

SOUTH AYRSHIRE COUNCIL (SPECIAL).

Minutes of a remote webcast meeting
on 10 March 2022 at 2.00 p.m.

Present Councillors Helen Moonie (Provost), Andy Campbell, Douglas Campbell, Iain Campbell, Ian Cavana, Ian Cochrane, Brian Connolly, Chris Cullen, Ian Davis, Julie Dettbarn, Martin Dowey, Ian Fitzsimmons, William Grant, Peter Henderson, Hugh Hunter, Mary Kilpatrick, Lee Lyons, Craig Mackay, Derek McCabe, Brian McGinley, Bob Pollock, Philip Saxton, Arthur Spurling and Margaret Toner.

Apologies: Councillors Laura Brennan-Whitefield, Alec Clark and Peter Convery.

Attending: E. Howat, Chief Executive; D. Gillies, Director – Place; C. Caves, Head of Legal, HR and Regulatory Services; T. Baulk, Head of Finance and ICT, K. Carr, Assistant Director – Place; L Reid, Assistant Director – Place; J. Bradley, Assistant Director – People; C. Iles, Service Lead – Planning and Building Standards; S. Curran, Supervisory Planner; A. Brown, Lead Development Plan Officer; W. Wesson, Service Lead – HR, Payroll and Employee Services; G. Farrell, Organisational Development and Customer Services; C. Boyd, Service Lead – Risk and Safety, A. Nelson, Co-ordinator, Democratic Services; C. Buchanan, Committee Services Officer, F. Maher, Temp Committee Services Officer; C. McCallum, Assistant Committee Clerk; E. Moore, Clerical Assistant.

1. Provost.

The Provost

- (1) welcomed everyone to the meeting;
- (2) intimated that apologies had been received from Councillors Brennan-Whitefield, Clark and Convery; and
- (3) outlined the procedures for conducting this meeting and advised that this meeting would be broadcast live.

2. Sederunt and Declarations of Interest.

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

3. Draft National Planning Framework Consultation

There was submitted a [report](#) (issued) of 3 March 2022 by the Director – Place seeking approval for the proposed responses to the draft National Planning Framework 4 that required to be submitted to the Scottish Government as the Council's response.

Councillor Cochrane, seconded by Councillor McGinley moved the recommendations within the report.

Questions were raised in relation to:

- (1) whether LDP 2 required to be amended as a result of the Draft National Planning Framework Consultation and the Service Lead - Planning and Building Standards advised that LDP 2 did not require to be amended and further advised that the LDP 2 was a standalone document with this report being considered a consultation document at this moment in time;
- (2) whether discussion had taken place with North Ayrshire Council and East Ayrshire Council in relation to submitting a collaborative response to the omission of Prestwick Airport in the LDP 4 and for the airport to be included as a priority; and the Service Lead - Planning and Building Standards advised that he had not been in discussion with North and East Ayrshire Councils but would take this matter forward and ask North and East Ayrshire Councils to include in any submission; and
- (3) members being kept up to date regarding the progress of the consultation and on any feedback received; and the Service Lead - Planning and Buildings Standards confirmed that he would ensure that any feedback received was shared with Members.

Comments were made in relation to disappointment in the consultation document and the clear omission of Glasgow Prestwick Airport given the funding provided by the Scottish Government and the airport's involvement in the Ayrshire Growth Deal. Members also made reference to 20-minute communities which appeared to be based around cities and would not be achievable in rural areas.

Members thanked all officers involved in the production of the report and the detailed response to the consultation and, after discussion,

Decided: to approve the proposed responses contained in Appendix A of the report for submission to the Scottish Government.

4. **Proposed South Ayrshire Local Development Plan 2 – Modification and Adoption**

There was submitted a [report](#) (issued) of 3 March 2022 by the Director – Place seeking approval to modify the Proposed South Ayrshire Local Development Plan 2 in line with Scottish Ministers' recommendations arising from the examination of the Local Development Plan 2. The report sought approval to publish the modified plan and submit it to Scottish Ministers as the Local Development Plan that the Council intended to adopt.

Councillor Cochrane, seconded by Councillor Saxton moved the recommendations within the report.

