South Ayrshire Council – 15 December 2022 Formal Questions

Received from:	Councillor Kenneth Bell
Response to be provided by:	Louise Reid, Assistant Director – Strategic Change

	Question 1	Response
		to grant £200k of VAT Recovery funding to Troon Junior Football Club on the er pitch, which would be made available to the community free of charge for
1.	When was the money actually given to the club?	No monies paid out yet For the avoidance of doubt the "club" (Troon FC/Troon Juniors) is not a party to the grant agreement. The agreement is with Troon FC Limited a privately owned limited company with Mr Kirkwood as the sole director. This company is the tenant of Portland Park football ground
2.	Has the pitch been installed yet?	No
3.	If not, when is expected to be completed and the 40% free access to the community made available?	The pitch will not be completed until the end of February 2023. The free access to the Community will commence as soon as the pitch is completed

	Question 1	Response
4.	What procedures or mechanisms were put in place by the previous Administration to ensure that the work was completed timeously, or if not that the funds could be recovered?	No time limit was set for delivery. The Council is not obliged to make payment of the grant money until a functioning pitch is available for use. However it was agreed that invoices will be reimbursed once the Council is satisfied that works have been carried out to the value of the submitted invoices to assist with cashflow
5.	Have any receipts been submitted for work carried out, and if so have they been audited to ensure that they reflect the value of the work carried out?	One invoice has been received to the value of £44,059 regarding earthworks. This will not be paid until the Council have validated that these works have been carried out
6.	If there is no likelihood of the pitch being completed in the near future, what plans are there to recover the funds?	The work is expected to be completed by February 2023 and funds will only be paid subject to satisfactory completion of the works
7.	Given that the grant was for £200k, if the funds have not been spent and they have accrued any interest can this interest be recovered?	The funds are held by the Council. No payments have been made as yet to Troon FC Limited. As the grant has not been paid out yet the funds remain within the Councils Capital fund therefore no interest has been lost that requires to be recovered
8.	What mechanisms are in place to ensure that the community does have access to the facility, if it is completed?	The lease of Portland Park is dependent on the Tenant making the facility available as detailed in terms of the signed MoA. Court action would be required to demand implementation of the agreement but failure to comply would allow the Council to terminate the lease

	Question 1	Response
9.	Since the funding was granted has any member of Troon Juniors or an Elected Member approached Officers seeking additional funding, and if so who did so, and in what context?	An email was sent by Mr Kirkwood to Councillor Saxton on 3 rd August 2022 requesting if an additional £25,000 could be added to the £200,000 funding approved by the Council. This email was forwarded by Councillor Saxton on the 3 rd August to the Chief Executive, Head of Finance and ICT and Head of Legal, Hr and Regulatory Services. Councillor Saxton also queried if any interest had been received on the VAT money. The email was passed to Asset Management who contacted Mr Kirkwood to advise that the Council were not in a position to provide £25,000 of additional funding

Received from:	Councillor Martin Kilbride
Response to be provided by:	Kenny Dalrymple, Service Lead – Neighbourhood Services

	Question 2	Response
	As part of the SNPs election manifesto the First Mir would allow every play park in Scotland to be refurb	nister pledged, if re-elected, to set up a £60m Community Play Fund which pished
1.	Is such a fund available?	Yes, we received capital funding under the heading of 'Renewing Every Play Park in Scotland'
2.	Has South Ayrshire Council received any such funding to refurbish all play parks?	Yes, £188,000
3.	How much money has the Council spent on playparks since the Scottish Government elections? (refurb only)	2021/22 - £1,342,716 2022/23 (to date) £561,851

Received from:	Councillor Bob Pollock
Response to be provided by:	Laura Kerr, Service Lead – Destination South Ayrshire

