Council's liability for annual maintenance and renewal charges in that connection;
- ARA13 to consider and, where acceptable in road safety terms, approve locations for advertisements on road safety barriers and similar structures;
- ARA14 to make arrangements for the management of piers, harbours, car parks, etc, including, granting the use or part thereof to other persons or bodies and to carry out the functions of the Council as Harbour Authority under the Harbours Act 1964;
- ARA15 to carry out the following functions of the Council in terms of the Coast Protection Act 1949:
- ARA15.01 under Section 4 to enter into an agreement with any other person for the carrying out by that person or the Council of any coast protection work which the Council has the power to carry out;
- ARA15.02 under Section 5 to arrange for the publication of notices relating to proposed works in local newspapers and the serving of like notices on affected harbour authorities;
- ARA15.03 under Section 8, to arrange for the publishing of notices relating to works schemes and the serving of like Notices on affected harbour authorities;
- ARA15.04 under Section 12 to serve notice on owners of land where protection works are required; and
- ARA15.05 under Section 25 in relation to the authorisation of persons taking entry to land for the purposes specified therein;

- ARA16 to carry out road and footpath lighting works on new housing and industrial developments;
- ARA17 to carry out the functions of the Council under the Transport (Scotland) Act 2005, including enforcement and imposition of penalties as prescribed in the Act and the relevant Code of Practice;
- ARA18 to authorise the erection and removal of bus shelters;
- ARA19 to carry out the inspection and testing of taxis and private hire vehicles, under Section 11 of the Civic Government (Scotland) Act 1982 as amended; and
- ARA20 to carry out the functions of the Council relative to improvement, maintenance and management of Girvan Harbour in terms of the Harbours Act 1964.

Functions Delegated to the South Ayrshire Integration Joint Board

1. The following are the specific functions that have been delegated to the South Ayrshire Integration Joint Board (the 'SAIJB') with effect from the date specified in the strategic plan to be approved by the SAIJB insofar as these functions relate to the services set out at paragraph 2 below under the heading 'Services provided by South Ayrshire Council which are to be integrated' and at paragraph 3 below under the heading 'Services to be carried out by the EAIJB as lead IJB':

Column A Enactment Conferring Function	Column B Limitation
<p>National Assistance Act 1948</p> <p><i>Section 45</i> (The recovery of expenditure incurred under Part III of that Act where a person has fraudulently or otherwise misrepresented or failed to disclose a material fact.)</p> <p><i>Section 48</i> (The protection of property of a person admitted to hospital or accommodation provided under Part III of that Act.)</p>	
<p>Matrimonial Proceedings (Children) Act 1958</p> <p><i>Section 11</i> (Reports as to arrangements for future care and upbringing of children.)</p>	
<p>The Disabled Persons (Employment) Act 1958</p> <p><i>Section 3</i> (The making of arrangements for the provision of facilities for the purposes set out in section 15(1) of the Disabled Persons (Employment) Act 1944.)</p>	
<p>The Social Work (Scotland) Act 1968</p> <p><i>Section 1</i> (The enforcement and execution of the provisions of the Social Work (Scotland) Act 1968.)</p> <p><i>Section 4</i> (The making of arrangements with voluntary organisations or other persons for assistance with the performance of certain functions.)</p> <p><i>Section 5</i> (Local authorities to perform their functions under the Act under the guidance of the Secretary of State.)</p> <p><i>Section 6B</i> (Local authority inquiries into matters affecting children.)</p>	<p>So far as it is exercisable in relation to another integration function.</p> <p>So far as it is exercisable in relation to another integration function.</p>

<p>Column A</p> <p>Enactment Conferring Function</p>	<p>Column B</p> <p>Limitation</p>
<p><i>Section 8</i> (The conducting of, or assisting with research in connection with functions in relation to social welfare and the provision of financial assistance in connection with such research.)</p> <p><i>Section 10</i> (The making of contributions by way of grant or loan to voluntary organisations whose sole or primary object is to promote social welfare and making available for use by a voluntary organisation premises, furniture, equipment, vehicles and the services of staff.)</p> <p><i>Section 12</i> (The promotion of social welfare and the provision of advice and assistance.)</p> <p><i>Section 12A</i> (The assessment of needs for community care services, the making of decisions as to the provision of such services and the provision of emergency community care services.)</p> <p><i>Section 12AZA</i> (The taking of steps to identify persons who are able to assist a supported person with assessments under section 12A and to involve such persons in such assessments.)</p> <p><i>Section 12AA</i> (The compliance with a request for an assessment of a carer's ability to provide or to continue to provide care.)</p> <p><i>Section 12AB</i> (The notification of carers as to their entitlement to make a request for an assessment under section 12AA.)</p> <p><i>Section 13</i> (The assistance of persons in need with the disposal of their work.)</p> <p><i>Section 13ZA</i> (The taking of steps to help an incapable adult to benefit from community care services.)</p> <p><i>Section 13A</i> (The provision, or making arrangements for the provision, of residential accommodation with nursing.)</p> <p><i>Section 13B</i> (The making of arrangements for the care or aftercare of persons suffering from illness.)</p>	<p>So far as it is exercisable in relation to another integration function.</p> <p>So far as it is exercisable in relation to another integration function.</p> <p>Except in so far as it is exercisable in relation to the provision of housing support services.</p> <p>Except in so far as it is exercisable in relation to another integration function.</p> <p>So far as it is exercisable in relation to another integration function.</p> <p>So far as it is exercisable in relation to another integration function.</p>

Column A Enactment Conferring Function	Column B Limitation
<p><i>Section 14</i> (The provision or arranging the provision of domiciliary services and laundry services.)</p>	
<p><i>Section 27</i> (Supervision and care of persons put on probation or released from prisons, etc)</p> <p><i>Section 27ZA</i> (Grants in respect of community service facilities.)</p> <p><i>Section 28</i> (The burial or cremation of deceased persons who were in the care of the local authority immediately before their death and the recovery of the costs of such burial or cremation.)</p> <p><i>Section 29</i> (The making of payments to parents or relatives of, or persons connected with, persons in the care of the local authority or receiving assistance from the local authority, in connection with expenses incurred in visiting the person or attending the funeral of the person.)</p> <p><i>Section 59</i> (The provision of residential and other establishments.)</p> <p><i>Section 78A</i> (Recovery of contributions.)</p> <p><i>Section 80</i> (Enforcement of duty to make contributions.)</p> <p><i>Section 81</i> (Provisions as to decrees for ailment.)</p> <p><i>Section 83</i> (Variation of trusts.)</p> <p><i>Section 86</i> (The recovery of expenditure incurred in the provisions of accommodation, services, facilities or payments for persons ordinarily resident in the area of another local authority from the other local authority.)</p>	<p>So far as it is exercisable in relation to persons cared for or assisted under another integration function.</p> <p>So far as it is exercisable in relation to another integration function.</p>
<p>The Children Act 1975</p> <p><i>Section 34</i> (Access and maintenance.)</p> <p><i>Section 39</i> (Reports by local authorities and probation officers.)</p> <p><i>Section 40</i> (Notice of application to be given to local authority.)</p> <p><i>Section 50</i> (Payments towards maintenance of children.)</p>	

Column A Enactment Conferring Function	Column B Limitation
<p>The Local Government and Planning (Scotland) Act 1982</p> <p><i>Section 24(1)</i> (The provision, or making arrangements for the provision, of gardening assistance and the recovery of charges for such assistance.)</p>	
<p>Health and Social Services and Social Security Adjudications Act 1983</p> <p><i>Section 21</i> (The recovery of amounts in respect of accommodation provided under the Social Work (Scotland) Act 1968 or Section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003.)</p> <p><i>Section 22</i> (The creation of a charge over land in England or Wales where a person having a beneficial interest in such land has failed to pay a sum due to be paid in respect of accommodation provided under the Social Work (Scotland) Act 1968 or Section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003.)</p> <p><i>Section 23</i> (The creation of a charging order over an interest in land in Scotland where a person having such an interest has failed to pay a sum due to be paid in respect of accommodation provided under the Social Work (Scotland) Act 1968 or Section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003.)</p>	
<p>Foster Children (Scotland) Act 1984</p> <p><i>Section 3</i> (Duty of local authority to ensure wellbeing of and to visit foster children.)</p> <p><i>Section 5</i> (Notification to local authority by persons maintaining or proposing to maintain foster children.)</p> <p><i>Section 6</i> (Notification to local authority by persons ceasing to maintain foster children.)</p> <p><i>Section 8</i> (Power of local authorities to inspect foster premises.)</p> <p><i>Section 9</i> (Power of local authorities to impose requirements as to the keeping of foster children.)</p> <p><i>Section 10</i> (Power of local authorities to prohibit the keeping of foster children.)</p>	

Column A Enactment Conferring Function	Column B Limitation
<p>Disabled Persons (Services, Consultation and Representation) Act 1986</p> <p><i>Section 2</i> (The making of arrangements in relation to an authorised representative of a disabled person and the provision of information in respect of an authorised representative.)</p> <p><i>Section 3</i> (The provision of an opportunity for a disabled person or an authorised representative of a disabled person to make representations as to the needs of that person on any occasion where it falls to a local authority to assess the needs of the disabled person for the provision of statutory services by the authority, the provision of a statement specifying the needs of the person and any services which the authority proposes to provide, and related duties.)</p> <p><i>Section 7</i> (The making of arrangements for the assessments of the needs of a person who is discharged from hospital.)</p> <p><i>Section 8</i> (Having regard, in deciding whether a disabled person's needs call for the provision of services, to the ability of a person providing unpaid care to the disabled person to continue to provide such care.)</p>	<p>In respect of the assessment of need for any services provided under functions contained in welfare enactments within the meaning of section 16 and which are integration functions.</p> <p>In respect of the assessment of need for any services provided under functions contained in welfare enactments (within the meaning set out in section 16 of the Act) which are integration functions.</p>
<p>The Children (Scotland) Act 1995</p> <p><i>Section 17</i> (Duty of local authority to children looked after by them.)</p> <p><i>Sections 19-27</i> (Provision of relevant services by local authority for or in respect of children in their area.)</p> <p><i>Sections 29-32</i> (Advice and assistance for young persons formerly looked after by local authorities; duty of local authority to review case of a looked after child; removal by local authority of a child from a residential establishment.)</p> <p><i>Section 36</i> (Welfare of certain children in hospitals and nursing homes, etc)</p> <p><i>Section 38</i> (Short term refuges for children at risk of harm.)</p> <p><i>Section 76</i> (Exclusion orders.)</p>	

Column A Enactment Conferring Function	Column B Limitation
<p>Criminal Procedure (Scotland) Act 1995</p> <p><i>Section 51</i> (Remand and committal of children and young persons.)</p> <p><i>Section 203</i> (Where a person specified in section 27(1)(b)(i) to (vi) of the Social Work (Scotland) Act 1968 commits an offence the court shall not dispose of the case without first obtaining a report from the local authority in whose area the person resides.)</p> <p><i>Section 234B</i> (Drug treatment and testing order.)</p> <p><i>Section 245A</i> (Restriction of liberty orders.)</p>	
<p>The Adults with Incapacity (Scotland) Act 2000</p> <p><i>Section 10</i> (The general functions of a local authority under the Adults with Incapacity (Scotland) Act 2000.)</p> <p><i>Section 12</i> (The taking of steps in consequence of an investigation carried out under section 10(1)(c) or (d).)</p> <p><i>Sections 37, 39-45</i> (The management of the affairs, including the finances, of a resident of an establishment managed by a local authority.)</p>	<p>Only in relation to residents of establishments which are managed under integration functions.</p>
<p>The Housing (Scotland) Act 2001</p> <p><i>Section 92</i> (Assistance for housing purposes.)</p>	<p>Only in so far as it relates to an aid or adaptation.</p>
<p>The Community Care and Health (Scotland) Act 2002</p> <p><i>Section 4</i> (The functions conferred by Regulation 2 of the Community Care (Additional Payments) (Scotland) Regulations 2002 in relation to the provision, or securing the provision, of relevant accommodation.)</p> <p><i>Section 5</i> (The making of arrangements for the provision of residential accommodation outside Scotland.)</p> <p><i>Section 6</i> (Entering into deferred payment agreements for the costs of residential accommodation.)</p> <p><i>Section 14</i> (The making of payments to an NHS body in connection with the performance of the functions of that body.)</p>	

Column A Enactment Conferring Function	Column B Limitation
<p>The Mental Health (Care and Treatment) (Scotland) Act 2003</p> <p><i>Section 17</i> (The provision of facilities to enable the carrying out of the functions of the Mental Welfare Commission.)</p> <p><i>Section 25</i> (The provision of care and support services for persons who have or have had a mental disorder.)</p> <p><i>Section 26</i> (The provision of services designed to promote well-being and social development for persons who have or have had a mental disorder.)</p> <p><i>Section 27</i> (The provision of assistance with travel for persons who have or have had a mental disorder.)</p> <p><i>Section 33</i> (The duty to inquire into a person's case in the circumstances specified in 33(2).)</p> <p><i>Section 34</i> (The making of requests for co-operation with inquiries being made under section 33(1) of that Act.)</p> <p><i>Section 228</i> (The provision of information in response to requests for assessment of the needs of a person under section 12A(1)(a) of the Social Work (Scotland) Act 1968.)</p> <p><i>Section 259</i> (The securing of independent advocacy services for persons who have a mental disorder.)</p>	<p>Except in so far as it is exercisable in relation to the provision of housing support services.</p> <p>Except in so far as it is exercisable in relation to the provision of housing support services.</p> <p>Except in so far as it is exercisable in relation to the provision of housing support services.</p>
<p>Management of Offenders, Etc (Scotland) Act 2005</p> <p><i>Sections 10-11</i> (Assessing and managing risks posed by certain offenders.)</p>	
<p>The Housing (Scotland) Act 2006</p> <p><i>Section 71(1)(b)</i> (Assistance for housing purposes.)</p>	<p>Only in so far as it relates to an aid or adaptation as defined at s1(2) of the Public Bodies (Joint Working) (Prescribed Local Authority Functions etc) (Scotland) Regulations 2014.</p>
<p>Adoption and Children (Scotland) Act 2007</p> <p><i>Section 1</i> (Duty of local authority to provide adoption service.)</p>	

Column A Enactment Conferring Function	Column B Limitation
<p><i>Sections 4-6</i> (Local authority to prepare and publish a plan for the provision of adoption service; local authority to have regard to Scottish Ministers' Guidance and; assistance in carrying out functions under sections 1 and 4.)</p>	
<p><i>Sections 9-12</i> (Adoption support services.)</p> <p><i>Section 19</i> (Local authority's duties following notice under section 18.)</p> <p><i>Section 26</i> (Procedure where an adoption is not proceeding.)</p> <p><i>Section 45</i> (Adoption support plans.)</p> <p><i>Section 47-49</i> (Family member's right to require review of an adoption support plan; cases where local authority under a duty to review adoption support plan and; reassessment of needs for adoption support services.)</p> <p><i>Section 51</i> (Local authority to have a regard to guidance issued by Scottish ministers when preparing or reviewing adoption support plans.)</p> <p><i>Section 71</i> (Adoption allowances schemes.)</p> <p><i>Section 80</i> (Application to court by local authority for the making of a permanence order.)</p> <p><i>Section 90</i> (Precedence of court orders and supervisions requirement over permanence order.)</p> <p><i>Section 99</i> (Duty of local authority to apply for variation or revocation of a permanence order.)</p> <p><i>Section 101</i> (Notification requirements upon local authority.)</p> <p><i>Section 105</i> (Notification requirements upon local authority where permanence order is proposed – relates to child's father.)</p>	
<p>The Adult Support and Protection (Scotland) Act 2007</p> <p><i>Section 4</i> (The making of enquiries about a person's wellbeing, property or financial affairs.)</p>	

Column A Enactment Conferring Function	Column B Limitation
<p><i>Section 5</i> (The co-operation with other Councils, public bodies and office holders in relation to inquiries made under section 4.)</p> <p><i>Section 6</i> (The duty to have regard to the importance of providing advocacy services.)</p>	
<p><i>Section 7-10</i> (Investigations by local authority pursuant to duty under section 4.)</p> <p><i>Section 11</i> (The making of an application for an assessment order.)</p> <p><i>Section 14</i> (The making of an application for a removal order.)</p> <p><i>Section 16</i> Council officer entitled to enter any place in order to move an adult at risk from that place in pursuance of a removal order.</p> <p><i>Section 18</i> (The taking of steps to prevent loss or damage to property of a person moved in pursuance of a removal order.)</p> <p><i>Section 22</i> (The making of an application for a banning order.)</p> <p><i>Section 40</i> (The making of an application to the justice of the peace instead of the sheriff in urgent cases.)</p> <p><i>Section 42</i> (The establishment of an Adult Protection Committee.)</p> <p><i>Section 43</i> (The appointment of the convener and members of the Adult Protection Committee.)</p>	
<p>Children’s Hearings (Scotland) Act 2011</p> <p><i>Section 35</i> (Child assessment orders.)</p> <p><i>Section 37</i> (Child protection orders.)</p> <p><i>Section 42</i> (Application for parental responsibilities and rights directions.)</p> <p><i>Section 44</i> (Obligations of local authority where, by virtue of a child protection order, child is moved to a place of safety by a local authority.)</p>	

Column A Enactment Conferring Function	Column B Limitation
<p><i>Section 48</i> (Application for variation or termination of a child protection order.)</p> <p><i>Section 49</i> (Notice of an application for variation or termination of a child protection order.)</p> <p><i>Section 60</i> (Duty of local authority to provide information to Principal Reporter.)</p>	
<p><i>Section 131</i> (Duty of implementation authority to require review of a compulsory supervision order.)</p> <p><i>Section 144</i> (Implementation of a compulsory supervision order: general duties of implementation authority.)</p> <p><i>Section 145</i> (Duty of implementation authority where child required to reside in a certain place.)</p> <p><i>Section 153</i> (Secure accommodation.)</p> <p><i>Sections 166-167</i> (Requirement imposed on a local authority: review and appeal.)</p> <p><i>Section 180</i> (Sharing of information with panel members by local authority.)</p> <p><i>Section 183-184</i> (Mutual assistance.)</p>	
<p>Social Care (Self-Directed Support) (Scotland) Act 2013</p> <p><i>Section 3</i> (The consideration of an assessment of an adults ability to provide or continue to provide care for another person and the making of a decision as to whether an adult has needs in relation to care that the adult provides for another person, the decision as to whether support should be provided to that adult in relation to those needs, and the provision of that support.)</p> <p><i>Section 5</i> (The giving of the opportunity to choose a self-directed support option.)</p> <p><i>Section 6</i> (The taking of steps to enable a person to make a choice of self-directed support option.)</p>	<p>Only in relation to assessments carried out under integration functions.</p>

Column A Enactment Conferring Function	Column B Limitation
<p><i>Section 7</i> (The giving of the opportunity to choose a self-directed support option.)</p> <p><i>Section 8</i> Choice of options: children and family members.</p> <p><i>Section 9</i> (The provision of information.)</p> <p><i>Section 10</i> Provision of information: children under 16</p> <p><i>Section 11</i> (Giving effect to the choice of self-directed support option.)</p>	
<p><i>Section 12</i> (Review of the question of whether a person is ineligible to receive direct payments.)</p> <p><i>Section 13</i> (Offering another opportunity to choose a self-directed support option.)</p> <p><i>Section 16</i> (The recovery of sums where a direct payment has been made to a person and the circumstances set out in section 16(1)(b) apply.)</p> <p><i>Section 19</i> (Promotion of the options for self-directed support.)</p>	<p>Only in relation to a choice under section 5 or 7 of the Social Care (Self-directed Support) (Scotland) Act 2013.</p>
<p>Carers (Scotland) Act 2016</p> <p><i>Section 6</i> (Duty to prepare adult carer support plan.)</p> <p><i>Section 12</i> (Duty to prepare young carer statement.)</p> <p><i>Section 21</i> (Duty to set local eligibility criteria for carer support.)</p> <p><i>Section 24</i> (Duty to provide support.)</p> <p><i>Section 25</i> (Provision of support to carers: breaks from caring.)</p> <p><i>Section 31</i> (Duty to prepare local carer strategy.)</p> <p><i>Section 34</i> (Information and advice service for carers.)</p> <p><i>Section 35</i> (Short breaks services statements.)</p>	

2. Services undertaken by South Ayrshire Council within the Health and Social Care Partnership

- Social work services for adults and older people;
- Services and support for adults with physical disabilities and/ or learning disabilities;
- Mental health services;
- Drug and alcohol services;
- Adult protection and domestic abuse;
- Carers support services;
- Community care assessment teams;
- Administration support services within social work;
- Care home services;
- Adult placement services;
- Health improvement services;
- Housing support services, aids and adaptations;
- Day services;
- Local area co-ordination;
- Respite provision;
- Occupational therapy services;
- Re-ablement services, equipment and telecare;
- Criminal justice social work services; and
- Children and families social work services.