The Council

Decided:

- (1) to approve the modified proposed Local Development Plan 2 for publication and submission to Scottish Ministers as the Council's intended adopted local development plan;
- (2) to agree that the Service Lead – Planning and Building Standards would facilitate submission of the HRA and SEA to Scottish Ministers;
- (3) to agree that the Service Lead – Planning and Building Standards may make further non notifiable modification/corrections to text/grammar/illustrative material prior to submission to Scottish Ministers; and

- (4) to agree to consider the Local Development Plan 2 associated Action Programme at a future meeting of the Leadership Panel.

5. Supplementary Guidance: Maintaining an Effective Housing Land Supply and Housing Site Design Briefs

There was submitted a [report](#) (issued) of 3 March 2022 by the Director – Place seeking Council's approval for the South Ayrshire Local Development Plan 2 Supplementary Guidance in respect of Maintaining an Effective Housing Land Supply and Housing Site Design Briefs and to submit these to the Scottish Government for Adoption.

Councillor Cochrane, seconded by Councillor Saxton moved the recommendations within the report.

Questions were raised in relation to:

- (1) why the proposed housing development at St Ninians Primary School was not included in the Site Design Briefs; and the Supervisory Planner advised that the site was not included in the Site Design Briefs as it was not identified through the local development plan process and advised that sites could not be added that had not progressed through the local development plan process. The site would be considered under another policy within the local development plan and discussions would take place with Housing colleagues in relation to the design of the site;
- (2) clarity on the position of the GIRVAN 1 and GIRVAN 2 sites, one of which was in private ownership and being used for a single house and the other site was the old gas works, owned by the NHS and, should this site not be developed, this would result in a shortfall in the Girvan area with other sites being required to make up the shortfall; and the Service Lead - Planning and Building Standards advised that the sites identified would provide 90 units. In relation to GIRVAN 1, the owner of the site had indicated that they were committed to the site, hence its retention in the report. In relation to GIRVAN 2, the necessary processes, in terms of consultation, had been completed and it was appropriate that this site was therefore included. He further advised that if funding could be identified, contamination issues could be resolved and that the Scottish Government were in the process of dealing with vacant derelict land grants in relation to such sites and that officers could work with the landowner to try and take this matter forward;
- (3) when the Council allocated land for the purposes of housing, the Council must ensure that land was not blocked for other purposes. The Council approved a budget that included the development of Dalmling Campus, would there still be adequate land to progress projects such as this if the Council progressed with the housing development contained within the Site Design Briefs; and the Director – Place confirmed that the development potential of both aspects of the site had been considered, Dalmling Primary School was a large site, housing would be at the bottom of the site and the school at the top. Officers were confident that when developing the site there would be sufficient area within the site to build both. Officers would work to ensure that the planning and delivery for the school integrated into the delivery of housing on the adjacent part of the site;

- (4) Buchan Road and Burns Road when Members questioned why Buchan Road was still contained within the plan as they understood the site had previously been removed and whether the site drawing within the report was therefore accurate; and the Service Lead - Planning and Buildings Standards outlined that the report related to modifications made by the Reporter in relation to the report going forward and it was not competent to amend the LDP2 to remove this site without restarting the process; the Supervisory Planner advised that the drawing was correct and referred to previous discussions on this matter; and the Director – Place reminded Members that any application to build on this site would require to be processed via the normally planning approval process and if HRA did not bring forward an application there would be no development at the site;

Procedural Matter

Following the above question, the Provost sought clarity that the Motion would remain competent, and the Monitoring Officer advised that since the LDP2 had already been approved it would not be competent to amend, through this report, any part of the LDP2 that had previously been approved.

Following the advice given by the Monitoring Officer Councillor Cochrane, seconded by Councillor Saxton moved the original Motion.

- (5) the Dundonald site and the bus service, which was facilitated by a private contractor, and how the Council could influence the contractor to improve this service; and the Service Lead - Planning and Building Standards advised that discussions would require to take place with ARA and other relevant parties; and
- (6) draining the Loch and the Service Lead - Planning and Building Standards advised that dealing with detailed matters of site design development would require to be examined in relation to detailed studies of the site when this site was taken forward.