	Question 3	Response
	In relation to points raised by Cllrs Henderson and I	McGinley in their former roles as Leader/Deputy Leader of the Council:
1.	What procurement policy was followed in relation to the appointment of the promoter of the last airshow?	The promoter was awarded a grant to stage the event in 2016, 2017 and 2018 by the Council
2.	Given that Cllr Henderson referred to the promoter having outstanding debt at the end of the event what due diligence was carried out before their appointment?	The SAC event officers who worked on the previous airshows no longer work for South Ayrshire Council. There is no information contained within our files which detail any due diligence before the appointment of the promoter
3.	Given that debt was incurred what financial plan was in place prior to the promoter being given £250k of public money to demonstrate the viability of the airshow?	There is a business plan on file from the promoter dated July 2017 detailing projected profit and loss accounts for the years 2018, 2019, 2020 and 2021 with each year projecting a profit
4.	What risk assessments were carried out in advance of the £250k being awarded to the promoter to cover the eventuality that the event ran at a loss?	The Event Organiser was responsible for the Event and the costs they incurred staging the Event. The SAC event officers who worked on the previous airshows no longer work for South Ayrshire Council and there are no risk assessments on file regarding the event running at a loss

	Question 3	Response
5.	Was risk insurance taken out to cover any losses which could have defaulted to the Council?	The Event Organiser was responsible for the Event and the costs they incurred staging the Event
6.	Were the debts referred to by Cllr Henderson settled, and if so when and were they settled in full?	In December 2020, Council agreed to mutually terminate the Minute of Agreement with TSIA on the basis that they retain the sum of £80,000 paid to in error in full and final settlement of any payments due in respect of the Minute of Agreement provided that this payment of £80,000 be used to pay the outstanding police invoices due in respect of the 2018 Event and to return all the payments advised in TSIA financial statement had been paid in advance by customers, businesses and sponsors in respect of the 2020 Event Confirmation that outstanding amounts due to Police Scotland were paid and advanced payments by customers, businesses and sponsors reimbursed was provided by TSIA
7.	Cllr Henderson referred to the promoter asking for additional money from the Council as a result of overspend – was any additional financial aid given beyond the original £250k?	Officers have been unable to find any record of a request for additional monies
8.	What steps did the previous Administration take to secure external sponsors for the event to offset costs, and how much sponsor funding was raised?	The Event Organiser was responsible for the Event and generating income from sponsors

	Question 3	Response
9.	Cllrs Henderson and McGinley have expressed concerns about the ability of Officers to deliver the event. Were there similar concerns in relation to the management of the last airshow by Officers and if so how were they overcome; and if not what has changed substantially within the Council to raise current concerns?	The Event Organiser was responsible for the planning and delivery of the Event. SAC Officers chaired the planning groups for the previous airshows and dealt with appropriate actions following these meetings. There is no information contained within any files which would indicate that there were concerns in relation to the management of the last airshow
10.	Cllrs Henderson and McGinley have expressed concerns about the ability of the officers to deliver an airshow by September 2023 given the timeframe. When did the last Administration start planning of the previous airshow?	Files show that the multi-agency groups started meeting in the January of each year
11.	What business strategies did the last Administration have in place to maximise trade for local businesses during the event particularly as the event only ran over 1 day?	No record of any strategy to maximise trade for local businesses
12.	What evaluation was carried out afterwards to see if these benefits had been realised.	On file there is a Post Event Report 2015, written by the airshow organisers, 2015 and 2016 Economic Impact Assessments carried out by EKOS and an Economic Impact Assessment carried out by IBP in 2017
13.	The last Administration effectively gave £250k of public money to a private promoter – what financial benefits, if any, did the Council directly	None

	Question 3	Response
	accrue from the event for example from parking charges, selling concessions, etc??	
14.	Reference was made to hidden costs – apart from the £250k funding – what was the total cost to the Council for hosting the last airshow taking into account all factors such as officers time, clean-up operations, etc?	A report to Leadership Panel paper dated 28 November 2017, reported the in-kind cost to date as approximately £36,000 in terms of operational activity such as Project Planning, Waste and Facilities Management, Promotion and use of public land and County Buildings
15.	Cllr Henderson referred to concerns about the CO2 impact of people travelling to the event by vehicle. Does this mean he is against tourists travelling to South Ayrshire by vehicle in principle, or is it only in relation to this event?	Officer unable to answer this question
16.	Cllr McGinley referred to the event potentially costing South Ayrshire Council 100 teachers or the loss of free school meals. What figures are these assumptions based on?	Officer unable to answer this question

Received from:	Councillor lan Davis
Response to be provided by:	Hugh Talbot, Team Leader (Building Standards)