3. Services to be carried out by the EAIJB as lead IJB

The following are the specific services to be carried out by the EAIJB as lead IJB from the date specified in the strategic plan to be approved by the EAIJB:

- out of hours social work services.

Powers Delegated to Officers

Under exception of the delegated powers which arise from certain statutory appointments (see Section 7), all powers delegated to officers of the Council are delegated to one or more of the following officers:

- the Chief Executive;
- the ~~Depute Chief Executive and~~ Director of Education;
- the Director of Housing, Operations and Development;
- the Director of Communities and Transformation;
- the Director of Health and Social Care Partnership;
- the Chief Financial Officer;
- the Chief Governance Officer; and
- the Chief HR Officer.

There are four main statutory officers that the Council is required by law to appoint. These are:

- Head of Paid Service;
- Monitoring Officer;
- Chief Financial Officer; and
- Chief Social Work Officer.

These statutory officers have an important, independent, role in promoting and enforcing good governance and compliance with legislation.

Powers, which have been delegated to officers are a mix of general delegations and specific delegations but when exercising any delegated power, officers must do so in full compliance with a number of requirements that have been laid down by the Council. On the pages that follow are details of:

- (a) The rules governing the exercise of powers delegated to officers;
- (b) General delegations (those which are available to all of the officers specified); and
- (c) Specific delegations (those which are available to individual officers).

(a) 'Rules' Governing the Exercise of Powers by Officers

1. Before exercising any authority officers must satisfy themselves that:
 - 1.1 they have the necessary delegated powers as specified in this Scheme in relation to each officer; and
 - 1.2 that any power expressed in this Scheme has not been modified by a more recent decision by the Council.
2. Officers must use the authority delegated to them:
 - 2.1 in the interests of South Ayrshire Council and in accordance with the provisions of this Scheme, Financial Regulations and Standing Orders relating to Contracts;
 - 2.2 in accordance with the policies of the Council and its Panels and with any procedural guidelines which the Council and its Panels may make to regulate the exercise of delegated powers; and
 - 2.3 in accordance with legislation.
3. Delegated powers should not be exercised by officers where any decision would represent a departure from Council policy or procedure or would be contrary to a standing decision of Council or any of its committees etc, or would itself represent a significant development from policy or procedure. The only exception to this is in the case of urgency where the officer may, after consultation with the Chief Executive (or, in the absence of the Chief Executive, the Depute Chief Executive), Leader (or, in the absence of the Leader, the Depute Leader) and relevant Policy Lead or Chair of the appropriate committee, exercise delegated powers. Should such powers be exercised in urgent circumstances, a report will be submitted to the next appropriate Committee for noting.

In exercising the authority delegated to them, officers must consult:

- the Section 95 Officer, the Monitoring Officer and/ or the Chief HR Officer, as appropriate, in respect of matters where legal, financial, employment or other advice or guidance is necessary; and
- in respect of matters which are sensitive or likely to be controversial, the relevant Policy Lead(s), and the Chief Executive;

and the Chief Executive shall be the final arbiter of whether a matter is sensitive or likely to be controversial. Matters which are determined to be sensitive or controversial shall be referred to the Council for decision.

4. Where an applicant for a service provided by the Council (except one which is available to the general public for a set fee) is a Member of the Council or an employee, the officer within whose delegated authority it is to determine the application will, before exercising that authority, give consideration to the need to consult with the Chief Executive who may require the officer to refer the application to the appropriate Panel, as appropriate, for determination.
5. Where an applicant for employment with the Council is related to a Member of the Council, or to an employee, the officer within whose delegated authority it is to make

the appointment to the post in question will, before exercising that authority, consult with the Chief Governance Officer who may require the officer to refer the appointment to the Chief Executive for decision.

6. Officers must publish, at such frequency and in such form as may be prescribed from time to time by the Cabinet details of decisions taken and actions authorised by them (or others authorised by them) in exercise of delegated powers.
7. Officers must record, notify the Monitoring Officer, and publish if required, details of arrangements made by them for the exercise on their behalf of delegated powers granted to them.

(b) General Delegations to Officers

The following is a list of the powers, which have been delegated to each of the following officers:

- the Chief Executive;
- the ~~Depute Chief Executive and~~ Director of Education;
- the Director of Housing, Operations and Development;
- the Director of Communities and Transformation;
- the Director of Health and Social Care Partnership;
- the Chief Financial Officer;
- the Chief Governance Officer; and
- the Chief HR Officer.

For the avoidance of doubt, it should be understood (unless it is otherwise stated, or unless the words make it clear that a wider application is intended) that the powers available to the Chief Executive and to individual Directors and Heads of Service are only in relation to the services for which they are responsible.

It should also be understood that expressions such as 'to serve', 'to issue', etc, include the delegated power to sign, on behalf of the Council, the documents concerned and to take all other steps necessary to ensure that these documents are appropriately delivered.

Nothing in this section or any other part of the Scheme empowers officers to alter national or local conditions of employment.

Where a specific delegation is made in terms of powers under a specific legislative provision, that delegation shall be deemed to include powers under any subsequent amendment to or replacement of that legislation.

Where a specific delegation exists in favour of a specified officer(s) the same power shall not be deemed to be a general delegation for any other officer.

The general delegations, which for ease of identification have the reference letter G. are as follows:

General Delegations

All powers necessary for the general management of the services for which they are responsible, including, but not limited to:

- G01 to expend the approved budget appropriate to the post;
- G02 to manage within the policies agreed by the Council;
- G03 to take measures, including incurring expenditure, as may be required in emergency or other unanticipated situations subject to consulting with the Chief Executive and the Chief Financial Officer (where expenditure is required) and consult the appropriate Policy Lead and advise local Members where possible and reporting to the appropriate Panel as soon as possible thereafter, on any items for which Panel approval would normally be necessary;

- G04 to absent himself or herself or permit any member of his or her staff to absent himself or herself occasionally and temporarily during business hours to attend to duties or services of a civic, honorary, charitable or social nature provided that these do not interfere with the efficient discharge of his/ her duties to the Council;
- G05 to sign and to issue:
- G05.01 the necessary authorisation to officers of the Council to exercise statutory powers (including, where possible, the right to enter land and premises in connection with the discharge of their duties); and
- G05.02 identity cards;
- G06 to make appointments within his or her service, to all posts below Head of Service/ Assistant Director level so long as such posts are within the approved establishment of the Directorate/ service (as the case may be);
- G07 to pay valid claims for damage to, or loss of, personal property of employees in his or her service occurring during the course of their employment, up to an amount of £2,000 per claim for any one incident; and to pay claims in excess of £2,000 after consultation with the Chief HR Officer;
- G08 to approve the provision of reasonable hospitality within the area, to representatives of other authorities, organisations, officers of the Council or others and also within the UK to make visits and to authorise officers within his or her Directorate to make visits as representatives of the Council, subject always to details of the expenses incurred in terms of this delegation being made available where requested by the Chief Executive;
- G09 to approve attendance at conferences within the UK of officers, in cases where he or she considers it to be in the interests of the Council;
- G10 to appoint consultants and other specialists on such terms and conditions as he or she considers to be appropriate, subject always to the requirements of the Standing Orders relating to Contracts;
- G11 to grant the use of Council accommodation to outside bodies if within the terms of any approved scheme;
- G12 to hire Council equipment within any approved scheme;
- G13 to purchase goods, supplies and services, and to undertake works in accordance with the Financial Regulations and Standing Orders relating to Contracts of the Council, and to sign contracts relating to these (save where statute requires execution by the Proper Officer);
- G14 to promote, market and present events;
- G15 to apply regulations relative to the use of Council facilities to ensure safety for staff and members of the public, including the authority to close or restrict the use of facilities as required;

- G16 to vary charges, rents and fees where, for operational and/ or promotional purposes, doing so may increase income;
- G17 to nominate officers to act in relation to powers of entry in terms of any relevant enactment;
- G18 to authorise Assistant Directors, managers or appropriately qualified officers to exercise any of the individual delegated powers which relate to a particular discipline or service area;
- G19 to exercise any general delegations contained in the Council's Standing Orders relating to Contracts;
- G20 to apply and enforce all policies and procedures approved by the Council relating to employees and to take decisions in respect of those, to include conducting Grievance and Disciplinary and other proceedings;
- G21A to determine urgent matters, during periods when the Council is in recess, where the matter has been covered by a previous policy decision of Council and in respect of which there is a budget or other financial provision and in accordance with the following: consultations must be undertaken with the relevant Policy Lead(s), the Leader of the Council and the Chief Executive and all matters dealt with must be reported to the first meeting of the Cabinet or other relevant Panel following the recess;
- G21B to determine urgent matters during periods when the Council is in recess and where it involves new policy or a change to existing policy, the Chief Executive will consult with the Cabinet remotely and all matters dealt with must be reported to the first meeting of the Council, Cabinet or other relevant Panel following;
- G21C with the agreement of the Cabinet, and if required to enable effective decision making (or otherwise), to amend the Standing Orders Relating to Meetings, the Scheme of Delegation, the Standing Orders Relating to Contracts and/ or the Financial Regulations;
- G22 to take such operational management decisions as are necessary for the routine planning, organisation, operation and provision of Council services and facilities, where budgetary provision exists. For the avoidance of doubt, this delegation shall include the appointment of temporary employees where considered necessary, (and subject to six monthly review, existing payroll budgetary provision or costs being fully funded by an external agency), authorisation of secondments, and authorisation of overtime (including to sanction in exceptional or emergency circumstances, the payment of overtime to staff whose salary is above the overtime ceiling (currently Spinal Column Point 75));
- G23 to carry out investigations and research and enter into discussions with a view to proposing new or revised strategies, policies or procedures;
- G24 to respond on behalf of the Council to draft circulars, orders, notices, consultation papers and other such documents from the Scottish Government, UK Government and other bodies, this to be done after consultation with the relevant Policy Lead;

- G25 to promote South Ayrshire either directly or in conjunction with others and to support Council activities and events, provided that there is sufficient budget provision;
- G26 to seek sources of external funding and external funding partners to assist in Council activities and projects;
- G27 to terminate on behalf of the Council any contract which the Council is entitled to terminate under the appropriate conditions of contract where, after consultation with the appropriate Head of Service and the Chief Governance Officer, he/ she is satisfied that it is in the interests of the Council to do so;
- G28 to respond to and deal with participation requests received in accordance with the provisions of the Community Empowerment (Scotland) Act 2015;
- G29 to formally execute on behalf of the Council any agreements relevant to their services' operational workloads, save where statute requires execution by the Proper Officer;
- G30 to determine for their service the information to be disclosed, including the application of any exemptions, in relation to requests for information in terms of the Freedom of Information (Scotland) Act 2002, and the Environmental Information (Scotland) Regulations 2004;
- G31 all other matters in respect of the operation, development and implementation of policy for the service areas assigned to them unless specifically reserved to the Council or other Committees etc or contrary to a specific provision of this Scheme; and
- G32 to exercise the discretionary powers available in implementation of the conditions of service in respect of all employees in the employment of the Council.

(c) Specific Delegations to Officers

Particular delegated powers, which have been granted to officers, are as set out below. For ease of identification, these specific delegations have been indexed using the following reference letters:

<i>Officer</i>	<i>Reference Letter</i>	<i>Page</i>
Chief Executive	CX	
Depute Chief Executive and Director of Education	ED	
Director of Housing, Operations and Development	HOD	
Director of Communities and Transformation	CT	
Chief Financial Officer	FP	
Chief Governance Officer	LRS	
Chief HR Officer	HR	
Director of Health and Social Care Partnership	HSCP	

Chief Executive

- CX01 to act as Head of Paid Service in terms of Section 4 of the Local Government and Housing Act 1989;
- CX02 to give a direction in special circumstances that any officer shall not exercise a delegated function;
- CX03 to give a direction on the applicability of the Scheme of Delegation to an officer in any specific case;
- CX04 where he or she considers that it would be in the interests of the Council to do so, to approve the provision of reasonable hospitality, outwith the area to representatives of other authorities, organisations, officers of the Council or others; and to make visits outwith the UK and to authorise such visits by officers and Members of the Council or others representing the Council;
- CX05 to approve attendance of officers at conferences outwith the UK in cases where he or she considers it to be in the interests of the Council;
- CX06 to consider and, in appropriate circumstances, to approve applications by employees convicted of and fined under the Health and Safety at Work, Etc Act; the Factories Act; the Offices, Shops and Railway Premises Act or associated legislation, or the Roads Traffic Acts for offences committed whilst acting in the course of their employment for payment of the fine imposed;
- CX07 to consider, and in appropriate circumstances, to approve applications from employees for reimbursement, in part or in whole, of reasonable legal expenses incurred in defending actions raised against them personally, providing:
- CX07.01 that they were acting within the course of their employment;
 - CX07.02 in accordance with Council policies and procedures; and
 - CX07.03 in good faith;
- CX08 to arrange as necessary for the affixing of the Common Seal of the Council to any document by the Chief Governance Officer as Proper Officer of the Council;
- CX09 to prepare the polling scheme for South Ayrshire and to alter or amend polling places in the event of an approved place becoming unavailable or unviable – for example, through fire or flood or some other circumstance;
- CX10 to appoint, in the absence of both the Chief Executive and the Depute Chief Executive, an Acting Head of Paid Service to cover periods of absence. When the Chief Executive and the nominated Depute are absent, the Acting Head of Paid Service will have all the delegated authority of the Chief Executive;
- CX11 to instruct the actings of the Directors, the Chief Financial Officer, the Chief Governance Officer and the Chief HR Officer, subject to restrictions as to professional competencies;
- CX12 to refer matters to the Police, in terms of the Council's Special Investigations Procedure;

- CX13 to delete vacant posts, approve new posts and amend existing posts within a Directorate or service structure where budgetary provision exists, in consultation with the relevant Policy Lead(s) and the Chief HR Officer;
- CX14 to authorise ex gratia payments to employees who die in service and who are not in the pension scheme, of amounts not exceeding £4,000;
- CX15 with the exception of the powers delegated to statutory appointees (section 8) and other Proper Officer designations as provided for elsewhere in this Scheme of Delegation, to exercise every power delegated to Directors, the Chief Financial Officer, the Chief Governance Officer and the Chief HR Officer, and exercisable by them in relation to the business of the Council and the business of the South Ayrshire Integration Joint Board in so far as it relates to Council budgets and responsibilities;
- CX16 to approve, in conjunction with the Chief HR Officer and in accordance with the Council's policies and practice, early retirement or voluntary severance;
- CX17 to take decisions under and in terms of the Council's workforce policies and procedures;
- CX18 to approve requests by the Directors, the Chief Financial Officer, the Chief Governance Officer and the Chief HR Officer for the secondment of employees to external agencies where the total cost of the secondment is recoverable from the external agency and to approve the appointment where necessary of a temporary replacement for the duration of the secondment; **and**
- CX19 to appoint authorising officers, to authorise directed surveillance or the use of a covert intelligence source which involves the likelihood of obtaining 'confidential' information, and to authorise the use of covert human intelligence sources in relation to juveniles or vulnerable adults, all in terms of the Regulation of Investigatory Powers (Scotland) Act 2000 and associated regulations;
- ED22CX20 to carry out the functions of the Council under the Antisocial Behaviour etc. (Scotland) Act 2004 in relation to Landlord registration;**
- ED23CX21 to issue and/ or renew licences and certificates of registration and keep registers in respect of Houses in Multiple Occupation in accordance with approved codes of practice and the statutory provisions relating thereto;**
- ED24CX22 to make grants for House Adaptations up to a value of £10,000;**
- ED25CX23**
- ED25CX23.01 to process applications for the licensing of short term lets in terms of Civic Government (Scotland) Act 1982 (Licensing of Short-Term Lets) Order 2022, and to reject and return incomplete or incompetent applications;**
- ED25CX23.02 to determine applications for the licensing of short term lets and to issue and/ or renew licences in terms of the Civic Government (Scotland) Act 1982 (Licensing of Short-Term Lets) Order 2022, except where one or more competent written objection is received; and**

ED26CX24 to publish and maintain a public register of short term lets and to serve enforcement notices under the Civic Government (Scotland) Act 1982 (Licensing of Short-Term Lets) Order 2022; and

CX25 in exceptional circumstances (for example, out of cycle requests), to exercise all powers delegated to the Transformation Board, with authority to allocate and monitor sums from the Transformation Fund of up to £200,000 for the delivery of transformation projects, subject to business case and other approvals.