Comments were made in relation to:

- (a) the areas of land supply, the areas identified were not just for social housing. The land was for housing in general and the areas for social housing were identified via the Strategic Housing Investment Plan through the housing needs assessment and housing strategy;
- (b) what the procedure was in relation to sites that do become available, the Service Lead Planning and Building Standards explained the processes that developers require to go through with a final decision being taken via delegated powers or the Regulatory Panel (Planning); and
- (c) the fact that the opportunity to make any changes appeared to require to be taken earlier in the LDP processes. The Service Lead - Planning and Building Standards advised that this was the final stage of a long consultation process, the identification of sites and the appropriateness of those sites and how these sites could be developed in accordance with the LDP was part of that process. He advised that the Planning Liaison Group would consider how best to present the process to members for the next iteration of the LDP2 so this is clearly understood. The Monitoring Officer confirmed that the consideration of such policies were reserved to Council.

Members thanked Officers for the work involved in the production of the report and the Council

Decided:

- (i) to approve the Supplementary Guidance: Maintaining an Effective Housing Land Supply (Appendix 1 of the report) and the Supplementary Guidance: Housing Site Design Briefs (Appendix 2 of the report) for submission to Scottish Ministers for adoption; and
- (ii) to agree that the Service Lead – Planning and Building Standards may make any further non notifiable modification/corrections to text/grammar/illustrative material prior to submission to Scottish Ministers.

6. Future Operating Model

There was submitted a [report](#) (issued) of 3 March 2022 by the Assistant Director – People updating the Council on the progress made to develop proposals for the Council’s Future Operating Model; and seeking approval to implement new workstyles; implement supporting employee policies and procedures; and to continue to pilot the reintroduction of face to face customer services by appointment.

Councillor McGinley, seconded by Councillor Henderson, moved recommendations 4.2.1 to 4.2.5 of the report and the proposed amendment of recommendation 4.2.6. to read ‘that Customer Services should operate as per pre-pandemic, subject to Covid regulations, and officers to further consider the model of delivery for Customer Services and present these recommendations together with an update on progress on recommendations 4.2.1 to 4.2.5 to Leadership Panel by September 2022’.

Questions were raised in relation to:

- (1) how Customer Contact Centres would operate and what discussions had taken place with staff returning to work; and the Assistant Director – People advised that the proposal, outlined in the report, would result in some members of the Customer Services Team co-locating in one of the five Thriving Community Offices. Straightforward enquiries would be answered immediately, however, where an enquiry was more complex, the customer would be offered either a telephone appointment with the Customer Services or the relevant Service, be referred online, or provided with a face-to-face appointment where required. An appointment system was proposed after discussion with relevant Services i.e., Housing/Revenues and Benefits as a preference to a drop-in service. The Assistant Director - People further advised that the new delivery model would be monitored and analysed over the following year. In terms of the circulation of mail, the Assistant Director – People acknowledged that this was a challenge during lockdown however other arrangements had been put in place for mail. It was however the Council’s intention to continue to further develop online options to widen access to Council Services. The Service Lead – Organisational Development and Customer Services confirmed that the proposals had been developed after extensive engagement with the Customer Services Team, Housing and Revenue and Benefits staff;
- (2) who decided who would receive a face-to-face interview; and the Assistant Director – People advised that it would be a Customer Services Supervisor who would either discuss, with the customer, the nature of their enquiry and assess whether a telephone call from a relevant officer or a face-to-face appointment was necessary;