	Question 4	Response
	On condition that South Ayrshire Council chaired the the encapsulation of the Station Hotel	e Strategic Partnership Group the Scottish Government agreed to part-fund
1.	What has been the cost to the Council to date for the encapsulation?	This information is subject to ongoing and potential litigation and advice is being sought on what information can be released publicly in relation to these matters
2.	What is the ongoing cost?	Approximately £69,200 per month
3.	How much money has the SG actually contributed to date?	Funds have been paid by Network Rail Infrastructure Limited pursuant to a Funding Agreement which contains a confidentiality clause that prevents the Council disclosing this information without the consent of Network Rail
4.	When was the last payment made?	27 th November 2022

	Question 4	Response
5.	How much does the SG owe SAC for unpaid contributions?	Nil as the funding agreement ended in May 2022
6.	What legal steps can be taken to recover any outstanding costs from the SG?	There are no outstanding costs

Received from:	Councillor Lee Lyons
Response to be provided by:	Mark Inglis, Head of Children's Health, Care and Justice Services

	Question 5	Response
	In 2011 the Scottish Government created the Comr Community Justice Teams and is an alternative to i	munity Payback Order scheme which is administered through Local Authority mprisonment
1.	Since 2011 how much has the use of CPOs increased?	Community Payback Orders Imposed by year: 2011/2012 - 273 2012/2013 - 378 2013/2014 - 406 2014/2015 - 451 2015/2016 - 461
		2016/2017 - 452 2017/2018 - 419 2018/2019 - 401 2019/2020 - 466 2020/2021 - 240

	Question 5	Response
		2021/2022 – 376
		Orders reduced in 20/21 due to Covid and Courts being closed for significant periods during lockdown. They have been slow to restart and return to full capacity
2.	What funding does the Council receive from the SG to administer the scheme and does this cover our costs?	Funding for Justice Services is provided by Scottish Government via a ring- fenced section 27 grant which provides the funding for delivery and commissioning of justice social work services. The grant is determined by a funding formula and should be used to discharge statutory duties in relation to prevention and reducing further offending. It has remained almost unchanged over a number of years, with very slight fluctuation. The Justice Service manage within this budget to cover staffing, buildings costs and commissioning of Third Sector services. With no additional costs to the Council or HSCP
		2021/22 - £2,116,635
		2022/23 - £2,169,292
		Additional funding of £250,000 was received in both years to assist with reengaging services due to Covid
		Funding can also be received to assist with introduction of any new legislation which would result in increased work for Justice Services such as Bail Reforms and tagging. These amounts can vary and be non-recurring
3.	What percentage of CPOs are actually fully completed?	It is not possible to give the percentage of CPO's completed for South Ayrshire, however the national data which South Ayrshire contribute to reflects that 75% of CPOs terminated in 2020-21 for Scotland were

	Question 5	Response
		completed successfully. This was higher than the rate in the previous six years when it was generally around 70 per cent
4.	How many re-offenders are issued CPOs?	This is not data that is collated locally and is part of longitudinal studies undertaken by Scottish Government Analytical Services
5.	Is there a legal requirement for the Council to provide the administration for the CPO scheme and does any funding arrangements through the SG reflect any increases in the scheme?	Local Authorities have a duty to ensure that resources are utilised to supervise CPOs and also Parole Licences and prison throughcare and to ensure compliance with the reducing further offending agenda. The legislation is contained within Criminal Procedure (Scotland) Act, 1995 and Criminal Justice and Licensing Act (2010)
		The funding formula is complex and takes accounts of number of orders imposed, rurality of local authority and Scottish Index of Multiple Deprivation. Due to the nature of the funding and data that is sent to Scottish Government, any increase in orders is not picked up in the funding until the following year

Received from:	Councillor Stephen Ferry
Response to be provided by:	Mark Inglis, Head of Children's Health, Care and Justice Services