~~Depute Chief Executive and Director of Education~~

- ED01 to approve attendance by employees on authorised Youth Exchange visits overseas where the employees, as part of their duties, are required to accompany the group undertaking the exchange;
- ED02 to determine the provision of footwear and clothing for pupils at public schools, in terms of Section 54 of the Education (Scotland) Act 1980;
- ED03 to arrange programmes of in-service training for teachers;
- ED04 to receive and determine applications for disbursements of funds in any trusts/ endowments (subject to the terms of the trust/ endowment);
- ED05 to accept and administer any new Trusts, **Bequests** or small endowments which may be offered to the Council for schools **or school buildings** in their area, **up to a value of £25,000**;
- ED06 to appoint and supervise teaching staff within complements approved by the Council;
- ED07 to make grants to pupils to enable them to attend courses and conferences and to undertake educational visits and excursions at home and abroad within the approved budgets and policies of the Council;
- ED08 to issue licences in terms of the Children (Performances and Activities) (Scotland) Regulations 2014;
- ED09 to approve or refuse applications received from schools for arrangements to be made for visits during school terms in accordance with approved policy;
- ED10 to ensure that requisite provision is made for any pupil entitled in terms of Section 53(3) of the Education (Scotland) Act 1980 to receive school meals in the middle of the day;
- ED11 to permit parent/ teacher associations or such other organisations or persons as he or she considers appropriate to execute minor works of improvement within the curtilage of an educational establishment subject to:
- ED11.01 being satisfied that the works are relevant to the function of and will not prejudice the operation of the educational establishment;
 - ED11.02 being satisfied that the works and practices are acceptable in terms of health and safety and Council standards; and
 - ED11.03 the execution of the works being supervised by the Director of Housing, Operations and Development;
- ED12 to exercise at discretion the powers available to the Council as Education Authority, in terms of Section 23 of the Education (Scotland) Act 1980, with regard to the provision by the Council of Education for pupils belonging to the areas of other Education Authorities and incur outwith area fees and to pay the approved COSLA rate to any other Education Authority which has provided education for pupils normally resident in the area but who are for various reasons, placed in schools outwith the area;

- ED13 to consider and determine all placing requests under Section 28 of the Education (Scotland) Act 1980 and Schedule 2 of the Education (Additional Support for Learning) (Scotland) Regulations 2014 in accordance with the guidelines formulated by the Council and, where appropriate, to make representation to the Education Appeals Committee in respect of any appeals against decisions;
- ED14 to consider and determine all requests for school transport under the Education (Scotland) Act 1980 and in accordance with Council guidelines;
- ED15 to authorise the employment in appropriate circumstances of teachers in receipt of occupational pensions in accordance with Council policies;
- ED16 to exercise, at discretion, the powers available to the Council as Education Authority in relation to the exclusion of pupils from schools;
- ED17 to determine the dates of local school holidays within the area after consultation with the appropriate Parent Councils and appropriate Trade Unions;
- ED18 to carry out the functions of the Council in terms of Section 58 of the Education (Scotland) Act 1980 relating to the cleanliness of pupils at schools;
- ED19 to exercise the functions of the Council in terms of Section 50 of the Education (Scotland) Act 1980; (provision of travelling facilities and accommodation in exceptional circumstances);
- ED20 to exercise the functions of the education authority in relation to pupil attendance in terms of Sections 36 to 41 of the Education (Scotland) Act 1980;
- ED21 to implement decisions taken by the Local Negotiating Committee for Teachers provided that spending will be contained within the Directorate's budget;
- ~~ED22 to carry out the functions of the Council under the Antisocial Behaviour etc. (Scotland) Act 2004 in relation to Landlord registration;~~
- ~~ED23 to issue and/ or renew licences and certificates of registration and keep registers in respect of Houses in Multiple Occupation in accordance with approved codes of practice and the statutory provisions relating thereto;~~
- ~~ED24 to make grants for House Adaptations up to a value of £10,000;~~
- ED25**
- ~~ED25.01 to process applications for the licensing of short term lets in terms of Civic Government (Scotland) Act 1982 (Licensing of Short-Term Lets) Order 2022, and to reject and return incomplete or incompetent applications;~~
- ~~ED25.02 to determine applications for the licensing of short term lets and to issue and/ or renew licences in terms of the Civic Government (Scotland) Act 1982 (Licensing of Short-Term Lets) Order 2022, except where one or more competent written objection is received; and~~

~~ED26 to publish and maintain a public register of short term lets and to serve enforcement notices under the Civic Government (Scotland) Act 1982 (Licensing of Short-Term Lets) Order 2022.~~

Director of Housing, Operations and Development

- HOD01 to determine all planning applications lodged in terms of the Town and Country Planning (Scotland) Acts in accordance with the procedures and delegations approved by the Council;
- HOD02 to renew any planning permission granted for limited periods;
- HOD03 to set conditions related to planning permissions, to agree the discharge of planning conditions and agree changes to planning conditions under s42 application where they are in accordance with the procedures and delegations approved by Council;
- HOD04 to agree the terms of s75 legal agreements where these terms are in accordance with policies approved by Council, where there are no financial implications arising from the proposals;
- HOD05 to determine all applications for Advertisement in terms of Section 182 of the Town and Country Planning (Scotland) Act 1997;
- HOD06 to determine applications for Non-Material Variations in terms of Section 64 of the Town and Country Planning (Scotland) Act 1997;
- HOD07 to determine applications for Listed Building Consent in terms of Sections 7 and 9 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and serve notices under the said Act, after consultation with the Policy Lead;
- HOD08 to serve notices in terms of Section 179 of the Town and Country Planning (Scotland) Act 1997 in relation to land adversely affecting other land;
- HOD09 to determine applications for the temporary siting of residential caravans during building operations;
- HOD10 to determine applications for Conservation Area consent in terms of Section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997;
- HOD11 to determine proposals under Section 37 of the Electricity Act 1989;
- HOD12 to determine applications for tree felling or other works to trees within Conservation Areas and Designated Tree Preservation Orders;
- HOD13 to confirm Tree Preservation Orders where no objections have been received and the making of the Order was agreed by the relevant Panel;
- HOD14 to enter land in terms of the Town and Country Planning (Scotland) Act 1997, the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997; the Planning (Hazardous Substances) (Scotland) Act 1997; and the Land Reform (Scotland) Act 2004;
- HOD15 to serve Enforcement Notices, Breach of Condition Notices and Hazardous Substances Contravention Notices in terms of the 1997 Act as amended by the Planning Etc (Scotland) Act 2006;
- HOD16 in cases of emergency and urgency, to make and serve:

- HOD16.01 Provisional Tree Preservation Orders;
- HOD16.02 Building Preservation Notices;
- HOD16.03 Stop Notices; and
- HOD16.04 Interdicts for Planning and related offences;
- HOD17 to respond on behalf of the Council to Historic Environment Scotland regarding the listing or scheduling of buildings of architectural or historic interest;
- HOD18
 - HOD18.01 to respond directly to consultations on development plans, planning applications, environmental assessments and planning guidance from neighbouring authorities at any stage in the process unless the Chief Planning Officer considers that:
 - (a) the consultation raises a significant planning issue (which may include transport and other infrastructure matters) for the Council which should be drawn to the attention of the consulting authority;
 - (b) the consultation raises a matter which is potentially controversial or likely to be of significant public interest; or
 - (c) the Council should formally object to a proposed development plan;
 - HOD18.02 to respond directly to planning related consultations from the Scottish Government and Government Agencies unless the Chief Planning Officer considers that:
 - (a) the consultation raises a significant planning issue for the Council which should be drawn to the attention of the Scottish Government/ Government Agency; or
 - (b) the consultation raises a matter which is potentially controversial or likely to be of significant public interest;
 - HOD18.03 to determine whether a qualifying plan, programme or strategy, which is being prepared or modified, requires environmental assessment in accordance with the Environmental Assessment (Scotland) Act 2005 and to undertake environmental assessment where necessary, including preparing an environmental report and carrying out consultations;
- HOD19 to prepare, apply and implement local development plans, associated documents and planning policy and to implement planning decisions and instructions of the relevant Panel and Council in relation to planning matters;
- HOD20 to refer to the Procurator Fiscal consideration of instigation of legal proceedings for offences under the Town and Country Planning (Scotland) Act 1997 and the

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, and re-planting notices under Section 168 of the Town and Country Planning (Scotland) Act 1997;

- HOD21 to determine applications for Certificates of Lawfulness of existing use or development and Certificates of Lawfulness of proposed use or development, in terms of Sections 150 and 151 of the Town and Country Planning (Scotland) Act 1997;
- HOD22 on forestry applications, proposals and strategies, providing that, where the response is to be one of objection, this will only be done after consultation with the Policy Lead;
- HOD23 to respond on behalf of the Council to consultations from Scottish Natural Heritage on matters falling within its remit, unless the response is to be one of objection or the consultation raises a significant planning issue or a matter which is potentially controversial or likely to be of significant public interest;
- HOD24 to determine all High Hedge Notice Applications, serve High Hedge Notices, when merited, and take direct action to ensure compliance with the provisions of such Notices, when necessary;
- HOD25 to respond on behalf of the Council to requests for screening and scoping opinions under the Environmental Impact Assessment (Scotland) Regulations 1999, the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 and the Environmental Assessment (Scotland) Act 2005, and to prepare and publish habitats regulations appraisals as required by the Conservation (Natural Habitats etc) Regulations 1994 and the EC Habitats Directive;
- HOD26
- HOD26.01 to make Orders under Section 11 of the Land Reform (Scotland) Act 2003, exempting land from access rights for a particular purpose, for a period of less than 6 days;
- HOD26.02 to approve the commencement of public consultations under Section 11 (2) of the Land Reform (Scotland) Act 2003, on proposed temporary public access exemption Orders for a particular purpose, where the period of the Order proposed is 6 or more days;
- HOD27 to determine applications for the adoption of open space in accordance with the policies adopted by the Council;
- HOD28 to appoint suitably experienced representatives of access interest groups as members of the South Ayrshire Local Access Forum, as and when necessary, with the agreement of the Policy Lead;
- HOD29 to make and confirm Orders under Sections 207 and 208 of the Town and Country Planning (Scotland) Act 1997 for the stopping up or diversion of roads and paths where necessary to enable development to be implemented in accordance with planning permission granted;

- HOD30 to issue and/ or renew licences and certificates of registration and keep registers in respect of such legislation as may, from time to time, be within the remit of the Regulatory Panel, in accordance with approved codes of practice and the statutory provisions relating thereto;
- HOD31 to appoint as Inspectors and authorised officers for the purposes of the administration and enforcement of legislation within the remit of the Regulatory Panel such of his/ her officers as he/ she may deem necessary and appropriate;
- HOD32 to carry out the Council's functions in relation to any other Acts, Regulations or Orders falling within the remit of the Regulatory Panel;
- HOD33 to serve Notices on landowners under Sections 14 and 15 of the Land Reform (Scotland) Act 2003, requiring remedial action in respect of prohibition signs, obstructions, dangerous impediments and risk to injury;
- HOD34 to act in relation to Grants for Improvements, Repair and Conversions in terms of the Housing (Scotland) Acts 1987, 2001 and 2006;
- HOD35 to issue Notices in terms of Section 87 of the Civic Government (Scotland) Act 1982;
- HOD36 to determine applications for Building Warrants in terms of the Building (Scotland) Acts 1959 and 1970;
- HOD37 to determine applications for Relaxation of the Building Standards (Scotland) Regulations 1990 in terms of Section 4 of the Building (Scotland) Acts 1959 and 1970;
- HOD38 to determine applications for temporary and final Completion Certificates in terms of Section 9 of the Building (Scotland) Acts 1959 and 1970;
- HOD39 to determine applications for raised structures in terms of Section 89 of the Civic Government (Scotland) Act 1982;
- HOD40 to serve Execution of Works on Building Notices in terms of Section 87 of the Civic Government (Scotland) Act 1982;
- HOD41 to allocate in consultation with the Local Members, street names and postal addresses in terms of Section 97 of the Civic Government (Scotland) Act 1982;
- HOD42 In terms of the Building (Scotland) Act 2003:
- HOD42.01 to determine applications for Building Warrant, including late applications and continuing requirements;
 - HOD42.02 to seek views from the Building Standards Division, Scottish Government;
 - HOD42.03 to grant extensions to the life of Building Warrants and to the periods of use of buildings intended to have a limited life provided such requests are reasonable;
 - HOD42.04 to accept or reject Certificates of Completion, including late submissions;

- HOD42.05 to determine applications for temporary occupation or use;
- HOD42.06 to exercise the function of the Council in relation to building operations to secure building sites and demolition sites against entry under the Building Regulations;
- HOD42.07 to evacuate buildings and carry out works in case of immediate danger;
- HOD42.08 to serve Notices on the owners of dangerous buildings;
- HOD42.09 to give authority to enter buildings;
- HOD42.10 to serve enforcement Notices on the owners of buildings to conform to the Building Regulations and continuing requirements;
- HOD42.11 to serve enforcement Notices on the owners of unauthorised buildings; and
- HOD42.12 to serve Defective Buildings Notices on the owners of defective buildings;
- HOD43 to authorise relevant officers to refer matters to the Procurator Fiscal and/ or to initiate proceedings under Building Standards legislation;
- HOD44 to exercise the powers of an authorised person under Section 11 of the Safety of Sports Grounds Act 1975 (power to enter and inspect a sports ground) and to exercise the powers of an authorised person under Section 35 of the Fire Safety and Safety of Places of Sport Act 1987 (power to enter and inspect a regulated grandstand);
- HOD45 to issue Safety Certificates, Prohibition Notices and Special Safety Certificates in terms of the Safety of Sports Grounds Act 1975 and the Fire Safety and Places of Sport Act 1987;
- HOD46 to provide aids, equipment and adaptations for the homes of disabled persons within the Council's Scheme of Assistance as guided by the Housing (Scotland) Act 2006;
- HOD47 to make Compensation Payments under Sections 304 to 310 of the Housing (Scotland) Act 1987;
- HOD48 to instruct House Adaptations from Capital and Repair or Improvements from revenue expenditure up to a value of £10,000;
- HOD49 to act in relation to homeless persons under Sections 24 to 43 of the Housing (Scotland) Act 1987;
- HOD50 in relation to Council Housing stock:
 - HOD50.01 to instruct the raising of court action for re-possession and/ or for recovery of arrears, in appropriate cases;

- HOD50.02 to instruct actions with a view to recovery of arrears; and
- HOD50.03 to instruct eviction;
- HOD51 to postpone the ranking of Discount Standard Securities in relation to 'Right-to-Buy' transactions, in association with the Chief Governance Officer and in accordance with practices in force from time to time;
- HOD52 to serve notice, enter premises and take any other action on behalf of the Council in terms of the Antisocial Behaviour etc (Scotland) Act 2004 as amended from time to time;
- HOD53 to purchase individual residential properties to be used as Council houses for rent on behalf of Housing Services up to the value of £150,000 and the acquisition of land either in Council ownership or on the open market of up to £250,000 with agreement from the Policy Lead or, in their absence, the Leader or Depute Leader of the Council each subject to available funds, and to instruct Legal Services to execute the transaction(s) arising;
- HOD54 where appropriate, to enter objections on behalf of the Council to applications for Goods Vehicles Operators' Licences, under Section 63 of the Transport Act 1968;
- HOD55 to seek and maintain Vehicle Operator Licences and Registrations for the Council fleet;
- HOD56 to set charges for fleet hire to external agencies and (with the agreement of the Chief Executive) for in-house users;
- HOD57 to serve Litter Abatement Notice in terms of Section 92 of the Environmental Protection Act 1990;
- HOD58 to serve a Street Litter Control Notice in terms of section 93 of the Environmental Protection Act 1990;
- HOD59 to prescribe premises or land to which a Street Litter Control Notice may be issued in terms of Section 94 of the Environmental Protection Act 1990;
- HOD60 to enter any premises at any reasonable time in terms of Section 91 of the Control of Pollution Act 1974;
- HOD61 to take such persons and such equipment as is necessary when entering any premises in terms of section 92 of the Control of Pollution Act 1974;
- HOD62 to obtain information from any person by serving a notice on that person in terms of Section 93 of the Control of Pollution Act 1974;
- HOD63 to require any person to produce authority for transporting waste in terms of Section 5 of the Control of Pollution (Amendment) Act 1989;
- HOD64 to enter premises in terms of Section 7 of the Control of Pollution (Amendment) Act 1989;
- HOD65 to remove abandoned vehicles in terms of section 3 of the Refuse Disposal (Amenity) Act 1978;

- HOD66 to dispose of abandoned vehicles in such manner as the Director thinks fit in terms of Section 4 of the Refuse Disposal (Amenity) Act 1978;
- HOD67 to recover expenses for removal of vehicle from person responsible for abandoning vehicle in terms of section 5 of the Refuse Disposal (Amenity) Act 1978;
- HOD68 to remove and dispose of refuse other than a motor vehicle in terms of Section 6 of the Refuse Disposal (Amenity) Act 1978;
- HOD69 to enter any land at any reasonable time in terms of Section 8 of the Refuse Disposal (Amenity) Act 1978;
- HOD70 to make arrangements to advertise for disposal any property declared by the Council or relevant Panel to be surplus to the requirements of the Council, in accordance with the acquisitions and disposals policy;
- HOD71 to agree terms for the disposal of any land and buildings in accordance with the Council's acquisition and disposal policy provided: (i) the valuation figure is achieved; and (ii) the land and/ or buildings have been declared surplus to the requirements of the Council, and to then proceed to instruct Legal Services to execute the transactions arising without further reference to the Cabinet;
- HOD72 to agree terms for new leases up to 10 years and extensions and variations to existing leases, subject to the extensions or variations not extending the term of the existing lease by a period in excess of 10 years, provided the land and/ or buildings;
- HOD73 to agree terms for new leases over 10 years and extensions and variations to existing leases where this will extend the term of the existing lease by a period in excess of 10 years, provided that the proposed lease/ extension/ variation is not considered sensitive or controversial;
- HOD74 to agree terms for new leases and extensions and variations for existing leases, where the Council is the tenant, for a period of up to 10 years, subject to the extensions or variations not extending the term of the existing lease by a period in excess of 10 years;
- HOD75 to carry out day to day management of Council land and buildings;
- HOD76 to instruct repairs to Council property in accordance with Standing Orders Relating to Contracts;
- HOD77 to implement all lease and title conditions of Council property including the termination of leases and other agreements at their natural end or in the event of breaches of conditions;
- HOD78 to declare land and property surplus to requirements where the value of the land/ property is valued at less than £100,000. Where there is a question of the ability to alienate the land under the terms of Common Good legislation, then the approval of the Court will be required;
- HOD79 to manage surplus property;

- HOD80 to negotiate and agree terms for licences to occupy, licences for works and similar agreements, and the renewal of same;
- HOD81 to grant or instruct the granting of rent-free periods of up to one year in order to allow for repairs, fitting out or decoration to be undertaken; to negotiate and agree termination of leases on suitable terms; to negotiate and agree alteration to rental payment periods;
- HOD82 to agree rent reviews;
- HOD83 to grant lets, wayleaves and/ or servitudes to utility undertakings (Scottish Power, Gas, etc);
- HOD84 to approve assignments and/ or sub-leases of leases of Council property on appropriate terms;
- HOD85 to agree terms and instruct the granting of Minutes of Waiver where there is no prejudice to the Council;
- HOD86 to agree terms and instruct the granting or variation of wayleaves or servitude rights over Council property where there is no prejudice to the Council;
- HOD87 to agree rent reviews at up to market value where the Council is the tenant;
- HOD88 to contest as considered appropriate and agree Rateable Values and Valuation Notices in respect of Council owned land and buildings;
- HOD89 in relation to the capital investment programme, following consideration by the Capital Asset Management Sub-Group, or the Housing Asset Management Sub-Group as the case may be, and consultation with the Capital Asset Management Group, to formally approve a budget transfer to a capital project from another capital project providing such transfer is within the overall capital programme budget and the amount involved does not exceed £100,000;
- HOD90 in relation to:
- HOD90.01 the Repairs and Renewals Fund, following consideration by the Capital Asset Management Group, to formally approve expenditure from that fund on works requiring to be undertaken, provided the amount involved does not exceed £100,000;
- HOD90.02 the Ward Capital Fund and Shorefront/ Promenade Capital projects, following consultation with the Ward Councillors in the relevant Ward, and consideration by the Capital Asset Management Group, and where there is consensus reached between the Ward Councillors, to formally approve expenditure from that fund on works requiring to be undertaken, provided the amount involved does not exceed £100,000;
- HOD91 to instruct the raising of court action for recovery of possession and/ or for recovery of rent arrears, in appropriate cases;
- HOD92 to maintain the Council's Asset Register and keep records of all assets held by the Council;

- HOD93 to grant the use of Council accommodation to outside bodies for the purpose of holding meetings and functions, etc, if outwith the scope of any approved Scheme and not otherwise provided for;
- HOD94 to apportion office accommodation between Council Directorates and services;
and
- HOD95 as Roads Authority for the South Ayrshire Council area, to instruct Ayrshire Roads Alliance to manage the roads operations for the area on behalf of the Council, as detailed in Section 5 above;
- HOD96 to carry out the Council's functions in relation to the Community Empowerment (Scotland) Act 2015; and**
- HOD97 to carry out the administration of applications for community asset transfer, including verification thereof, and make appropriate arrangements for meetings of the Community Asset Transfer Advisory Group.**

Director of Communities and Transformation

- CT01 to implement an approved approach to participatory budgeting, and to pay out to successful applicants sums held by the Council and approved for payment by the consultative body known as the South Ayrshire Rural Forum;
- CT02 to arrange for the provision of information concerning the Council's services and functions, by:
- CT02.01 publishing appropriate information;
 - CT02.02 placing advertisements, ordering printed material and arranging displays or producing guidebooks, directories and other publications describing and illustrating Council services or publicising and promoting any aspect of the Council; and
 - CT02.03 issuing press releases and similar articles for publication or broadcasting on behalf of the Council;
- CT03 to implement an approved Events Programme within the South Ayrshire area and to approve individual events from time to time, subject to resources for the event being contained within existing budgets;
- CT04 to seek sources of sponsorship to support Council events;
- CT05 to represent the Council on Economic Development matters at appropriate meetings or events;
- CT06 to seek the involvement of external agencies in the Economic Development of South Ayrshire;
- CT07 to determine all applications for grant or loan assistance under such employment or development schemes as the Council may from time to time approve provided that there is sufficient budget provision, provided that approvals are on the basis of the approved scheme and provided that the total or cumulative Council assistance for the project does not exceed £100,000; and
- CT08 to implement South Ayrshire Council's Scheme for Establishment of Community Councils, and to take all relevant and appropriate decisions in relation thereto, including authority to the Assistant Director – Communities to take decisions on proposals to extend a period of suspension of a Community Council by an additional three months or such further period as deemed appropriate.