- (3) discussions with Trade Unions in terms of mileage payments; and the Service Lead – HR, Payroll and Employee Services advised that discussions were ongoing with the Trade Unions;
- (4) HMRC implications, when the decision was made that an employee would work from home, did the Council have a survey as to what that employee needed in terms of home enhancements i.e. broadband and if so would the Council provide and pay for this and would there be tax implications; and the Assistant Director – People advised that there was no suggestion that employees would be given additional funds to work from home, however if an employee was unable to work from home because they did not have broadband, home working would not be an appropriate way of working for that individual member of staff and alternative options considered;
- (5) if recommendation 4.2.6 of the report was removed there would be no face-to-face options available, clarity was sought on Councillor McGinley's intention and Councillor McGinley intimated that he was not supportive of adopting recommendation 4.2.6 at this point but would like officers to further consider the model of delivery for Customer Services and present these recommendations together with an update on progress on recommendations 4.2.1 to 4.2.5 to Leadership Panel by September 2022';
- (6) concerns relating to Customer Service and the impact on vulnerable people and what arrangements would be put in place for people who were not online, who did not have phones or had a particular vulnerability to be seen; and the Assistant Director – People advised that every support would be put in place to help such individuals, the proposals outlined in the report would assist vulnerable people quickly and seek to resolve their enquiry in one transaction;
- (7) if recommendation 4.2.6 was introduced it would result in people not being able to drop into a Customer Contact Centre; and the Assistant Director – People advised that they could if their enquiry was straightforward, if it was more complex a member of the Customer Services Team would call the customer back and respond to their enquiry and determine whether a face-to-face appointment was necessary; and
- (8) what restrictions were in place to prevent Officers returning to the Customer Contact Centres; and the Assistant Director – People confirmed that Council was proposing a phased return to offices for some staff, however, there would be Customer Services staff, on a rotational basis, in each of the five main towns. These staff would be able to assess whether they could assist a customer immediately, whether a return telephone call was required or whether a face-to-face appointment was necessary. The remainder of the staff would work from home on a hybrid basis.

The Service Lead – Organisational Development and Customer Services advised that in relation to The Information and Advice HUB, face-to-face services were available and peripatetic advisors were already carrying out home visits as required and providing assistance at local foodbanks. The Information and Advice Hub, during the last few years has operated an appointment based system except where someone was presenting in crisis, where they were provided with immediate urgent assistance.. The proposals hoped to mirror that process across Customer Services. Currently all access to Council buildings was processed through the Recovery Group.

Comments were made in relation to:

- (a) the Customer Contact Centres and the fact that it was imperative that people could gain access to Services and speak face-to-face with an Officer;
- (b) risk assessment and the requirement these address appropriately health and safety issues, GDPR and security related issues;

- (c) the word triage be replaced with something more suitable as it had a medical connotation; and
- (d) the fact that the report and the proposals would evolve through time and that it was appropriate for Officers to report back in September.

After lengthy discussion, the Council

Decided: to approve recommendations 4.2.1 to 4.2.5 of the report and the proposed amendment of recommendation 4.2.6 to intimate 'that Customer Services should operate as per pre pandemic, subject to Covid regulations, and officers to further consider the model for the delivery of Customer Services and present these considerations together with an update on progress on recommendations 4.2.1 to 4.2.5 of the report to Leadership Panel by September 2022.

7. **Notice of Motion**

A Notice of Motion having been submitted in accordance with Council Standing Order No. 18 proposed by Councillor Dettbarn and seconded by Councillor Cullen – Recruit with Conviction

'Changes to the disclosure system made under the Management of Offenders (Scotland) Act 2019 came into force in November 2020. The reforms reduced the length of time that many minor convictions, including those which occurred before the age of 12, need to be disclosed for most job applicants.

By reducing these barriers, we strike a better balance between allowing people to move on from their previous offending behaviour and to contribute to society, whilst still protecting public safety. We know that the types of minor offending behaviours these reforms are aimed at are often rooted in poverty and deprivation. When the social determinants of adversity in a person's life are no longer present, through employment, then that person has no reason to commit crime any more than any other person.

We propose that South Ayrshire Council agrees to become a Recruit with Conviction Ambassador; to support and promote safe and sustainable employment for people with convictions within our workplace, and to be an example to our partner organisations and other workplaces within South Ayrshire.

A full debate took place regarding the terms of the Motion, including various questions to the Mover of the Motion and Officers.

The Council

Decided: unanimously, to agree the terms of the Motion as outlined above.

8. **Formal Questions**

The Council noted that no formal questions had been submitted.

9. **Closing Remarks.**

The Provost thanked all in attendance for their contribution.

The meeting ended at 4:37 p.m.