	Question 6	Response
Can you explain the rationale behind the Belmont family first project, what were its objectives aims and intentions and to what extent were these achieved and if objectives were not met, what lessons were learned that could assist any future projects of a similar nature	Belmont family first project, what were its objectives aims and intentions and to what extent were these achieved and if objectives were not met, what lessons were learned that	In 2016 South Ayrshire's Children Services were inspected by the Care Inspectorate. The following report highlighted that South Ayrshire had a disproportionate number of children in costly external care placements and that there was a lack of early intervention services. Budgets were also overspent on expensive external providers
	In particular, and for the purposes of answering this question, it was identified that there were 53 children and young people from one school cluster who over three years cost the Council £3,704,382 in external care provision	
		A paper was presented to the then Leadership Panel on the 18 th February 2020 seeking investment to develop the Belmont Family First project
		Building on the principles of the Christie Commission 2011 and the evidence that working in Partnership in a Preventative manner, not only drives efficiency but also improves outcomes for individuals, namely children and their families
		The Belmont Family First project was launched in April 2021, with one Senior Practitioner, One Social Worker, two Family Nurturers and Business support
		Covid impacted upon the speed of recruitment and delivery of the project

Question 6	Response
	The objective of the Belmont Family First project was to work in Partnership with Education to identify Children at risk and in need of care and protection earlier and to work with families to keep children at home with supports and prevent the escalation through the care system
	The stated aim in the report to Leadership Panel 18th February 2020 was, to reduce the number of children progressing from this one school cluster into expensive external care provision by 30% each year for three years. This would not only be a more efficient way of using public money, but was also seen as a way of improving outcomes for Children and young people and their families in South Ayrshire
	The Belmont Family First project was introduced at a time when South Ayrshire were also implementing The Promise and had introduced a new framework for working with Children and Families called The Signs of Safety. The introduction of both these evidenced based improvement models has contributed to a culture change in how South Ayrshire services intervene and support families
	Belmont Family First
	To date, there have been 46 children from 36 families supported through the project and the outcomes from this approach have been:
	 No external placements from Belmont Cluster No Child moved to external or internal foster care No child placed within secure care No child became Looked After and Accommodated from this cluster No child was placed on the Child Protection Register from this cluster
	The project along with the Implementation of the Promise and the Signs of Safety has contributed to an over reduction in external placements of 53% from 86 to 41 delivering on cost avoidance of around £2.7 million pounds

Question 6	Response
	The Belmont Family First Project has successfully delivered on the objectives as well as supported the Council and the Health and Social Care Partnership and her Partners to deliver on strategic priorities;
	The Project is aligned to the principles of The IJB Strategic Plan 2021-23:
	 Providing timely access to services, based on assessed need, resources and a rights-based approach
	 Providing joined up services to improve quality of lives
	Putting individuals, carers and families at the centre of their own wellbeing and care
	People will have access to good information and advice pre-crisis point
	 Support and services will be co-produced-'doing with' not 'doing to'
	 As well as the High-level priorities of The Children's Services Plan 20-23 (Outcomes 1.4,1.10, 2.1, 2.3, 4.1, 5.4)
	 10 Principles of Intensive Family Support (The Promise, SAC Parenting Promise)
	South Ayrshire Councils Child Poverty Action Plan, ensuring Early Intervention to reduce financial hardship and inequalities
	External/customer: Feedback from families October 2022: "I'm really happy with the way things are progressing" Partner Agency Feedback October 2022: "The service has been very supportive and supported a few of our families. Previously would not have contacted the service because I didn't know much about it. Now I would look at it very quickly should the need arise"
	There is valuable learning from the Belmont Family First approach, however it does not sit in isolation from the other transformational work

Qı	uestion 6	Response
		apparent within Children Services and its outcomes need to be understood in light of this
		The approach has already been extended through the use of Covid Recovery money to four other school clusters. This is called "Small Steps to Wellbeing" and follows similar principles as the Belmont Family First Project and is delivering equally as positive outcomes for Children and Families in South Ayrshire
		The Children Services Planning group have been given Whole Family Wellbeing Funding by the Scottish Government to deliver on the findings of The Promise. The CSPG are considering how the delivery of Whole Family supports is done across the whole of South Ayrshire and are looking to build upon the partnership work done in Schools as described above to extend the provision

Received from:	Councillor Brian McGinley
Response to be provided by:	Councillor Martin Dowey, Leader of the Council