Chief Financial Officer, Finance and Procurement

- FP01 to be the Proper Officer for the administration of the financial affairs of the Council in terms of Section 95 of the Local Government (Scotland) Act 1973’;
- FP02 in respect of Council tax/ non-domestic rates, to act as the Proper Officer in terms of the appropriate legislation for all administrative purposes, including:
- FP02.01 to arrange the preparation and issue of rates notices, the collection of rates, the receiving and settling of claims for exemption from rates, the handling of objections to the amount of rates levied, and the abatement, remission or repayment of rates under the various rating provisions;
 - FP02.02 to prepare and issue Council tax notices, the collection of the aforementioned tax, the handling of objections to the assessments and the exemption, abatement, or remission of charges;
 - FP02.03 to enter into arrangements with Communities Scotland, etc, in accordance with Schedule 2 of the Local Government Finance Act 1992, to administer Council tax reduction and discounts on behalf of the Council for all those resident in the housing authority’s property;
 - FP02.04 to enter into arrangements with neighbouring Councils and others concerning the collection of rates, or Council tax on behalf of the Council, and to make arrangements with each agent as to suitable collection points;
 - FP02.05 to make the necessary arrangements concerning terms and commissions payable for services rendered to the Council by other agents with regard to the collection of rates, and/ or other Council tax, and the administration of any Council reduction or discount schemes, etc; and
 - FP02.06 to enter into arrangements with Scottish Water for the collection of water and waste water charges with Council tax, and to negotiate appropriate terms and commission with the Water Authority in relation to the services rendered by the Council and its agencies;
- FP03 in respect of loans and banking:
- FP03.01 to act as the Proper Officer in the completion of certificates in terms of Section 92 of the Local Government (Scotland) Act 1973 (transfer of securities);
 - FP03.02 to make the necessary arrangements for duly authorised borrowing by all means specified in Schedule 3 of the Local Government (Scotland) Act 1975, subject to any statutory limitations;
 - FP03.03 to make application for the necessary consents for the issue of Stock and foreign borrowing in terms of the Local Government

(Scotland) Acts 1973 and 1975 and the regulations made thereunder;

- FP03.04 to ensure a placing with the Bank of England relative to Negotiable Bonds;
- FP03.05 to act as Registrar of Stocks, Bonds and Mortgages, except for Negotiable Bonds and to appoint, if deemed advisable, any United Kingdom or foreign bank as Registrar of Stocks, Bonds and Mortgages raised either within or without the United Kingdom and whether in sterling or in a foreign currency;
- FP03.06 to sign and to authorise the signature of cheques on behalf of the Council;
- FP03.07 to carry out temporary investment of surplus funds by making deposits with approved organisations; and
- FP03.08 to authorise the leasing of assets, and the signing of lease finance agreements and contracts;
- FP04 to negotiate with the Money Market;
- FP05 to discharge the Investment functions of the Superannuation Fund under Regulation P6 and Paragraph 5 (C) of the Local Government Superannuation (Scotland) Regulations 1987 to review the investments made by the Managers;
- FP06 to act for and represent the Council at Council Tax Appeal Hearings before the Valuation Appeal Committee in relation to Banding and Rebate Appeals;
- FP07 to make advance payments – both by way of wages and to contractors;
- FP08 to negotiate settlement of invoices by instalments;
- FP09 to exercise the specific delegations contained in the Council's Financial Regulations;
- FP10 to write-off debts of up to £10,000;
- FP11 in relation to the opening of tenders in terms of Standing Orders Relating to Contracts, to nominate officers to open tenders; **and**
- FP12 to return any tenders received after the closing date and time;
- FP13 to accept and administer monetary bequests made to the Council, not being covered by paragraph ED05, up to a value of £25,000.**

Chief Governance Officer, Legal and Regulatory Services

- LRS01 to issue Notices in terms of Section 79 of the Environmental Protection Act 1990;
- LRS02 to issue Licences in terms of the Milk (Special Designations) (Scotland) Order 1988;
- LRS03 to approve Chimney Heights (Clean Air Acts);
- LRS04 to enter any premises at any time in a situation in which in his/ her opinion there is an immediate risk of serious pollution of the environment or serious harm to human health or at any reasonable time when a less immediate risk is perceived;
- LRS05 to take samples, measurements and photographs and to require any person to provide information and assistance with any such investigation in terms of Section 69 of the Environmental Protection Act 1990;
- LRS06 to seize any article or substance and render it harmless in terms of Section 70 of the Environmental Protection Act 1990;
- LRS07 to enter any premises in terms of the Environmental Protection Act 1990;
- LRS08 to require any person to provide information in terms of the Environmental Protection Act 1990;
- LRS09 to serve a Notice to remove a statutory nuisance in terms of the Environmental Protection Act 1990;
- LRS10 to discharge the duties of the Council under Section 19 (Appointment of Inspectors) of the Health and Safety at Work Etc Act 1974 as amended from time to time for the purpose of the Explosive Acts of 1875 and 1923 (as amended);
- LRS11 to serve notice, enter premises and take any other action on behalf of the Council in terms of the Antisocial Behaviour etc (Scotland) Act 2004 as amended from time to time;
- LRS12 to exercise the powers given to the Council by the Local Authorities (Goods and Services) Act 1970 as amended from time to time;
- LRS13 to authorise relevant officers to refer matters to the Procurator Fiscal related to or connected with alleged breaches of or offences under primary and secondary legislation relating to consumer protection or trading standards;
- LRS14 to appoint a duly qualified officer to act as Chief Inspector of Weights and Measures for the purposes of the Weights and Measures Act 1985;
- LRS15 to issue and/ or renew licences and certificates of registration and keep registers in respect of such legislation as may, from time to time, be within the remit of the Regulatory Panel, in accordance with the approved codes of practice and statutory provisions relating thereto and to vary, revoke and amend conditions contained within such licences;

- LRS16 to authorise such officers as he/ she deems necessary and appropriate to exercise the powers and duties of an Inspector and authorised officer (including the powers of entry, inspection, sampling, purchase of goods and services, opening containers, seizure, serving notices, taking possession of animals and initiating prosecutions, where appropriate) and including the power to issue Notices (including Suspension Notices, Notices (requirement to mark or warn), Withdrawal or Recall Notices, Improvement Notices, Prohibition Notices, Emergency Prohibition Notices, Abatement Notices, Enforcement Notices, Remediation Notices, Care Notices, Fixed Penalty Notices and other such Notices) on behalf of the Council under such legislation as may from time to time be within the remit of the Regulatory Panel;
- LRS17 to authorise officers to take any necessary action under the Enterprise Act 2002;
- LRS18 to authorise relevant officers to refer matters to the Procurator Fiscal and/ or to initiate proceedings under primary or secondary Environmental Health legislation;
- LRS19 to issue Notices in terms of Section 94 of the Civic Government (Scotland) Act 1982;
- LRS20 to carry out the Council's functions in relation to any Acts, Regulations or Orders falling within the remit of the Regulatory Panel;
- LRS21 to agree transfer of enforcement authority with the Health and Safety Executive in terms of Regulations in force from time to time;
- LRS22 to carry out all the duties and functions falling to the Council in terms of dealing with requests for information in terms of the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004, as amended from time to time;
- LRS23 to deal with requests for civic receptions/ hospitality in accordance with the approved guidelines;
- LRS24 to make and renew appointments to the Joint Panel of Curators ad Litem and Reporting Officers;
- LRS25 to determine whether Petition requests comply with the requirements of Council Standing Orders;
- LRS26 in consultation with the Chief Executive, the appropriate Director or Head of Service, to respond to allegations of maladministration notified by the Scottish Public Services Ombudsman;
- LRS27 to undertake the Council's duties in relation to records management including preparation of a Records Management Plan;
- LRS28 to take steps to ensure Council compliance with data protection legislation and to respond to requests for release of personal data;
- LRS29 to act as the Council's representative for functions of the Registrar General for Scotland as regards statistics;

- LRS30 to undertake the Council's duties in respect of registration of births, deaths and marriages, citizenship ceremonies, civil ceremonies and to conduct searches for the purposes of genealogy;
- LRS31 to sign missives and other similar documents binding the Council;
- LRS32 to engage Counsel or external legal firms as may be appropriate for Court and other legal business if and when he or she may consider this to be necessary to enable the legal work of the Council to be carried out and to appoint parliamentary agents as and when deemed necessary;
- LRS33 to discharge the functions of the Council in relation to any type of judicial and quasi-judicial proceedings and in that regard to initiate, enter, defend, negotiate and agree extra judicial settlements in line with budgetary provision and withdraw from such proceedings;
- LRS34 to settle claims arising in terms of the Land Compensation (Scotland) Act 1973, in respect of Home Loss Payments following compulsory acquisitions and also to settle any discretionary payments arising from acquisitions by voluntary agreement, provided that the statutory requirements have been met;
- LRS35 to authorise payments to account to sellers of property to the Council in cases where negotiations through the District Valuer are protracted for any reason, up to a value of 90 per cent of the valuation;
- LRS36 to authorise payments to account to sellers of property to the Council in cases where conveyancing procedures are protracted for any reason subject to the exhibition of a good title and the grant of appropriate undertakings;
- LRS37 to act as the Proper Officer in terms of Section 190 of the Local Government (Scotland) Act 1973, for the receipt of notices of any legal proceedings served on the Council and for the receipt of any notice order or other document required or authorised by any Act to be sent, delivered or served to or upon the Council or to the Proper Officer;
- LRS38 to appoint such Depute Clerks to the Licensing Board as may be required;
- LRS39 to issue and/ or renew licences and certificates of registration and keep registers in respect of such legislation as may, from time to time, be within the remit of the Regulatory Panel, in accordance with approved codes of practice and the statutory provisions relating thereto;
- LRS40 to agree venues for Civil Marriages and Civil Partnerships;
- LRS41 to approve member attendance at conferences and seminars within budget;
- LRS42 to appoint as Inspectors and authorised officers for the purposes of the administration and enforcement of legislation within the remit of the Regulatory Panel such of his/ her officers as he/ she may deem necessary and appropriate;
- LRS43 to appoint in terms of section 13 of the Licensing (Scotland) Act 2005 one or more Licensing Standards Officers, authorised in respect of the functions as specified in the said Act;

- LRS44 to appoint in terms of section 45G of the Civic Government (Scotland) Act 1982 as amended, one or more Civic Licensing Standards Officers, authorised in respect of the functions as specified in the said Act;
- LRS45 to appoint from time to time such members of the Local Licensing Forum for the area of South Ayrshire as he/ she may deem necessary and appropriate, all in terms of section 10 and Schedule 2 of the Licensing (Scotland) Act 2005;
- LRS46 to act in terms of licensing functions within the remit of the Regulatory Panel from time to time, as follows:
- LRS46.01 Applications for refunds of licence fees;
 - LRS46.02 Notification of material changes of circumstances;
 - LRS46.03 Granting or refusing of temporary licences;
 - LRS46.04 Granting of vehicle licences where the only adverse comments received are non-vehicle related;
 - LRS46.05 Applications for public charitable collections of a non-political nature;
 - LRS46.06 Suspension of Taxi or Private Hire Car Vehicle licences on failure to produce the vehicle for annual inspection or where the vehicle is considered unfit for public usage having regard to its condition;
 - LRS46.07 Immediate suspension of Taxi or Private Hire Driver's licence on the grounds that the carrying on of the activity to which the licence relates is causing or is likely to cause a serious threat to public order or public safety; and
- LRS47 to make and execute on behalf of the Council orders under Section 63 of the Civic Government (Scotland) Act 1982 with regard to the holding of public processions;
- LRS48 to act as the Proper Officer and to sign all deeds and other documents which require to be executed by the Council;
- LRS49 to act as Senior Responsible Officer, to appoint nominated officers, and to maintain a register of authorisations in terms of the Regulation of Investigatory Powers (Scotland) Act 2000 and associated regulations;
- LRS50 to execute transactions for the acquisition, disposal, lease etc of property or land on the basis of terms approved in accordance with the Scheme of Delegation and as instructed by the Director of Housing, Operations and Development;
- LRS51 in respect of insurance:
- LRS51.01 to take out the necessary insurances to protect the interests of the Council;

LRS51.02 to make arrangements with insurance companies concerning the settlement of claims; and

LRS51.03 in respect of:

- claims not settled by the Council's Agents; and
- those claims up to a maximum of £25,000, to settle:
 - * Public liability claims;
 - * Employer's liability claims;
 - * Motor - own fleet claims; and
 - * Motor - hired plant claims;

if the settlement involves a court action in which he/ she has represented the Council, or in cases and/ or for amounts to be settled below any insurance excess, or in cases where there is an uninsured loss;

LRS52 to settle claims made against the Council where there is no insurance cover up to a maximum of £25,000;

LRS53 to issue and/ or renew licences in respect of all licensing matters not specifically delegated to other Council Directorates, subject to conforming with established practice and any statutory provisions relating thereto;

LRS54 in terms of the Health and Safety at Work Act 1974, to carry out all duties set out in the Council's Policies for Health, Safety and Welfare in Places of Work as amended from time to time;

LRS55 to settle claims for damage to hired plant;

LRS56 to make temporary loans of archival material for exhibition or research;

LRS57 to accept private archives which may be offered to the Council;

LRS58 to refer to the Procurator Fiscal consideration of instigation of legal proceedings for offences under the Town and Country Planning (Scotland) Act 1997 and the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, and re-planting notices under Section 168 of the Town and Country Planning (Scotland) Act 1997(also appears under HOD);

LRS59 to act in relation to Sub-Standard Housing and Repair of Houses under Parts IV and V of the Housing (Scotland) Act 1987;

LRS60 to act in relation to Closing and Demolition Orders under Part VI of the Housing (Scotland) Act 1987;

LRS61 to act in relation to Overcrowding and Houses in Multiple Occupation under Parts VII and VIII of the Housing (Scotland) Act 1987;

LRS62 authority during the COVID-19 Pandemic to determine any applications, suspensions, revocations or other business which would normally require a

determination by, or a hearing before the Licensing Committee, provided the rules of natural justice, namely a right to a fair hearing, can be satisfied;

- LRS63 authority during the COVID-19 Pandemic to vary the terms and to extend any licence which would otherwise expire during the emergency by 3 months;
- LRS64 authority during the COVID-19 Pandemic to authorise such officers as deemed necessary to act under health protection regulations made under Schedule 19 of the Coronavirus Act 2020;
- LRS65 to consider and determine appeals in terms of the South Ayrshire Council Scheme for Establishment of Community Councils; **and**
- LRS66 to consider appeals in respect of a Community Council; and consider requests or recommendations from the Service Lead – Thriving Communities in respect of suspension and/ or dissolution of a Community Council, and to report to Council as appropriate thereafter;
- LRS67 upon receipt of an application for a Sexual Entertainment Venue (SEV) licence under the Civic Government (Scotland) Act 1982 as amended, to consider, in conjunction with the relevant Portfolio Holder, whether to bring a report to Cabinet seeking review and possible amendment of the Council’s current SEV Licensing Policy; and**
- LRS68 to sit as a member of the Community Asset Transfer Advisory Group (CATAG) to consider all community asset transfer requests received by the Council, or for an appropriate officer to attend the Group as a substitute.**

Chief HR Officer

- HR01 to approve, in conjunction with the appropriate Director or Head of Service, funding of and time off to attend (with or without pay) courses of further education;
- HR02
- HR02.01 to approve changes in job titles where there is no change in grade;
 - HR02.02 to review and amend grade and/ or grade placing in appropriate circumstances, in line with job evaluation or re-evaluation and the Council's pay models; and
 - HR02.03 to approve initial placing within approved salary scales;
- HR03 to take decisions under and in terms of the Council's workforce policies and procedures;
- HR04 to approve payment of removal expenses, in accordance with approved Council policy;
- HR05 to deal with nominations for admitted body status by external agencies to the Strathclyde Pension Scheme and any associated issues;
- HR06 in relation to staffing matters, to instruct the immediate implementation of any Circular from any officially recognised body which allows no discretion to the Council;
- HR07 to exercise the Council's functions in relation to the Superannuation Fund through the lead authority arrangements and in accordance with the Council's Financial Regulations;
- HR08 to keep under review a Scheme of Members' Remuneration and Allowances in accordance with legislation and relevant regulations/ guidance; and
- HR09 to identify vacant posts to be ring-fenced for applications from young people who have completed a Modern Apprenticeship with the Council and to determine that such posts will not be advertised by the service.

Director of Health and Social Care Partnership

- HSCP01 To act as the Chief Officer of the South Ayrshire Integration Joint Board (SAIJB) and to be responsible for the strategic and operational management and performance of integrated health and social care functions delegated to SAIJB (see section 6 of this Scheme) insofar as they relate to services delivered by the Council, in accordance with Council policies and procedures where applicable;
- HSCP02 to carry out all the functions of the Council in terms of the Social Work (Scotland) Act 1968;
- HSCP03 to carry out the functions of the Council in terms of Section 12 of the Social Work (Scotland) Act 1968 under which the Council is required to promote social welfare by making available advice, guidance and assistance on such a scale as may be appropriate for its area; including authority:
- HSCP03.01 to make loans or grants up to a limit of £1,500 in one month in respect of any one individual and subject to a report being made to the Cabinet on the total amount of assistance so given in any one month;
- HSCP03.02 to give any other appropriate assistance, including provision for the storage of furniture in cases of emergency; and
- HSCP03.03 to accept or reject applications for the installation of telephones for people with disabilities, based on approved criteria and the availability of finance;
- In calculating the amount given or lent for the purposes of this provision, account shall be taken of any additional payment made in terms of Section 12, otherwise authorised by the Council;
- HSCP04 to carry out all the relevant functions of the Council in terms of the Children (Scotland) Act 1995, the Children's Hearings (Scotland) Act 2011, the Children and Young People (Scotland) Act 2014, and all associated Regulations;
- HSCP05 to take decisions and make authorisations in terms of the Secure Accommodation (Scotland) Regulations 2013 and the Children's Hearings (Scotland) Act 2011 (Implementation of Secure Accommodation Authorisation) (Scotland) Regulations 2013;
- HSCP06 to carry out assessments under the Disabled Persons (Badges for Motor Vehicles) Regulations 1982 and subsequent legislation;
- HSCP07 to arrange or assist in arranging holidays, including holidays abroad or other temporary absences of any child in the care of Council, except in those cases where the cost to them is in excess of £1,500;
- HSCP08 to carry out the functions of the Council under Section 48 of the National Assistance Act 1948 relating to the temporary storage of furniture in certain circumstances on behalf of certain persons;

- HSCP09 to carry out the functions of the Council in relation to child protection through the statutory Child Protection Committee, and in relation to adult protection through the statutory Adult Protection Committee;
- HSCP10 to carry out the functions of the Council in relation to the Adoption Agencies (Scotland) Regulations 2009 and the Adoption Support Services and Allowances (Scotland) Regulations 2009;
- HSCP11 to carry out all the functions of the Council in terms of the Mental Health (Care and Treatment) (Scotland) Act 2003;
- HSCP12 to carry out all the functions of the Council in terms of the Social Care (Self-directed Support) (Scotland) Act 2013 and associated Regulations;
- HSCP13 to carry out the functions of the Council under the Adults with Incapacity (Scotland) Act 2000, including those relating to Intervention Orders, Access to Funds and Guardianship Orders;
- HSCP14 to carry out the functions of the Council in relation to the Adoption of Children in terms of the Adoption (Scotland) Act 1978, the Adoption and Children (Scotland) Act 2007, and the Children Act 1975 as amended from time to time;
- HSCP15 to carry out the functions of the Council as care authority under the Looked After Children (Scotland) Regulations 2009;
- HSCP16 to consider and determine reviews of original decisions made in connection with fostering and adoption matters;
- HSCP17 to consider and determine recommendations by the Fostering and Permanency Panel for assistance with legal fees and medical expenses; and
- HSCP18 to carry out all the functions of the Council in terms of the Adult Support and Protection (Scotland) Act 2007.

Role of Chief Social Work Officer

To the extent explicitly required by statute, the foregoing delegations shall be undertaken by the Council's Chief Social Work Officer in place of the Director of Health and Social Care Partnership.

The post designated Chief Social Work Officer will undertake the statutory role.

When the Chief Social Work Officer is absent due to annual leave or illness, the Director of Health and Social Care Partnership shall undertake the foregoing delegations, to the extent explicitly required by statute.

Statutory Appointments of Officers

In terms of various statutes, the Council is required to appoint officers for a variety of particular purposes. Officers so appointed are empowered to take such action as is implicit in their role. The statutory appointments agreed by the Council are as follows:

Statutory Provision	Purpose/ Role	Officer
Social Work (Scotland) Act 1968		
Section 3	Chief Officer of Social Work	Chief Social Work Officer
Local Government (Scotland) Act 1973		
Section 33A	Proper Officer for various purposes in connection with Councillors' declaration of acceptance of office	Chief Executive
Section 34	Proper Officer for receipt of Councillors' resignations	Chief Executive
Sections 43 and Schedule 7	Proper Officer for various purposes in connection with meetings and proceedings of the Council, Committees and Panels	Chief Governance Officer
Sections 50A – 50K	Proper Officer for various purposes in connection with access to meetings and documents of the Council, Committees and Panels	Chief Governance Officer
Section 92	Proper Officer for dealing with the transfer of securities	Chief Financial Officer
Section 95	Proper Officer for the administration of the Council's financial affairs ('Section 95 Officer')	Chief Financial Officer
Local Government (Scotland) Act 1973 (contd)		
Section 145	Proper Officer in respect of Ordnance Survey applications	Director of Housing, Operations and Development
Section 190	Proper Officer for service of legal proceedings, notices, etc, on the Council	Chief Governance Officer

Statutory Provision	Purpose/ Role	Officer
Section 191	Proper Officer in respect of claims on behalf of the Council in sequestrations and liquidations	Chief Financial Officer
Section 193	Proper Officer in respect of authentication of documents	Chief Executive/ Depute Chief Executive and Director of Education/ Director of Housing, Operations and Development/ Director of Health and Social Care Partnership/ Chief Governance Officer
Section 197	Proper Officer in respect of arrangements for the inspection and depositing of documents	Chief Governance Officer
Sections 202 to 204	Proper Officer for various purposes in connection with byelaws	Chief Governance Officer
Section 206	Proper Officer in respect of the keeping of a register of persons admitted as freemen of the Council's area	Chief Executive
Local Government (Scotland) Act 1975		
Sections 28 and 29	Proper Officer in respect of reports by the Ombudsman	Chief Governance Officer
Licensing (Scotland) Act 2005		
Section 5 and Schedule 1	Clerk to the Licensing Board	Chief Governance Officer
Civic Government (Scotland) Act 1982		
Section 113	Proper Officer in respect of evidence of management rules	Chief Governance Officer
Representation of the People Act 1983		
Section 41	Returning Officer	Chief Executive
Local Government and Housing Act 1989		
Section 2	Proper Officer in respect of lists of politically restricted posts	Chief Executive

Statutory Provision	Purpose/ Role	Officer
Section 4	Head of Paid Service	Chief Executive
Section 5	Monitoring Officer	Chief Governance Officer
Section 19	Proper Officer for various purposes in connection with Members' interests	Chief Governance Officer
Requirements of Writing (Scotland) Act 1995		
Paragraph 4, Schedule 2	Proper Officer in respect of execution of Deeds	Chief Governance Officer/ Service Lead – Legal and Licensing
Ethical Standards in Public Life, Etc (Scotland) Act 2000 (Register of Interests) Regulations 2003		
Regulation 3	Proper Officer for all purposes in connection with registration of Members' interests and other related purposes under the Councillors' Code of Conduct	Chief Governance Officer
General Data Protection Regulation 2016		
Article 37	Data Protection Officer	Service Lead – Democratic Governance

South Ayrshire Council

**Report by Chief Financial Officer
to South Ayrshire Council
of 6 November 2025**

Subject: 2026-27 Budget Strategy and Budget Update

1. Purpose

- 1.1 The purpose of this report is to agree a revised Budget Strategy for 2026-27 and update the indicative 2026-27 budget based on the latest available information and recent actions taken. The report also seeks approval of Resource Pressures for inclusion in the 2026-27 budget.

2. Recommendation

2.1 It is recommended that the Council:

- 2.1.1 approves the revised Budget Strategy for 2026-27 as outlined in 4.1;**
- 2.1.2 notes the various updates to the 2026-27 contributing budget factors as outlined in 4.3;**
- 2.1.3 approves the various Resource Pressure requests detailed in [Appendix 2](#);**
- 2.1.4 notes that various proposed fees and charges uplifts will be brought to Council in December 2025 for consideration and approval;**
- 2.1.5 notes the revised estimated budget gap for 2026-27 of £15.339m, prior to the application of any Council Tax uplift as stated in 4.6; and**
- 2.1.6 notes the high degree of risk and uncertainty that remains with many of the assumptions being made as outlined in 4.10 below.**

3. Background

- 3.1 At its meeting on 27 February 2025, the Council approved the 2025-26 General Services Revenue Budget and 2025-26 to 2036-37 Capital investment programme.
- 3.2 The approved 2025-26 General Services Revenue Budget proposals included an update of the Medium-Term Financial Plan (MTFP) which provided a revised budget gap assessment for the period 2026-27 to 2029-30, based on the decisions contained in the 2025-26 budget proposals and various financial assumptions (as provided in [Appendix 1](#) to this report).

- 3.3 The cumulative anticipated budget gap at that time for the remaining four-year period of the MTFP including assumptions on future years' council tax increases was £26.296m, as follows:

Table 1 – MTFP budget gap (Feb 2025)

2026-27 £m	2027-28 £m	2028-29 £m	2029-30 £m	Cumulative £m
11.401	7.725	3.541	3.629	26.296

- 3.4 As is the case across all local authorities, the Council faces significant financial challenges for the foreseeable future due to the continuing tight local government settlements alongside which the ongoing difficult national economic outlook and increased demand for services is increasing the pressure on Council finances. It is therefore prudent to continue to refresh financial information and planning assumptions to ensure that the most up to date information is available to allow officers and Members to be fully informed when making budget decisions to ensure a legally balanced budget for 2026-27 and beyond.
- 3.5 During August, September and October a series of budget briefings have been undertaken by the Chief Executive and Chief Financial Officer. The briefings have encompassed a number of different stakeholders, including; Elected Members, Chief Officers, Senior Officers and Trade Unions. The purpose of the briefings was to explain the latest information and intelligence regarding the 2026-27 budget setting process and outline the scale of the challenge facing the council over the medium term. In addition, the briefings outlined a change of approach in setting future Council budgets through a proposed revised budget strategy.

4. Detail

4.1 Budget Strategy 2026-27

For 2026-27 Council Officers will prepare a budget pack with options to ensure Members are able to set a balanced revenue and capital budget at the budget setting meeting in February or March 2026. The Administration will bring forward a budget motion setting out the proposed measures to set a balanced budget with reference to the available options. Opposition groups may choose to support the motion, abstain or present an amendment in the form of a balanced budget proposal in line with Audit Scotland guidance. Officers will be available to support both the Administration and any Opposition Group intent on presenting a budget amendment to ensure proposals are competent, reflect audit guidance and achieve a balanced budget.

Budget Strategy: Stage 1 – Pre budget updates

Timeframe: October to December 2025

- Officers will bring forward savings proposals during the year prior to actual budget setting day as they are identified;
- Separate Management/ Operation Savings from Policy Savings that require political approval will be presented to ensure transparency for Members on decisions that have been taken;

- Resource Pressure requests for 2026-27 will be brought forward for approval;
- Fees and Charges proposed uplifts for 2026-27 will be presented for approval;
- Budget consultation undertaken and reported to members in advance of budget setting meeting; and
- Budget briefings will continue in advance of any required formal Council decisions.

Budget strategy: Stage 2 – Medium Term Financial Plan update

Timeframe – February 2026

- Final capital programme changes presented to finalise debt charge implications for the future year;
- Local Government Settlement update and revised budget gap presented to finalise anticipated budget gap for 2026-27;
- Revised Medium Term Financial Plan (2026-27 to 2030-31) presented based on latest information and assumptions; and
- Budget briefings provided in advance of any required formal Council decision making.

Budget Strategy: Stage 3 - 'Budget Day'

Timeframe: March 2026

- Officer's papers will present:
 - final budget gap position;
 - savings options;
 - Council Tax options;
 - Feedback from the Budget Consultation exercise
- Political Motions/ Amendments follow to present a balanced budget; and
- Budget briefings will be provided in advance of formal Council decision making.

4.2 This Budget Strategy will be key to ensuring the achievement of the Council's Strategic Priorities identified in the Council Plan are delivered within the resources available to support the delivery of key outcomes, whilst providing a clearer picture of the anticipated budget gap for 2026-27. It should however be noted that the actual budget gap will only be confirmed in mid to late January 2026, now that the Scottish Government has confirmed that the Scottish Budget will be announced on 13 January 2026, thereby delaying the receipt of the local government settlement until after that date.

4.3 The following matters address the **Budget Strategy: Stage 1 – Pre Budget updates**, as outlined in 4.1 above.

Since publication of the updated MTFP in February 2025, a number of factors and assumptions have changed that mean that the indicative budget gap for 2026-27 and beyond requires to be updated.

Pay assumptions (for noting)

- 4.3.1 Pay-related costs are a major component of the Council's overall expenditure and represent 50% of Council net spend each year. Budgeted increases of 3% were previously assumed for 2025-26 and 2026-27 but the actual pay uplift for local government employees has now been agreed at 4% in 2025-26 and 3.5% in 2026-27.
- 4.3.2 The extra cost (inclusive of all staff groups) in 2025-26 is estimated at £2.159m, with funding of only £1.659m being provided to meet this cost by the Scottish Government. This additional 1% cost beyond the budget amount in 2025-26 plus the 3.5% agreed for 2026-27 (which is a further 0.5% above the previously assumed amount) has a compound effect and increases the estimated budget gap for 2026-27 and beyond.
- 4.3.3 Teachers pay uplifts have yet to be agreed as latest information indicates that the two-year offer agreed by other staff groups has been rejected. Any agreement beyond the now assumed 4% in 2025-26 and 3.5% in 2026-27 is a significant risk which could further exacerbate the size of the budget gap if additional funding to meet any resultant gap is not provided by the Scottish Government.
- 4.3.4 The net impact of the changes described above is estimated to be an additional cost to the Council of £1.079m in 2026-27.

Council Tax chargeable property assumptions (for noting)

- 4.3.5 The level of increase for Council Tax each year is at the discretion of Full Council however the estimate of number of chargeable properties that will apply in 2026-27 has been recalculated using September 2025 information. This recalculation results in additional base income of £0.548m estimated for 2026-27, prior to any agreed uplift percentage.

Council Tax Single Person discount review (for noting)

- 4.3.6 A review of the Council Tax single person discount is being initiated with assistance from the Transformation team (last undertaken in 2019) which is anticipated to generate £0.520m of additional income in 2026-27.

Capital Programme review (Previously Agreed by Council)

- 4.3.7 A review of the General Services Capital Investment Programme was recently undertaken with the results being considered by Council on the 18 September 2025. Approval of the changes recommended in the September Council report have resulted in revisions to the anticipated increases in debt charge in future years. For 2026-27 this means a downward revision (or saving) of £1.442m from the previously planned increase included in the February 2025 MTFP position.

Utilities price review (for noting)

- 4.3.8 A review of the Council's pricing expectations for Electricity and Gas has recently been undertaken to establish likely price changes impacting on 2026-27. The Council purchases its electricity and gas through the Scotland Excel collective purchasing agreement which, based on latest information, anticipates that prices to be paid in 2026-27 will reduce by 22% for Gas and by 2.8% for electricity from the prices paid in 2025-26. When applied across all council properties a saving of £0.750m is expected for 2026-27.

Procurement review (for noting)

- 4.3.9 The Transformation Board has recently commissioned Scotland Excel to undertake a Procurement review of all Council contracts. Working in tandem with the Council's own Corporate Procurement team, the review will identify where savings can be made. Based on experience working in other councils, Scotland Excel anticipate achieving a minimum saving of £0.500m in 2026-27.

Transformation programme (for noting)

- 4.3.10 The Transformation Board is progressing a number of other workstreams through its delegated governance arrangements that are anticipated to result in cashable savings for the Council in future years. The latest update on the timing of when these savings will materialise indicates that efficiency savings of £0.222m will be realised in the 2026-27 financial year.

Out-turn review (for noting)

- 4.3.11 A review of the 2024-25 financial out-turn is being undertaken to highlight any underspends contained in the service out-turn reports that can be identified for use as permanent savings in future years. All variances (favourable or adverse) of £10,000 or more are being reviewed firstly to determine if they were recurring or 'one-off' and then to determine whether they had already been identified as part of the 2025-26 budget exercise or part of any other review as outlined elsewhere in this report to avoid any double counting.
- 4.3.12 The review is currently ongoing and is considering both under and overspend outturn information. Any net benefit (saving) identified will be built in to future updates to Council per the budget strategy.

Other changes in assumptions (for noting)

- 4.3.13 In November 2024 the UK Government wrote to Councils informing them of a new income source provided directly to Councils relating to Packaging Extended Provider Responsibility. The amount outlined in the November 2024 letter from the UK Government was included in the budget for 2025-26 however a subsequent letter has now been received revising the amount likely to be received downwards in 2025-26 by £0.344m. This will impact on 2025-26 but will also require to be revised in 2026-27.

- 4.3.14 The introduction of International Reporting Standard 16 meant the remeasurement of the Council's three schools PPP financial accounting arrangements. Based on draft information, the impact of this remeasurement resulted in a financial benefit being built in to the 2024-25 financial year and beyond. On full implementation at the end of 2024-25 the amount of financial benefit was less than originally anticipated resulting in a detrimental impact of £0.805m now anticipated in the 2026-27 financial year.
- 4.3.15 As part of the 2025-26 budget, the Council agreed a small amendment, to provide funding of £0.125m per annum to directly contribute to tackle poverty and inequality in South Ayrshire. The agreement of this amendment results in a reduction in the 2026-27 planned removal of the contribution to reserves previously agreed of £4.053m to £3.928m.
- 4.3.16 As part of the Stage 1 budget strategy consideration process, a handful of savings opportunities have been identified that don't require a specific decision but can be taken now through the realignment of base budgets. It should be noted that any savings removed as part of Stage 1 will be netted off against any further Service proposal brought forward as part of the Stage 3 budget savings exercise to ensure savings are not double counted. A total of £0.520m has been identified to date through the following items:
- i) Realignment of brown bin income target £0.250m
 - ii) Realignment of ICT contracts £0.150m
 - iii) Realignment of procurement rebates £0.045m
 - iv) Realignment of employee benefit scheme income £0.075m

4.4 In addition to the various reviews and updates to assumptions outlined in 4.3 above two further matters are recommended for consideration and agreement to be applied in 2026-27.

2026-27 Resource Pressure requests (for agreement)

- 4.4.1 As part of the MTFP update in February 2025, resource pressures of £3.054m was included in the 2026-27 indicative budget gap. The majority of resource pressures relate to inflationary increases for current contract therefore a refresh of the information used to establish the £3.054m has recently been undertaken to determine any changes that require to be factored in the 2026-27 to ensure that appropriate resources are in place to meet expected service demands for current contractual arrangements.
- 4.4.2 [Appendix 2](#) provides updated information for a range of resource pressure, totalling £3.240m, an overall increase of £0.186m beyond the previously assumed level contained in the February MTFP for 2026-27. Should updated information or changes in circumstances require a revision to the Resource Pressures contained in Appendix 2, then this will be brought forward to Council for approval.

2026-27 Fees and charges uplifts

- 4.4.3 Traditionally Council agrees, as part of the annual budget in February each year, to increase a variety of fees and charges across various

service areas. For 2026-27 it is recommended that Council agree Fees and Charges uplifts before the February/ March budget meeting.

- 4.4.4 This approach will allow a longer lead in time for services to communicate changes to the public, allow further time for changes to systems to be implemented. This is particularly important as the delays in the Scottish Government budget and consequently confirmation of the grant figure to be received by the council will reduce the lead in time for changes to be implemented. This will also provide more certainty in what the expected remaining budget gap will be and therefore the level of savings that requires to be met in order to have a balanced budget for 2026-27.
- 4.4.5 A report will be brought to Council in December 2025 providing detail of the recommended uplifts for approval across a number of specific fees and charges.

Council Tax

- 4.5 As previously noted in 3.3, the anticipated budget gap for 2026-27, as stated in February 2025, was £11.401m. The budget gap of £11.401m included the assumption that Council Tax would be uplifted by 8% in 2026-27 which requires to be endorsed or amended as part of the 'budget day' considerations in March 2026. If this factor is removed from the indicative figure, then the budget gap increases to £17.302m. It should also be noted that the budget gap information includes approximately £6m of savings agreed for 2026-27 by council when setting its 2025-26 budget.

Updated 2026-27 Budget Gap

- 4.6 Table 2 below updates the indicative budget gap for 2026-27 position taking in to account all the factors outlined in 4.3 to 4.5.

Table 2 – Updated 2026-27 Budget Gap (Nov 2025)

	£m	£m
2026-27 budget gap (Feb 25)	11.401	
Remove Council Tax uplift assumption	5.901	17.302
Pre budget 2026-27 updates		
Pay assumptions	1.079	
Council Tax chargeable properties	(0.548)	
Council Tax single person discount review	(0.520)	
Capital programme review	(1.442)	
Utility price review	(0.750)	
Procurement review	(0.500)	
Transformation programme	(0.222)	
Out-turn review	TBC	
Other changes	0.754	(2.149)
Items subject to Council approval		
Resource Pressure increase (Appendix 2)	0.186	
Fees and Charges uplift (Report to Council in Dec)	TBC	0.186
2026-27 budget gap (Nov 25)		15.339

- 4.7 As noted in 4.5 above, the actual Council Tax uplift for 2026-27 has yet to be formally set and requires to be confirmed no later than 14 March 2026, per legislation. Table 3 below provides examples of the impact on the above November 2025 estimated budget gap based on different Council Tax uplift scenarios.