	Question 7	Response
	Council Plan - It is understood that the Council plan will not be ready to replace the existing plan when it is due to be replaced following a year's extension to enable the new plan in place. Would you explain please:	
1.	Why the Council Plan has not been refreshed given the generous extended timeframe?	The lifespan of the existing Council plan was extended by no more than one year by Leadership Panel in January 22. The plan was due to expire in March 22. The new iteration of the Council plan will be presented to Cabinet in March 23
2.	Why there has been a significant lack of meetings called and opportunities created for all elected members to input into the Council Planning process?	All members were invited to a session with the Improvement Service in October and feedback has been collated. Meeting have taken place between the Council's Leadership Team and the Administration to consider the feedback and discuss options. Further consultation will take place with elected members and our communities in early 23
3.	What are the foreseen impacts of not having the plan in place in relation to the upcoming Best Value process and the Council's ability to demonstrate an uplift in the pace of change?	We anticipate the plan will be in place within agreed timescales
4.	Why is the BVR working group not meeting regularly to assist in this task?	A new terms of reference for the Best Value Working Group has been proposed and will be considered by Council on the 15 th of December. This sets out the role the Best Value Working Group will play in developing the Council's ongoing commitment to Best Value and the frequency of the meetings

	Question 8	Response
	Station Hotel - The station Hotel is a major eyesore and a continuing problem that the Council is committed to help resol Given the importance, complex and pernicious nature of the situation, please advise:	
		14/11/22 Station Hotel Strategic Governance Group
		17/11/22 Officers met with the Heritage at Risk Team Leader from Somerset West and Taunton Council
	What contact/meetings have taken place with	25/11/22 Officers met with Speculative Property Developers
1.	stakeholders, officers, and elected members over the past few months?	29/11/22 Officers met with representatives from the SAVE the Station Hotel Group 05/12/22 Internal meeting of Council officers to discuss progress
		05/12/22 Internal meeting of Council officers to discuss progress
		09/12/22 Officers met with representatives from the SAVE the Station Hotel Group
2.	Has the MoU, detailed in previous Council reports, been signed off by the respective partners, if not, why not?	The MOU is still under discussion between interested parties and consequently has not yet been signed off
3.	Has any further investigative work been carried out in recent months and/or reports produced on the current condition of the Station, hotel, and buildings?	The Mott MacDonald Report dated November 2022 is the most recent report to provide details of the condition of the former Station Hotel buildings and the risk to the station
4.	Why has the Elected Member/Officer working group not met in recent months to help advance this problem?	No Member/Officer Working group meeting has taken place since August 2022 as awaiting the outcome of the Mott MacDonald Engineer's report and recently appointed Chief Officers taking up positions within the Strategic Governance Group

	Question 9	Response
	Leisure Centres (New build and Citadel) - A. New Build	
	There is a great deal of confusion around the current situation concerning the status of the new build and the plans for t citadel. Considering this, please clarify:	
1.	Is it the case that the New Build in Ayr Town is still Council Policy?	The new Leisure Centre is still an approved project on the Councils Capital Programme until a decision to cancel it is finally taken
2.	If still Council Policy, would you confirm the actions that officers are taking to advance Council Policy in this regard.	On 13 October 2022, a report was presented to South Ayrshire Council with an update on the New Leisure Centre Project including abortive costs should the project not proceed, the acquisition of the Arran Mall and the options available to the Council in response to the Stage 2 submission from HubSW. Members agreed that given the project is now £7m over budget, that Council should reject the Stage 2 submission from HubSW on the basis it does not meet the Affordability Cap Approval Criteria prescribed by the HubSW Agreement and asks Officers to provide a report to Members detailing the response from HubSW to the rejection notice for their consideration. A report with an update on the response will be presented to Members at Council on 15 December 2022 for consideration
3.	What is the latest information and position regarding discussions with contractors, South West Hub?	As answer 2
4.	Have the potential abortive cost of abandoning this project been updated?	The abortive costs have not changed since they were reported to Council on 17 October 2022