Table 3 – Council tax uplift scenarios

	6%	8%	10%	12%
Band D Rate (current £1,569.41)	£1,663.58	£1,694.96	£1,726.35	£1,757.74
Additional CT income	(£4.458m)	(£5.945m)	(£7.430m)	(£8.917m)
Revised budget gap	£10.881m	£9.394m	£7.909m	£6.422m

- 4.8 The revised budget gap in each scenario provides the current estimated level of savings required to be agreed to ensure a legally balanced budget for 2026-27. Savings proposals will be presented to Council per **Budget Strategy: Stage 3** as detailed in 4.1 above.
- 4.9 The average council tax increase for 2025-26 was 9.57% with the highest increase at 15.61% and the lowest 6%. For illustration only, a Council Tax up lift of circa 21% would be required in 2026-27 to meet the budget gap in full without savings. This level would be a significant outlier in Scotland reinforcing the need for the council to consider difficult savings decisions. The decision on which level of Council Tax increase is agreed is a matter for Elected Members to determine at the budget setting meeting.
- 4.10 As previously stated the revised budget gap is based on a reassessment of many contributing factors. There are a number of risks associated with the assumptions, as outlined below.
- 4.10.1 Interest rate risk – Despite recent Bank of England (BoE) reductions in base interest rates, Public Works Loan Board borrowing rates have remained higher than anticipated and have in fact been trending upwards in recent weeks. A small change in PWLB rates can have a significant impact on Council Debt charges therefore it is essential that the Capital Investment programme be reviewed again to ensure that only priority projects remain in the plan and any non-priority projects should be removed from the plan for the time being.
- 4.10.2 Inflation risk – The Consumer Price Index has continued to rise since the start of the calendar year and is now sitting at 3.8%, well above the BoE target rate of 2%. If CPI remains at this level or increases further, this means that significant pressure is placed on service budgets as goods and services cost more and the purchasing power of existing budgets is diminished.
- 4.10.3 Settlement risk – The primary source of funding for the delivery of Council Services is the Scottish Government through the allocation of the grant settlement. Scottish Government Council grant accounts for approximately 80% of Council funding therefore any change in the level of grant assumed will have a significant impact on the budget gap for 2026-27. As stated above, the 2026-27 local government settlement will be announced following the Scottish Budget on 13 January 2026.

- 4.10.4 Council Tax risk - Councils have discretion to increase Council Tax levels however this has been capped or severely limited on a number of occasions through conditions contained in the annual local government settlement. The cap on Council Tax increases was introduced in 2017-18, following a nine-year Council Tax freeze, from 2008-09. The initial cap condition was absolute in cash terms at 3%. Councils were then given the flexibility to increase their Council Tax for 2019-20 and 2020-21 by 3% in real terms, which equated to increases of 4.79% and 4.84% respectively however this was followed with a further freeze on Council Tax increases in 2021-22. Council Tax levels were increased in 2022-23 by 2.9% and then by 5% in 2023-24, followed by a further Council Tax freeze in 2024-25. The effect of these measures is not just in restricting income in those years but each cap or freeze has a compound effect on the council tax base that hasn't risen as it would have done if no restrictive measures had been applied.
- 4.10.5 Should the Scottish Government seek to implement a freeze or a cap on Council tax increases in 2026-27 this will have an almost catastrophic impact of the Council budget gap for 2026-27.
- 4.10.6 Teacher pay risk – As noted in 4.3.3, teacher's pay uplifts have yet to be agreed and any such agreement above the currently assumed 4% in 2025-26 and 3.5% in 2026-27 will inevitably impact on the estimated budget gap for 2026-27, unless it is accompanied by additional Scottish Government funding to meet any increase in full. There is also a risk that should the teacher's agreement be greater than that already accepted for other staff groups, then that may result in those negotiations being reopened with likely additional financial consequences for the council and local government in general.

5. Legal and Procurement Implications

- 5.1 There are no legal implications arising from this report.
- 5.2 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 The coming financial year will be challenging financially, given the available funding anticipated and continuing cost pressures. Managing the financial pressures whilst seeking to deliver the Council's priorities will be challenging and will require some difficult decisions to be taken in order to have a balanced budget for 2026-27.
- 6.2 The anticipated funding gap for 2026-27 is currently estimated to be £15.339m, prior to the application of any Council Tax uplift. The Council will require to set a balanced budget for 2026-27.

7. Human Resources Implications

- 7.1 Not applicable.

8/

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

- 8.1.1 There is a risk that the Council, on adopting the recommendations, fails to take the necessary actions to address the anticipated funding gap.

8.2 *Risk Implications of Rejecting the Recommendations*

- 8.2.1 There is a risk that Council fails to recognise the potential financial climate and does not take appropriate steps to manage the situation accordingly resulting in service interruption and reputational damage to the Council. A reminder has been provided that Elected Member have a legal duty to set Council Tax and to establish a competent and balanced budget.

9. Integrated Impact Assessment (incorporating Equalities)

- 9.1 The proposals in this report do not require to be assessed through an Integrated Impact Assessment.

10. Sustainable Development Implications

- 10.1 ***Considering Strategic Environmental Assessment (SEA)*** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy as defined by the Environment Assessment (Scotland) Act 2005.

11. Options Appraisal

- 11.1 An options appraisal has not been carried out in relation to the subject matter of this report although various options have been considered as part of the key assumptions when assessing future possible financial outcomes.

12. Link to Council Plan

- 12.1 The matters referred to in this report contribute to Priority 4 of the Council Plan: Efficient and effective enabling services.

13. Link to Shaping Our Future Council Yes No

- 13.1 Not applicable.

14. Results of Consultation

- 14.1 There has been no public consultation on the contents of this report. There will however be a public budget consultation exercise undertaken prior to the Council setting its budget for 2026-27.

- 14.2 Consultation has taken place with Councillor Ian Davis, Policy Lead for Finance and Corporate Services, and the contents of this report reflect any feedback provided.

15/

15. Next Steps for Decision Tracking Purposes

- 15.1 If the recommendations above are approved by Members, the Chief Financial Officer will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

Implementation	Due date	Managed by
Proposals for 2026-27 Fees & Charges uplifts	11 December	Chief Financial Officer
Budget Strategy Stage 2 - Provide Medium Term Plan update to Council in February/March 2026	19 February 2026	Chief Financial Officer

Background Papers **Report to South Ayrshire Council of 27 February 2025 – [Revenue Estimates 2025/26, Capital Estimates 2025/26 to 2036/37 and Carbon Budget 2025/26](#)**

Person to Contact **Tim Baulk, Chief Financial Officer**
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612620
E-mail tim.baulk@south-ayrshire.gov.uk

Date: 28 October 2025

Medium Term Financial Plan 2026-27 to 2029-30 February 2025 Assumptions

Key assumption	Detail
Scottish Government grant funding	Flat cash has been assumed for Scottish Government grant funding for all years of the plan
Council Tax	Uplifted by 8% in 2026-27 followed by uplifts of 6%, 5% and 5% respectively in each of the remaining years in the plan
Pay uplifts	3% pay uplift has been assumed for the first two years of the plan followed by 2% uplift for the final two years of the plan
Pension contributions	The contribution rate reverts back to the higher rate of 17.5%.for all remaining years of the plan
Key priorities (Resource pressures)	Inclusion of a circa £3 million uplift for the remainder of the years of the plan.
Debt Charges	Based on the revised capital investment programme as included in the February 2025 budget papers
HSCP contribution rate	Flat cash basis, subject to any Scottish Government directed spend.
Savings	Inclusion of savings agreed as part of the 2025-26 budget but impacting on 2026-27 (£6.1m) and 2027-28 (£0.5m)

2026-27 Resource Pressure requests

Directorate	Detail	£
Chief Executive's	Revenues and Benefits – reduction in Department of Works and Pension grant income	39,518
	Trading Standards and Environmental Health – Glasgow Scientific Services contract	14,095
	Civil Contingencies – Loss of income recharges to Hunterston B/ EDF as they are now de-fuelled.	12,257
Total Chief Executive's		65,870
Communities and Transformation	Sports and Leisure – Supplies and Service increase	126,548
	Sports and Leisure – Software licensing contract increase	70,000
	ICT – Increase Cyber security team resource by two FTE to address current an evolving cyber threat landscape (50% recharged to capital)	50,624
	ICT – Fusion licensing and managed contract uplift	56,500
Total Communities and Transformation		303,672
Education	Transport costs - ASN contract increase	50,084
	Transport costs - Mainstream SPT contract increases	297,604
	Ayr Academy new build - unitary charge increase	45,779
	QMA new build - unitary charge increase	45,156
	PPP – unitary charge increase	610,052
	ELC – Real Living Wage uplift commitment	251,859
Total Education		1,300,534
Housing, Operations and Development	ARA – Payroll uplift	156,440
	ARA – Insurance premium increase	93,000
	ARA – Vehicle restrain system maintenance	15,000
	Asset Management – Central Repairs Account increased maintenance costs	100,000
	Facilities Management – Catering contractual price increase/income impact	100,000
	Neighbourhood Service – Transport Insurance increase	40,500

Directorate	Detail	£
	Neighbourhood Service – Vehicle Lease cost increase	289,306
	Neighbourhood Service – Fleet Maintenance contract cost increase	180,000
	Neighbourhood Service – Persistent Organic Pollutants contractual uplifts	74,263
	Neighbourhood Service – Green Waste Disposal contract uplift	20,973
Total Housing, Operation and Development		1,069,482
Corporate Items	External Audit – contract fee increases	18,172
	AVJB requisition amount increases	187,335
	Insurance premium – contract increase	150,000
	Scotland Excel – contract increase	4,829
	Non-Domestic Rates – poundage increases	100,000
	Strathclyde Passenger Transport requisition increase	40,000
Corporate Items total		500,335

Total Resource Pressures	3,239,893
---------------------------------	------------------

South Ayrshire Council

**Report by Director of Communities and Transformation
to South Ayrshire Council
of 6 November 2025**

Subject: Pride in Place (PiP) Funding

1. Purpose

- 1.1 This report updates the Council on a recent announcement from the UK Government regarding the allocation of Pride in Place (PiP) funding to a (as yet to be agreed) town in South Ayrshire and recommends the establishment of a "Pride in Place" Board once detailed guidance is received from the UK Government to oversee the new fund. The Board's purpose will be to direct investment from the £20 million Pride in Place Fund, ensuring effective and transparent delivery of projects.

2. Recommendations

2.1 It is recommended that the Council:

- (i) Note the contents of the UK Government's Pride in Place funding and in particular, the allocation of £20 million for a (as yet to be determined) South Ayrshire town over 10 years;**
- (ii) Delegate the Chief Executive to make such necessary arrangements via engagement with the Council Leader and the local MP to secure the appointment of the Town Board independent Chair as a matter of urgency;**
- (iii) Delegate the Chief Executive in consultation with the Council Leader to make such arrangements as necessary to arrange nominations for membership for the inaugural meeting of the Town Board including two elected members and two further elected members as substitutes;**
- (iv) Delegate the Chief Executive in consultation with the Council Leader to support the Town Board prepare a Regeneration Plan for submission to the UK Government by midday 28 November 2025;**
- (v) Note that Council officers will also attend the Town Board in an advisory capacity;**
- (vi) Note that the Council will provide support to the Town Board and act as Secretariat and that the Council is designated as the Accountable Body for the administration of these funds;**
- (vii) Note that a further update Report will be provided outlining the progress of the creation of the Town Board and subsequent information be submitted to UK Government.**

3. Background

- 3.1 The Pride in Place Programme is a UK Government initiative providing long-term investment to disadvantaged neighbourhoods across Scotland, with South Ayrshire selected to receive up to £20 million over 10 years to support community-led regeneration with one of our towns. At the point of writing this paper, that town has yet to be identified however it is understood that the UK Government is targeting a limited number of Intermediate Zones (IZs) that sit in the top 20% of need based on a combined Community Needs Index (CNI) and Scottish Indices of Multiple Deprivation (SIMD) assessment. All of the qualifying IZs fall within the Ayr, Carrick and Cumnock parliamentary constituency. PiP funding is administered by the Ministry of Housing, Communities and Local Government (MHCLG). PiP funding sits within the wider strategic policy context of the UK Governments “Long Term Plan for Towns”.
- 3.2 This funding aims to build pride in local areas by enhancing community spaces, public realms, and high streets, while attracting private investment and improving health, well-being, and economic opportunities. Funding will be based on a town demonstrating a range of metrics, likely to include: skills, pay, productivity and health alongside the Scottish Index of Multiple Deprivation (SIMD), the City and Town Classifications of Constituencies and Local Authorities dataset. Crucially, South Ayrshire Council will be the Accountable Body for the PiP grant and any funding brought forward must align with Council strategic objectives. Notably, Community and Local Action Plans in driving key activity for consideration.
- 3.3 Full information has yet to be received from the MHCLG outlining the requirements and agreements required to advance PiP funding. Negotiations will also be required with the MHCLG in order to identify the IZs that will be chosen to be the focus of the funds. Any high level framework for investment will include:
- Provision of £20 million in funding and support over ten years to support the Plan's delivery. This includes capital and revenue funding to provide support and long-term certainty to deliver projects over multiple years and the flexibility to invest in interventions based on evolving local needs and priorities. This aims to ensure a focus on long-term strategic transformation as well as shorter-term improvements;
 - Establishment of a Town Board including broad representation across the Community, local business, social enterprise, local authority and public sector interests to oversee the development and delivery of the Long-Term Plan; and
 - Strategic drivers aligned with Community Action Plans, Town Centre Frameworks, Local Action Plans and Local Development Plans. This is fundamental to development and critical in ensuring that anything considered for implementation is guided by place principle key standards.
- 3.4 There are some outline dates provided by MHCLG that will be challenging to meet. These include the submission of an outline Regeneration Plan by 28 November 2025 despite full guidance not yet being available. This will require immediate action to appoint the independent chair of the Town Board as noted above and establish the Board membership such that it can agree the submission to be made by this challenging date.
- 3.5 It is anticipated that more detailed guidance will be provided by MHCLG in the coming weeks to support the development of the above work and further details will be shared with members throughout the process.

4. Proposals

- 4.1 Align PiP funding to existing priorities to meet in year PiP funding requirements. This funding to be the subject of a future Cabinet paper in support of PiP.
- 4.2 Delegate the Chief Executive to make such necessary arrangements via engagement with the Council Leader and the local MP to secure the appointment of the Town Board independent Chair immediately;
- 4.3 Delegate the Chief Executive to make such arrangements as necessary to arrange nominations for membership for the inaugural meeting of the Town Board;
- 4.4 Delegate the Chief Executive in consultation with the Council Leader to support the development of an outline Regeneration Plan to be submitted to MHCLG by midday on the 28 November 2025.

5. Legal and Procurement Implications

- 5.1 Compliance with UK Subsidy Control rules, procurement regulations, and equalities duties is required, with the Council's Section 95 officer providing oversight.

6. Financial Implications

- 6.1 The £20 million long-term funding requires no initial council match but may necessitate administrative resources for engagement and oversight with communities and key stakeholders. This will require further development. PiP funding was announced in September 2025.
- 6.2 It is understood there will be no match funding requirement although recipients are encouraged to seek to leverage PiP funding with any other funding opportunities to maximise the benefit.

7. Human Resources Implications

- 7.1 Pride in Place funding will be managed by officers from South Ayrshire Council.

8. Risk

- 8.1 PiP funding will be assured in line with the requirements set out in the Levelling Up Funds Local Authority Assurance Framework, using 3 lines of assurance. Where the grant is awarded via a non-Grant Funding Agreement (GFA) route, and the recipient is a local authority, the first line of assurance is provided by the local authority and is the responsibility of the Chief Finance Officer (Section 95) as they act at an operational management level within the local authority in receipt of the funding.
- 8.2 The Chief Financial Officer will be required to submit a Statement of Grant Usage and an Assurance Letter to DLUHC. The Chief Finance Officer will be required to provide written confirmation that they have undertaken to actively apply all the necessary checks to ensure proper administration of its financial affairs regarding the funding programme, particularly in respect to financial administration and transparency of governance. The first line of assurance will also include compliance checks to ensure the governance requirements around the Town Board are being met.

8.3 The second line of assurance will be undertaken by the Assurance and Compliance Team within DLUHC. DLUHC will undertake a range of checks, on a risk and sample basis. Local authorities will be required to engage with and support this process.

8.4 The third line of assurance will be carried out by the Government Internal Audit Agency (GIAA) and will take the form of a review of the activity completed by DLUHC for the second line of assurance. GIAA will liaise with internal audit teams operating within devolved administrations as appropriate.

9. Equalities

9.1 An Equalities Impact Assessment, which includes a consideration of the Fairer Scotland Duty, will require to be produced to help inform and guide any Vision and Investment Plan. This to be determined once a town is identified and work undertaken to develop key priorities.

10. Sustainable Development Implications

10.1 PiP funding supporting a South Ayrshire town will enable the delivery of projects aimed at revitalising a town centre. This could include promoting and improving active travel, reducing vacant and derelict land and carbon reduction measures. This aligns with the priorities of the Sustainable Development and Climate Change Strategy and the commitment to reduce carbon emissions through declaration of a Climate Emergency. This will also contribute to the ambition to achieve net zero by 2030.

11. Options Appraisal

11.1 Options appraisals will be required supporting the subsequently agreed projects. To be advanced following the receipt of further guidance from MHCLG.

12. Link to Council Plan

12.1 The matters referred to in this report contribute to Priority 2 of the Council Plan: Live, Work, Learn / Work and the economy.

13. Results of Consultation

13.1 Once a town has been identified, PiP funding will need to consider existing and historic consultations undertaken and any future requirement for consultation as required.

13.2 Consultation has taken place with Councillor Connolly, Council Leader and Economy and Strategy Policy Lead.

14. Next Steps for Decision Tracking Purposes

- 14.1 If the recommendations above are approved by Members, the Assistant Director – Communities & Assistant Director Planning and Development will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Develop proposals for implementation of PiP funding.	31 March 2025	Chris Cox George Hunter

Person to Contact: George Hunter, Assistant Director, Communities
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612994
Email george.hunter@south-ayrshire.gov.uk

Date: 24 October 2025

South Ayrshire Council

**Joint Report by Depute Chief Executive and Director of Housing,
Operations and Development
and Director of Health and Social Care Partnership
to South Ayrshire Council
of 6 November 2025**

**Subject: Redevelopment of the Former Hourstons Building and
Former Arran Mall, Ayr**

1. Purpose

- 1.1 The purpose of this report is to seek approval to discontinue the proposed Care Village project and to develop alternative proposals for residential development on the former Hourstons and Arran Mall sites.
- 1.2 This report also seeks approval to progress with demolition of the former Hourstons building with retention of key facades.

2. Recommendation

2.1 It is recommended that the Council:

- 2.1.1 **notes that NHS Ayrshire and Arran (NHSAA) have advised that they are unable to provide any significant funding for the Care Village project and that they cannot commit to any involvement in the project for the foreseeable future;**
- 2.1.2 **agrees that the Council discontinue the Care Village project and that officers explore options for a mixed tenure residential development on the Hourstons and Arran Mall sites.**
- 2.1.3 **requests that officers present a report to Council by March 2026, with an options appraisal detailing the different forms and tenure of residential development for the Hourstons and Arran Mall sites, the option of disposal of the sites on the open market and/or the engaging with a development partner.**
- 2.1.4 **agrees that officers proceed with procurement of a contract for works to include the demolition of the Hourstons building and retention of key façades, with capital allocation for the works from the remaining Hourstons budget.**
- 2.1.5 **requests the Depute Chief Executive and Director of Housing, Operations and Development to arrange the procurement of an advanced works contract for removal of potential bat roosting sites**

prior to the start of the roosting season and thereafter the execution of the necessary contract documentation for the works described in recommendation 2.1.4, subject to approval of a Demolition Warrant.

3. Background

- 3.1 On 28 November 2023, Cabinet approved an initial development scheme for the former Hourstons and Arran Mall sites. The development scheme formed the basis for progressing statutory consents and instructing demolition and development works and noted that an application for Planning Permission in Principle would be submitted for a masterplan for the sites.
- 3.2 An application was submitted in August 2024 for Planning Permission in Principle for a masterplan of the Hourstons and Arran Mall sites, including an integrated Health and Care Centre for Ayrshire and Arran Health Board (NHSAA) / South Ayrshire Health & Social Care Partnership (SAHSCP), plus an Intermediate Care Unit, a care village, housing for varying needs, and youth flats.
- 3.3 Proposals developed during 2023/24, in consultation with SAHSCP / NHSAA, to develop the former Hourstons building as an integrated Health and Care Centre involved 4,585m² of floorspace, comprising office and clinical facilities, plus three General Practice surgeries in Ayr that have needs to expand beyond their existing premises. It was intended that the facility would bring together services currently provided from a number of disparate sites, improving integrated working between community services such as social workers, home care teams, community nurses and allied health professionals for the benefit of health and care staff and patients. However, the cost of providing this proposal was estimated at £36.7m, which exceeded the capital allocation of £20m, as approved by Council on 28 February 2024. It is acknowledged that construction costs have continued to rise well above the rate of inflation since that date and the overall project cost would need to be revised upwards accordingly.
- 3.4 A new proposal was then developed for the Hourstons site with SAHSCP / NHSAA for a 2,600m² building, without any GP provision and with limited clinical space. This proposal was considered to provide sufficient improvement of the SAHSCP and NHSAA operating estate bringing together a range of offices within the Ayr locality and being capable of future extension, should further budget be identified.
- 3.5 Cabinet of 23 April 2024 agreed that officers should progress detailed designs for demolition of the former Hourstons building, with retention of key façades, (subject to statutory consents) and a new building to accommodate 2,600m², primarily of office accommodation, to be occupied by SAHSCP and NHSAA.
- 3.6 The report to Cabinet on 23 April 2024 also noted that any revenue impacts arising from the new facility would require further consideration and approval by Council prior to contracts being issued to commence development.
- 3.7 Officers have subsequently been working with SAHSCP and NHSAA to define operating cost arrangements for the proposed 2,600m² facility, including potential lease arrangements where appropriate. The outcome of this work identified that there would be a net additional cost to the Council from running the SAHSCP/NHSAA estate of £299,000 per annum with only the Wills Road buildings being in an operational position that could be declared surplus.

- 3.8 An application was submitted for Listed Buildings consent for demolition of the Hourstons building with facade retention on 1st August 2024. Historic Environment Scotland (HES) submitted an objection to this proposal due to the loss of the historic roof and atrium. However, following further work and justification, this objection was withdrawn on the condition that the new building includes a similar roof profile to that of the original Victorian building and consent was granted on 8 September 2025.
- 3.9 An application has now been submitted for Demolition Warrant for the demolition of the Hourstons building with façade retention.
- 3.10 Determination of the application for Planning Permission in Principle for the masterplan of the Hourstons and Arran Mall sites has been delayed pending agreement with HES on the Hourstons demolition and facade retention proposal. Determination of the Planning Permission in Principle planning application has been suspended pending the decision by Council on this report
- 3.11 A contract is in place for demolition of the Arran Mall but site start has been delayed due to essential disconnection works that require to be carried out by public utilities companies.

4. Detail

- 4.1 Following further discussion, SAHSCP and NHSAA concluded that the proposed 2,600m² facility would achieve only limited benefit due to the absence of GP practices, GPs being the first point of contact for patients needing additional services, and that any new facility must include GP practices from the outset to deliver a properly integrated service. Officers had been working with the design team to develop proposals for a larger building of 4,800m² including office, clinical and General Practice floorspace. The current cost estimate for the larger building indicates that this would require an additional £20m funding (subject to further design development and wider changes to cost bases within the construction industry).
- 4.2 The proposed 4,800m² included an estimated 1933m² for GP surgeries, which was based on three local practices identified as possible participants, taking into account demographic change projections and relevant recommended practice standards.
- 4.3 It would be necessary for NHSAA to pay a rent for the floorspace occupied by General Practices and to pay their proportionate share of operating costs, such as rates and utilities, for any floorspace occupied by NHSAA, as well as a share of common costs. To do otherwise could raise issues related to the Subsidy Control (2022) Act. However, the position of NHSAA was that they would only be in a position to agree terms for an Agreement for Lease for occupation of the new facility on the basis of it being cost-neutral to them relative to current operating costs for the same services. Initial estimates of operating costs suggest that this will not be possible.
- 4.4 The proposal would result in a net additional operating cost to the council of around £0.300m. In addition the annual cost of a capital expenditure of around £40m would be approximately £2.8m per annum. In aggregation this would add a new annual budget pressure of approximately £3.1m of which £1.7m is not yet reflected in the Council's Medium term Financial Plan and would increase what is already a

challenging financial outlook for the council. Therefore, it has not been possible to establish that the proposals represent best value.

- 4.5 NHSAA have a number of statutory steps to undertake before they could commit to occupying a new facility with GP practices and have advised that these steps could take up to 3 years to complete, before procurement and construction of works. Draft Heads of Terms of an intended Agreement for Lease could be worked up with NHSAA in advance, with suspensive conditions relating to completion of NHSAA statutory processes to be documented in the Agreement for Lease to be purified before the Agreement for Lease could be considered unconditional. However, this would not reduce the statutory engagement period before procurement and construction. Further design work would be necessary during the NHSAA approval period to develop the design to a stage that can be formally approved by all parties, prior to procurement and construction. The fees for this work, which are estimated at £600k, would be abortive if an agreement was not reached. Given the financial position outlined by NHSAA and the uncertainty that they would be in a position to agree to any financial arrangement that is not cost neutral, it is not recommended that this work be taken forward.
- 4.6 NHSAA have now confirmed that they are unable to provide any revenue funding for the Care Village project or to commit to involvement in the project for the foreseeable future. In addition to there being no Council or NHS funding allocated for the additional capital costs, Along with the 3 year consultation period, this could amount to a considerable length of time to get a redeveloped building on this key vacant town centre site with final costs far in excess of the current capital allocation..
- 4.7 The Council's Strategic Housing Investment Plan has funding that could be directed to developing, at least part of, the Hourstons and Arran Mall sites for housing. Development of the sites for housing would fit well with aims to regenerate the town centre through developing housing opportunities. It is also a key strategic objective of the Ayr Town Centre Framework to promote opportunities to support new town centre living initiatives. Further work will be required to identify an appropriate balance of tenures, housing types and to assess what client group would benefit most from new housing delivered on this site. It would be possible through the detail to be included in the development brief to specify a proportion of the site provide amenity housing for older persons to deliver a key element of the original care village proposals.
- 4.8 Following consideration of the above it is recommended that officers carry out an options appraisal to look at different forms, tenures and types of residential development for the Hourstons and Arran Mall sites and submit a further paper to Council with recommendations, which could include all affordable housing, mixed tenure housing, joint venture arrangements (or similar) or sale of the sites. The options appraisal will be informed by work that has been carried out by Savills as part of the Ayr Town Centre Living Study that is currently underway to support delivery of the Ayr Town Centre Framework and potential development partners through SCAPE.
- 4.9 The council's ownership of both the Arran Mall and Hourstons sites provides an opportunity to create attractive routes, places and building forms that contribute to an improved environment in the town centre as a place to live, work and visit and to be a catalyst for further regeneration. Masterplanning work carried out by

Threesixty architects (also part of the Ayr Town Centre Living Study) has included the Hourstons and Arran Mall sites and this will inform development of residential development options.

- 4.10 The Council has also recently received notice that £20m has been allocated to South Ayrshire for regeneration projects to be developed through the Pride in Place national government initiative. A report on this matter is also on this agenda for consideration. Whilst guidelines from the Scottish Office have not yet been received, it is understood that the identification of projects will be brought forward by a Regeneration Board rather than the Council. It is not possible at this time to identify projects to benefit from this funding, however, it remains a possibility that the Board could consider some cross funding to the Arran Mall and Hourstons redevelopment or to projects that complement that major redevelopment opportunity for the town centre.
- 4.11 The existing Hourstons building represents a safety and security risk to the council and requires ongoing maintenance costs. Uncoupling demolition and façade retention from the construction of a new building would allow the work to progress in advance of a new building, removing these ongoing costs and risks leaving the site ready for future redevelopment. Listed Buildings Consent has been approved for demolition and façade retention and a Demolition Warrant application has been submitted. A works package has been completed by the design team ready for procurement and it is therefore recommended that procurement of the demolition and façade retention works progresses as a stand-alone project, with capital allocation for the works from the remaining Hourstons budget.
- 4.12 Should members agree to officers progressing procurement of the demolition and façade retention works, it is anticipated the work on site could commence in April 2026. This is dependent on completion of the demolition of the adjacent Arran Mall, which has been delayed due to public utilities disconnections. HES have a statutory right to a 3-month period to survey a listed building prior to demolition, which should run in parallel with the procurement process. It will also be necessary to carry out advanced works to remove potential bat roosting sites prior to the start of bat roosting season at the end of March.

5. Legal and Procurement Implications

- 5.1 Legal input will be required to conclude the works contracts on completion of the scope and defined budget.
- 5.2 The recommendations in this report are consistent with procurement requirements.

6. Financial Implications

- 6.1 The estimated cost to carry out the demolition and façade retention of the Hourstons building is £4.20m including works, fees and client direct costs. It is anticipated that demolition costs are marginally higher as a result of carrying out demolition separately from construction of a new building and there will be costs incurred for the ongoing inspection and maintenance of temporary structural supports to the retained façade. However, these costs will be offset by removal of security and maintenance costs for the existing building and potentially by avoiding the

inflationary increase in demolition costs by undertaking this as an advanced phase rather than waiting until a full contract is agreed.

- 6.2 Capital cost and funding proposals for alternative Hourstons and Arran Mall development options will be re-profiled this financial year and reported in a further paper to be submitted to Council in December. A deduction will be made for the ongoing cost of the façade retention. This is likely to contribute to a reduction in loan debt charges in 2026-27 and will support the reduction of the council's budget gap in the short term.
- 6.3 A separate paper has been submitted to Council relating to allocation of funding to South Ayrshire Council from the UK Government's Pride in Place programme. The possibility of directing some of that funding to the redevelopment of the Hourstons and Arran Mall sites may be considered by the Regeneration Board that is to be set up.

7. Human Resources Implications

- 7.1 Not applicable.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

- 8.1.1 Risks have been identified and assessed in line with the Council's risk management process. The register in Appendix 1 includes risks associated with the SAHSC/HNSAA proposal for the Hourstons site plus risks associated with discontinuing the project and exploring alternative options for the Hourstons and Arran Mall sites.
- 8.1.2 No major risks are identified in relation to discontinuing the project and exploring alternative development options for the Hourstons and Arran Mall sites but risks relating to specific alternative design options have not yet been considered.
- 8.1.3 The main risk associated with progressing with demolition and façade retention of the Hourstons building in advance of construction of a new building is that the retained façade remains for a period of time while proposals for a new building are designed, approved and tendered. However, carrying out the demolition and façade retention in advance of construction of a new building will remove the ongoing safety and security risks associated with the existing building. It should also be noted that the duration of the retained façade will be reduced with the NHSAA / SAHSCP project being discontinued.
- 8.1.4 There may be a need to oversail the neighbouring properties given the method of demolition proposed. The oversail agreements with neighbouring owners will need to be in place before demolition works can be progressed and there is a risk of not having those agreements in place and no alternative method of demolition has been identified at this time.
- 8.1.5 There is a risk of bats being found in the existing Hourstons building however if the recommendation to commence demolition is approved then an advanced works contract will be progressed to remove potential bat roosting sites prior to the start of the roosting season.

8.2 ***Risk Implications of Rejecting the Recommendations***

8.2.1 The risks associated with rejecting the recommendations to progress with demolition and façade retention of the Hourstons building are that there will be ongoing costs plus safety and security risks associated with the existing building, which will continue to deteriorate until demolished.

8.2.2 There are significant risks associated with rejecting the recommendation to discontinue the SAH&CP/NHSAA project and to explore alternative development options for the Hourstons and Arran Mall sites. These are listed in the risk register in Appendix 1 (“Risks associated with progressing with the project”).

Key risks are:

- i) NHSAA have advised that they cannot engage with the proposals for the foreseeable future and if they are ever in the position to support the proposals in principle then statutory proposals require approximately 3 years to complete. That means that commencement of development is currently indefinite with the Hourstons building continuing to deteriorate.
- ii) With the lack of any certainty over timescales for potential development construction costs become difficult to quantify with any degree of confidence. The current estimated cost of £40m is therefore financially fragile.
- iii) If additional capital funding is not allocated to match NHSAA aspirations, the project cannot progress and the Hourstons building will continue to deteriorate (or facade retained) until an alternative development can be identified.
- iv) Should NHSAA at some future time be in a position to engage on the previous proposals, there will still be a risk of NHSAA or SAC pulling out of the project or changing requirements during the lease negotiations and the 3-year NHSAA engagement and approval process, assuming NHS are able to engage in the project. This includes design fees at risk. This would also result in the Hourstons building continuing to deteriorate or the façade being retained for an extended period
- v) Failure to achieve best value for the council would mean the project cannot progress.

9. **Integrated Impact Assessment (incorporating Equalities)**

9.1 An Integrated Impact Assessment has been carried out on the proposals contained in this report, which identifies potential positive and/ or negative impacts and/ or areas that require further consideration. The IIA Summary Report is attached as Appendix 2 which includes information on any mitigating or follow-up action required.

9.2 A copy of the fully completed IIA can be accessed [here](#).

10. Sustainable Development Implications

10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. Options Appraisal

11.1 An options appraisal has not been carried out in relation to the subject matter of this report. If the recommendations in this report are agreed, then an options appraisal will be carried out on alternative options for the redevelopment of Hourstons and Arran Mall sites to be submitted along with a further paper to Council for approval of new proposals.

12. Link to Council Plan

12.1 The matters referred to in this report contribute to Priority Live, Work Learn (work and economy) and Civic and Community Pride (pride in South Ayrshire) of the Council Plan:

13. Link to Shaping Our Future Council Yes No

13.1 Not applicable.

14. Results of Consultation

14.1 There has been no public consultation on the contents of this report. Subsequent proposals for redevelopment will be the subject of consultation through the planning process.

14.2 Consultation has taken place with Councillor Martin Kilbride, Policy Lead for Housing and Property Services, and Councillor Hugh Hunter, Policy Lead for Health and Social Care, and the contents of this report reflect any feedback provided.

15. Next Steps for Decision Tracking Purposes

15.1 If the recommendations above are approved by Members, the Depute Chief Executive and Director of Housing, Operations and Development and the Director of Health and Social Care Partnership will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Commencement procurement of demolition of the former Hourstons building involving a facade retention	November 2025	Service Lead – Procurement

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Report setting out proposals to develop the former Hourstons and Arran Mall sites for housing development. Report to include Options Appraisal and Best Value Assessment.	March 2026	Service Lead – Special Property Projects

Background Papers **Report to Cabinet of 20 June 2023 – [Redevelopment of Former Hourstons Building and Arran Mall, Ayr](#)**

Report to Cabinet of 28 November 2023 – [Redevelopment of Former Hourstons Building and Arran Mall, Ayr](#)

Report to Cabinet of 23 April 2024 – [Redevelopment of the Former Hourstons Building and Former Arran Mall, Ayr](#)

Person to Contact **Chris Cox, Assistant Director – Planning, Development and Regulation
County Buildings, Wellington Square, Ayr, KA7 1DR
Phone 01292 612981
E-mail chris.cox@south-ayrshire.gov.uk**

Date: 24 October 2025

Probability	Almost certain	5	10	15	20	25
	Likely	4	8	12	16	20
	Moderate	3	6	9	12	15
	Unlikely	2	4	6	8	10
	Rare	1	2	3	4	5
		1	2	3	4	5
		Minor	Moderate	Significant	Major	Catastrophic
Impact						