	Question 9	Response	
5.	What is the status, regarding a decision and the latest information with regards to the levelling up fund bid?	A decision on whether the Councils bid for Levelling Up Funds was successful or not has not yet been received	
6.	Was the levelling up fund Council bid specifically tied to the New Build and if this does not go ahead would that money be lost to the Council?	The bid was submitted on a project specific basis. We are unclear if funding would still be available if the New Build doesn't go ahead	
	B. Citadel Leisure Centre		
	Should the new build leisure centre not go ahead and given the significant investment required for the existing Citadel to function adequately for the foreseeable future, please would you detail:		
1.	All investigative work that has been undertaken to date to determine the nature, extent, and costs of this work.	The costs to fully refurbish the Citadel and bring it up to modern standards, and compliant with building regulations at the time, were estimated at £22.7m in June 2020 for the Strategic Outline Case document that was circulated in a Member Briefing 17 June 2020. The costs are based on an estimated amount for backlog maintenance and elemental costs for upgrading the building fabric and services. This work would include strip out/down-takings, fabric repairs/upgrade of roof/facades, renewal of mechanical and electrical plant, renewal of specialist floors, windows, doors, decoration and replacement of fixtures and fittings. The earliest these works could be undertaken (factoring in the design process) would be June 2023 and would be subject to inflation in the region of 18% (6% per annum). This would potentially increase the original £22.7m figure to £26.8m. This cost is based on full closure of the facility whilst the works are undertaken	
2.	What plans will be put in place to protect the service, staff and customers when carrying out this work and over how many years?	A programme of works has not yet been established. This would depend on how much work is undertaken and whether the building was closed to undertake them, and the contractor given full access to the building, or a rolling programme of works was implemented where	

	Question 9	Response
		targeted areas of the building are closed off and refurbished before moving on to the next. If a contractor had full access to a closed building, then it is anticipated the works would take approximately 12 to 18 months to complete. In comparison the rolling programme scenario would obviously take longer but could be implemented in a way that minimises disruption to users and allows access to certain parts of the building at certain times
3.	What dangers, risks and impacts have been identified by adopting this inevitable piece meal refurbishment approach?	These cannot be identified and fully understood until the scope of the works and the approach to implementing them is agreed
4.	In what ways are these costs deemed to be best value and best use of public funds and will these funding proposals form part of the forthcoming budget for 2023/24 put forward by the administration?	Any plans to refurbish the Citadel will be subject to a report to members

	Question 10	Response
	Meetings with Council Officers - It is understood without the presence of the Chief Executive, as H	od that you, as Leader of the Council, have been conducting 1 to 1 meeting ead of Paid Service. Please advise:
1.	How many of these meetings have taken place, with whom, where and what was discussed.	This question was answered on 13 October 2022– Various meetings since May 2022 with Chief Officers and Service Leads to receive update on service issues. It would be impossible for the Chief Executive to attend all meetings
2.	In what way were these meetings recorded?	As advised on 13 October 2022 there are no minutes of these meetings

	Question 10	Response
3.	Why have you deemed these meetings appropriate and necessary and, specifically, the rationale for this format?	As advised on 13 October 2022 - previous Leaders held regular meetings with staff and I am continuing this practice
4.	Did any of the conversations relate to discussions around the upcoming restructuring of the Council, the qualities, and abilities of those staff present and/or the expectations of them by administration going forward?	No conversations in respect of the upcoming restructuring of the Council, the qualities, and abilities of those staff present. Discussions took place on various pieces of work being progressed by officers

	Question 11	Response
	Council Appointments - As Council Leader and C	Chair of COAAP would you please explain:
1.	Why it was decided to recruit internally for Chief Officer Posts when the Best Value report had advised specifically that there was a lack of capacity within the existing structure.	The new structure was approved by Council 0n 9 September 2022 and included the following (4.5): It is proposed that vacant posts will be advertised internally in the first instance with appointments being made by Chief Officers' Appointments/ Appraisal Panel
		The Chief Officers Appointments and Appraisal Panel of 9 September 2022 agreed the following in respect of the Director posts (1) the matching/selection process for the appointment of Chief Officers within the revised management structure; (2) the process for the interviews; and (3) the timeframes for the closing date of the advertisement, the short listing and the interviews
2.	Why did the Council appoint senior staff prior to the Council Plan being in place?	Appointment was approved by Council on 9 September 2022
3.	Why did the Council appoint senior staff prior to the Council Budget 23/24 being approved?	Appointment was approved by Council on 9 September 2022

4.	Why did the Council appoint senior staff prior to a strategic workforce plan being significantly developed to ascertain the Council's future employee needs?	Appointment was approved by Council on 9 September 2022
----	--	---