Risks associated with Hourstons NHSAA/SAHSCP development

RISK							RISK ASSESSMENT				RISK ACTION								
Entry Date	Risk Author	Risk Category	Risk Owner	Risk Cause	Risk Event	Risk Effect	Probability	Impact	Risk Score	Threat Response Category	Response	Action Owner Organisation	Action owner Individual	Target Risk Closure date	Actual Risk Closure Date	Date of last Risk review	Movement since last review		
DD/MM/YYYY	Person who raised risk	Risk Category selection	Person responsible for management & control of risk	Describe the source of the risk (e.g. risk triggers internal or external)	Describe the area of uncertainty in terms of threat or opportunity	Describe what will happen if risk occurs	1=rare 2=unlikely 3=moderate 4=more likely than not 5=almost certain	1=minor 2=moderate 3=significant 4=major 5=catastrophic	Total Risk Score	Reduction Removal Transfer Retention Share	Describe responses for a risk	Who is responsible for the action - Organisation	Who is responsible for the action - Individual	Target Risk Closure date date	Actual Risk closure date	Date risk last reviewed	Increase ↑ Decrease ↓ No Change ↔ CLOSED	NEW	Notes
15.04.2025	John Bell	Design	John Bell	External	Existing burdens, wayleaves or rights of way restrict scope of development.	Design impact / legal dispute.	2	2	4	Removal	Title documents and report obtained from Legal Services defining all known existing rights and burdens. Ongoing risk of unrecorded rights or burdens. Information shared with design team.	SAC - SPP	John Bell	Ongoing			↔		
15.04.2025	John Bell	Management	John Bell	Internal	Other linked SAC projects: Failure to coordinate	Cost or delay due to associated projects - e.g. facilities to be vacated.	3	3	9	Reduction	Reports to ATC MOWG. Same design team for Arran Mall to coordinate demolition etc. ARA to confirm programme for Accessible Ayr works on Alloway Street	SAC - SPP	John Bell	Ongoing			↔		
15.04.2025	John Bell	Commercial	Chris Cox	Internal	Funding: Failure to obtain sufficient capital funding.	Further deterioration of Hourstons building. Reputational damage due to gap site.	4	5	20	Removal	NHS requirement for cost neutral unlikely to be possible. Larger project with GPs required by NHS but no additional funding available. NHS have no budget and cannot engage in project for 5 years.	SAC - HOD	Chris Cox	TBC			↔		
15.04.2025	John Bell	Management	John Bell	Internal	Roles and Responsibilities: failure to define.	Delay, cost, or failure to achieve required outcomes.	2	3	6	Reduction	Detailed project responsibilities matrix shared. Consultant roles defined in appointments. PM appointed to manage. Ongoing project meetings.	SAC - SPP	John Bell	ongoing			↔		
15.04.2025	John Bell	Political	Chris Cox	Internal	failure to obtain SAC approval for proposals	Further deterioration of Hourstons building. Reputational damage due to gap site.	4	5	20	Removal	SAC approval would be required for additional funding to proceed with Hourstons redevelopment including GPs. Any further required approvals to be scheduled and tracked.	SAH&SCP	TBC	TBC			↑		
15.04.2025	John Bell	Management	John Bell	Internal	Failure of communication	Delay, cost, or failure to achieve required outcomes.	3	4	12	Reduction	Ongoing discussion with NHS/H&SCP to agree project outcomes. Governance by ATC MOWG and H&SCP Steering Group. Ongoing project management by TCS.	SAC - SPP	John Bell	TBC			↔		
15.04.2025	John Bell	Design	John Bell	Internal	Failure to define required project outcomes and aspirations (measurable outcomes)	Project does not deliver required outcomes	3	3	9	Removal	Project deliverables to be agreed with NHS and H&SCP and approved by Council. Developing brief to be approved by NHS and H&SCP.	SAC - SPP	John Bell	TBC			↓		
15.04.2025	John Bell	Management	John Bell	Internal	failure to consult internal stakeholders	Delay, additional cost, failure to achieve required outcomes, reputational damage.	2	4	8	Reduction	Create and agree stakeholder consultation strategy. Include all SAC Services that could be affected by the project.	SAC - SPP	John Bell	TBC			↔		
15.04.2025	John Bell	Management	John Bell	External	failure to consult external stakeholders	Delay, additional cost, failure to achieve required outcomes, reputational damage.	2	4	8	Reduction	Create and agree stakeholder consultation strategy. Include all groups and individuals who could be affected by the project, e.g. neighbouring businesses and residents, community groups etc.	SAC - SPP	John Bell	TBC			↔		
15.04.2025	John Bell	Political	John Bell	Internal	Failure to inform public of proposals and timescale.	damage to reputation	2	2	4	Reduction	Create and agree stakeholder consultation strategy. Press release and news letter to be issued for start of works.	SAC - SPP / Comms	John Bell / Kenny Ross	TBC			↔		
15.04.2025	John Bell	Design	John Bell	Internal	Changes to client requirements, including external partner.	Project delayed or cost increase	4	4	16	Reduction	Require formal approval of brief by NHS / H&SCP but this may take as much as 3 years once they are able to engage, which could be 5 years. Risk that GPs are omitted from the proposals to be addressed by designing the GP block as a separate element. Design programme to include formal design stage approvals. Submissions to provide full information.	SAC - SPP	John Bell	Ongoing			↔		
15.04.2025	John Bell	Design	John Bell	External	Poor quality design	Damage to reputation	2	3	6	Reduction	Review proposals.	SAC - SPP	John Bell	Ongoing			↔		
15.04.2025	John Bell	Design	John Bell	External	Design proposals unaffordable	Cost / Delay	4	5	20	Removal	Cost consultant to provide cost plan and report regularly on cost of developing design. Additional funding required for larger project with GPs.	SAC - SPP	John Bell	Ongoing			↔		
15.04.2025	John Bell	Design	John Bell	External	Completed project does not deliver client aspirations or requirements.	Damage to reputation	3	3	9	Reduction	Agree, record and review project deliverables. Formal sign off by NHS/H&SCP. Review proposals against required project outcomes at key stages.	SAC - SPP	John Bell	Ongoing			↔		
15.04.2025	John Bell	Political	John Bell	Internal	Proposals do not deliver best value.	project cannot progress	4	5	20	Reduction	Ongoing monitoring of design and cost by QS and design team. Best Value assessment to be done but is unlikely to demonstrate best value.	SAC - SPP	John Bell	TBC			↔		
15.04.2025	John Bell	Regulatory	John Bell	External	Delay or failure to obtain statutory consents.	Project delayed or cannot proceed or increased cost.	3	3	9	Reduction	LBC approved. Demolition warrant submitted. Further consents required.	SAC - SPP	John Bell	TBC			↔		
15.04.2025	John Bell	Construction	John Bell	External	Delay due to utilities companies	Project delayed or cost increase	4	3	12	Reduction	Early surveys, communications and applications to be done for new buildings. Define responsibility for applications.	SAC - SPP	John Bell	TBC			↔		
15.04.2025	John Bell	Commercial	John Bell	External	Cost overruns due to construction delays, market conditions, or unforeseen circumstances.	Cost increase and delay.	3	4	12	Reduction	Procurement strategy to minimise cost risk. Cost consultant to monitor cost during construction. Risk to be reviewed during construction.	SAC - SPP	John Bell	TBC			↔		
15.04.2025	John Bell	Construction	John Bell	External	Unexpected site conditions, including contamination, unrecorded services etc.	delay and cost	3	4	12	Reduction	All possible surveys will be carried out in advance of site works. Asbestos has been removed. Dark ground, issues with existing structure and unrecorded services are still a risk.	SAC - SPP	John Bell	TBC			↔		
15.04.2025	John Bell	Regulatory	John Bell	Internal	procurement of consultants or contractors fails to comply with council standing orders	Damage to reputation / cost / delay	2	3	6	Removal	Consultants appointed and further appointment will be through SAC framework. Procurement strategy for construction and demolition agreed with Procurement and PM will liaise.	SAC - SPP / procurement	John Bell / David Alexander	TBC			↔		
15.04.2025	John Bell	Commercial	John Bell	External	Failure to achieve value for money from construction contract.	Cost	2	3	6	Reduction	Procurement strategy agreed.	SAC - SPP / procurement	John Bell / David Alexander	TBC			↓		
15.04.2025	John Bell	Construction	John Bell	External	Excessive construction defects	Damage to reputation / cost / delay	2	2	4	Reduction	Allow sufficient time in construction programme. Select procurement method that allows control of quality. Appoint a clerk of works.	SAC - SPP	John Bell	TBC			↔		
15.04.2025	John Bell	Political	John Bell	Internal	Failure to comply with SAC sustainability guidance.	Damage to reputation	2	2	4	Removal	SAC have defined relevant guidance and standards to be met.	SAC - SPP	John Bell	TBC			↔		
15.04.2025	John Bell	Design	John Bell	External	Failure to deliver Accessible design	Damage to reputation / legal challenge	2	2	4	Removal	Carry out accessible design review.	SAC - SPP	John Bell	TBC			↔		
15.04.2025	John Bell	Construction	John Bell	External	Disruption or risks to neighbours and public during construction, including loss of parking spaces, vehicle or pedestrian access and operation of commercial premises and private residences.	cost / delay / reputational damage	3	3	9	Reduction	Define any known restrictions prior to procurement of contractor. Contractor to develop detailed construction logistics report for review prior to site start. Access requirements to be shared with contractor and site strategy to be provided by them.	SAC - SPP	John Bell	TBC			↑		
12.05.2025	John Bell	Construction	John Bell	External	Site access constraints prove challenging	cost / delay / reputational damage	2	4	8	Reduction	Early engagement with ARA and neighbours	SAC - SPP	John Bell	TBC			↔		
12.05.2025	John Bell	Design	John Bell	External	Capacity of existing services may be inadequate	cost / delay / reputational damage	2	3	6	Reduction	Utilities information to be acquired and reviewed as early as possible. DIA instructed.	SAC - SPP	John Bell	TBC			↔		
12.05.2025	John Bell	Regulatory	John Bell	External	Onerous Planning conditions	cost / delay	3	3	9	Reduction	Cost impact to be identified and budget identified after LBC approved.	SAC - SPP	John Bell	TBC			↔		
12.05.2025	John Bell	Commercial	John Bell	External	Contractor insolvency	cost / delay	2	4	8	Reduction	Financial status of contractors to be checked at tender stage.	SAC - SPP / procurement	John Bell / David Alexander	TBC			↔		
12.05.2026	John Bell	Regulatory	John Bell	External	Changes in legislation	cost / delay	3	2	6	Reduction	Design team to advise on anticipated changes to legislation that might affect the project.	SAC - SPP	John Bell	TBC			↔		
12.05.2025	John Bell	Design	John Bell	External	Complex façade retention structure and demolition method.	cost / delay	3	4	12	Reduction	Demolition methodology established and designed. Specialist contractor to be appointed	SAC - SPP	John Bell	TBC			↔		
12.05.2025	John Bell	Design	John Bell	External	Insufficient time allocated for commissioning	cost / H&S risks / delay / reputational damage	3	3	9	Reduction	Commissioning period to be sufficient and ring fenced in construction programme	SAC - SPP	John Bell	TBC			↓		
02.06.2025	John Bell	Political	John Bell	External	External partner pulls out of project (possibly after demolition and façade retention, up to 3 years of NHS approvals process and lease negotiation and design development fees).	increased duration of retained façade. Abortive stage 2 and 3 design fees. Reputational damage	4	5	20	Reduction	Early demolition will reduce safety and security risks associated with the semi-derelict building but a firm commitment to a lease will not be agreed by NHS until after the demolition phase. Proposal to progress the design to RIBA stage 3 to support ongoing discussions with NHS will assist negotiations but will also increase consultant fees at risk. Alternative development proposals should also be considered in case NHS pull out. NHS have advised 5 years until they can engage and no funding available.	SAC - SPP	Chris Cox	TBC			↑		
04.06.2025	John Bell	Political	John Bell	External	External partner approval process delayed	increased duration of retained façade.	4	5	20	Reduction	Firm commitment to project required from NHS / GPs but they will not commit to a lease until the end of their formal approval process, which is lengthy, and have now advised no engagement in project for 5 years.	SAC - SPP	Chris Cox	TBC			↔		
14.08.2025	John Bell	Design	John Bell	Internal	Hourstons project parking numbers and building configuration.	Hourstons parking and building form restricts development of the Arran Mall site.	3	4	12	Reduction	Explore alternative parking arrangements, including further discussions with Planning. NHS to engage with GPs and endeavor to agree reduced parking numbers. Consider separate GP wing to allow flexibility of building form. Omission of GPs would avoid these issues.	SAC - SPP	John Bell	TBC			↔		
15.08.2025	John Bell	Construction	John Bell	Internal	Arran Mall demolition delayed	Unable to commence Hourstons demolition due to Arran Mall demolition delay.	3	4	12	Reduction	SAC working with utility companies to complete disconnections to allow site start on Arran Mall demo asap.	SAC - SPP	John Bell	TBC			↔		
20.08.2025	John Bell	Management	John Bell	External	NHS delay in engaging in design discussions or progressing negotiations on lease.	Delay	5	4	20	Reduction	5 years until NHS can engage	SAC - SPP	Chris Cox	TBC			↔		
20.08.2025	John Bell	Commercial	John Bell	External	lease agreement: Failure to achieve cost neutral position required by NHS or position acceptable to SAC.	Project does not progress	4	5	20	Removal	Negotiation of lease to be progressed alongside design proposals. Assumes capital funding is approved.	SAC - SPP	Chris Cox	TBC			↔		
15.10.2025	John Bell	Regulatory	John Bell	External	Bat survey: failure to demolish Hourstons outwith bat roosting season	Project delayed	3	3	9	Reduction	Survey indicates low risk but that potential roosts should be removed before the end of March. Sequencing of work should target these areas first and possible mitigation may be necessary if programme slips	SAC - SPP	John Bell	TBC				NEW	

Risks associated with discontinuing the project and exploring alternative options for Hourstons and Arran Mall sites

RISK							RISK ASSESSMENT				RISK ACTION								
Entry Date	Risk Author	Risk Category	Risk Owner	Risk Cause	Risk Event	Risk Effect	Probability	Impact	Risk Score	Threat Response Category	Response	Action Owner Organisation	Action owner Individual	Target Risk Closure date	Actual Risk Closure Date	Date of last Risk review	Movement since last review		
DD/MM/YYYY	Person who raised risk	Risk Category selection	Person responsible for management & control of risk	Describe the source of the risk (e.g. risk triggers internal or external)	Describe the area of uncertainty in terms of threat or opportunity	Describe what will happen if risk occurs	1=rare 2=unlikely 3=moderate 4=more likely than not 5=almost certain	1=minor 2=moderate 3=significant 4=major 5=catastrophic	Total Risk Score	Reduction Removal Transfer Retention Share	Describe responses for a risk	Who is responsible for the action - Organisation	Who is responsible for the action - Individual	Target Risk Closure date date	Actual Risk closure date	Date risk last reviewed	Increase ↑ Decrease ↓ No Change ↔ CLOSED	NEW	Notes
30.09.2025	John Bell	Design	John Bell	Internal	Failure to identify a viable option for development of the Hourstons and Arran Mall sites.	Sites are not developed. Retained façade for extended period.	2	4	8	Removal	A detailed options appraisal will be carried out and a recommendation will be presented to Council for approval.	SAC - SPP	John Bell	TBC				NEW	
30.09.2025	John Bell	Political	John Bell	Internal	Stakeholder engagement - change of direction.	Reputational damage.	3	2	6	Reduction	Comms to be issued at appropriate time and public engagement on development proposals.	SAC - SPP	John Bell	TBC				NEW	
30.09.2028	John Bell	Management	John Bell	Internal	Failure to demonstrate best value	Reputational damage.	2	3	6	Removal	Proposed options to be assessed for best value prior to recommendation for approval.	SAC - SPP	John Bell	TBC				NEW	
30.09.2028	John Bell	Construction	John Bell	External	Complex façade retention structure and demolition method.	cost / delay	3	4	12	Reduction	Demolition methodology established and designed. Specialist contractor to be appointed	SAC - SPP	John Bell	TBC				NEW	
30.09.2028	John Bell	Construction	John Bell	Internal	Arran Mall demolition delayed	Unable to commence Hourstons demolition due to Arran Mall demolition delay.	3	3	9	Reduction	SAC working with utility companies to complete disconnections to allow site start on Arran Mall demo asap.	SAC - SPP	John Bell	TBC				NEW	

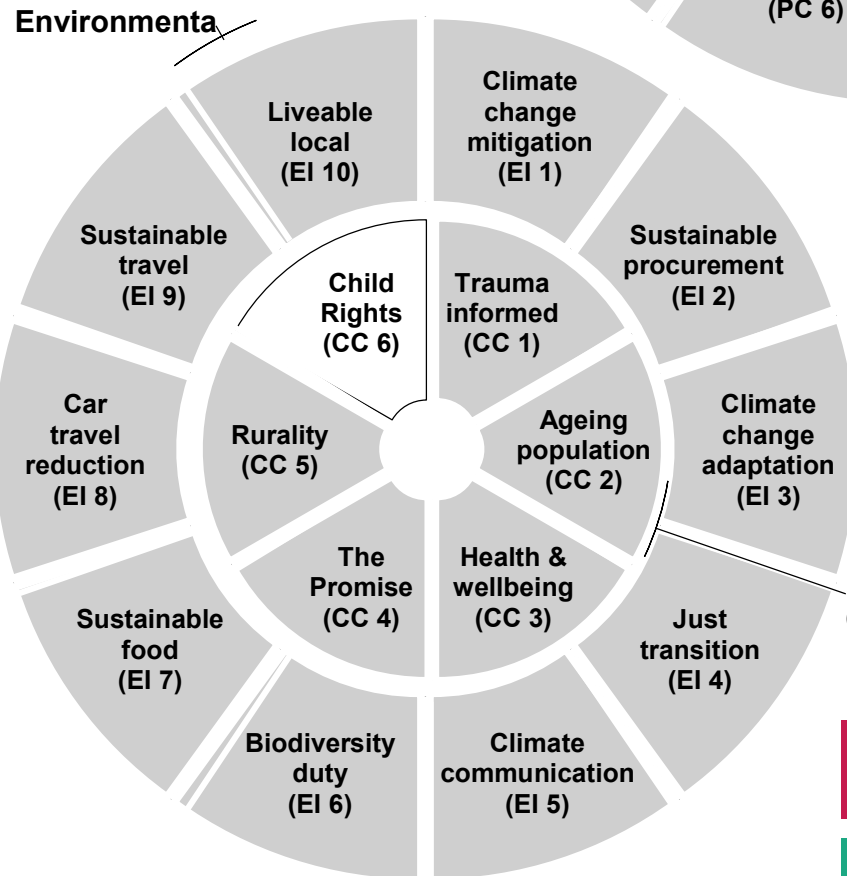
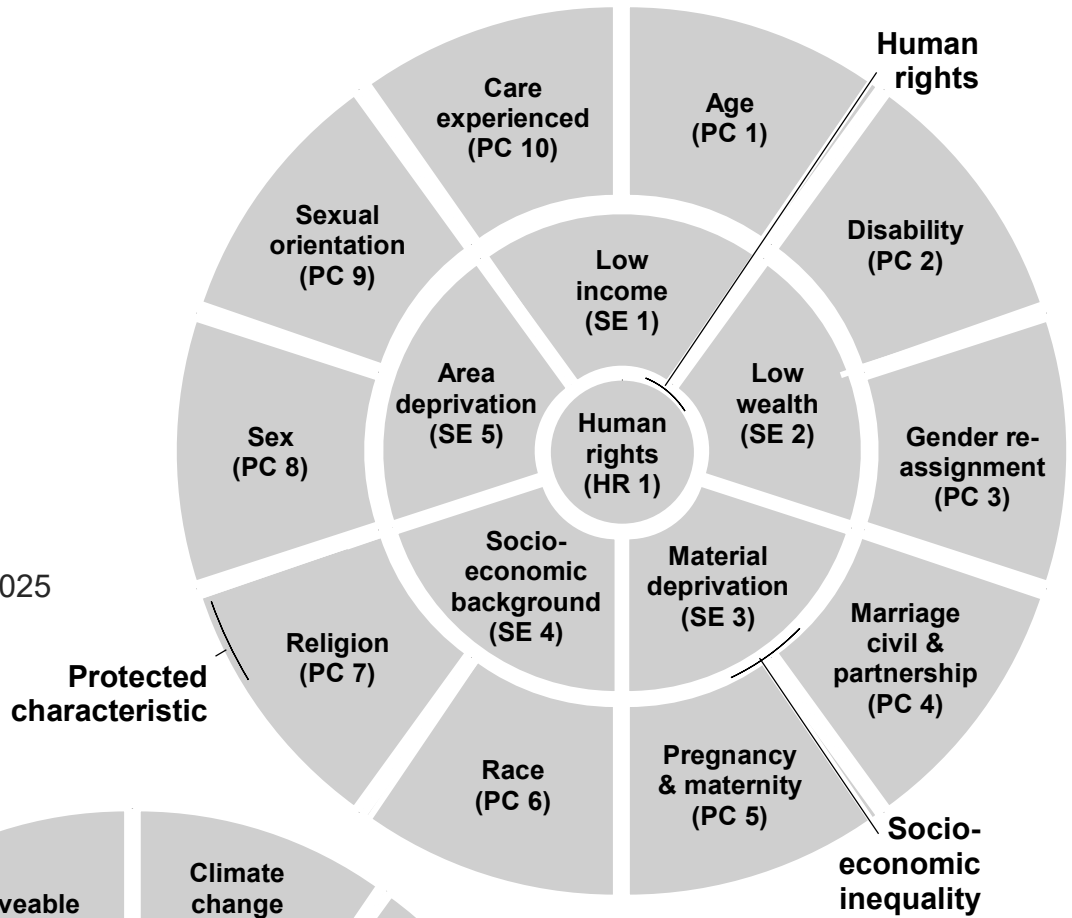
Integrated Impact Assessment Summary Report



Proposals to develop Hourstons and Arran Mall sites

Completed by:
John Bell,
Coordinator - SPP,
SPP

Date started 23.10.2025



To be implemented on:
TBC
Review date:
06.11.2025
Oversight Panel:
Council

negative impact	uncertain / not clear
positive impact	no impact / not applicable

Public sector equality duty

Eliminating unlawful discrimination, harassment, and victimisation?

Impact uncertain until new proposals are developed.

Advancing equality of opportunity?

Impact uncertain until new proposals are developed.

Fostering good relations?

Impact uncertain until new proposals are developed.

Consultation declaration

We confirm consultation has NOT been carried out as part of this process.

impacts)

EQUALITIES: impact on protected characteristics

PC 1	Age	To be considered when new proposals are developed
PC 2	Disability	To be considered when new proposals are developed

Mitigating Actions Required (re **negative / unclear impacts)**

PC 3	Gender Reassignment	To be considered when new proposals are developed
PC 4	Marriage and Civil Partnership	To be considered when new proposals are developed
PC 5	Pregnancy and Maternity	To be considered when new proposals are developed
PC 6	Race (including Gypsy Travellers)	To be considered when new proposals are developed
PC 7	Religion or Belief	To be considered when new proposals are developed
PC 8	Sex	To be considered when new proposals are developed
PC 9	Sexual Orientation	To be considered when new proposals are developed
PC 10	Care Experienced (SAC-specific)	To be considered when new proposals are developed
(CRWIA)?		no