

## EAST AYRSHIRE COUNCIL

### MINUTES OF MEETING HELD ON THURSDAY 7 JUNE 2007 AT 1000 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

**PRESENT:** Provost Stephanie Young and Councillors Rose-Ann Cuninghame, John MacKay, John McGhee, Helen Coffey, Willie Coffey, Maureen McKay, Tom Cook, Robert Keohone, Iain Linton, Douglas Reid, Jim Buchanan, Depute Provost John Campbell and Councillors Gordon Cree, Drew McIntyre, John Knapp, Hugh Ross, Jim Todd, Alan Brown, Stuart Finlayson, Robert McDill, Eric Jackson, Jimmy Kelly, Neil McGhee, Jim Roberts, William Crawford, Kathy Morrice, Eric Ross, Drew Filson and James Sutherland.

**ATTENDING:** Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Corporate Support; Graham Short, Executive Director of Educational and Social Services; William Stafford, Executive Director of Neighbourhood Services; Alex McPhee, Executive Head of Finance and Asset Management; Kay Gilmour, Head of Community Support; John Clayton, Head of Corporate Development and Communication; Bill Walkinshaw, Head of Democratic Services; David Mitchell, Head of Legal, Procurement and Regulatory Services; Keith Orton, Principal Engineer Traffic; and Julie McGarry, Administration Manager.

**APOLOGIES:** Councillors Barney Menzies and Elaine Dinwoodie.

**CHAIR:** Provost Young, Chair.

#### **REMIT FROM THE SPECIAL DEVELOPMENT SERVICES COMMITTEE OF 17 APRIL 2007 - MEMBER/OFFICER WORKING GROUP (Item 1, Page 2862, 03/07)**

1. The Council was asked to consider membership of the Member/Officer Working Group, comprising three Members of the Principal Planning Committee and the Head of Planning and Economic Development, to be formed to consider and issue responses in relation to all consultations arising directly as a result of the Planning Etc (Scotland) Act 2006 or arising as a consequence of the Act but not directly relating to it.

It was agreed to nominate three Members to the Group (one SNP, one Labour and one Conservative Member), names to be submitted to the Head of Democratic Services.

#### **NON-ELECTED MEMBER REPRESENTATION**

2. There was submitted a joint report dated 28 May 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and Executive Director of Educational and Social Services which sought authorisation for the Depute Chief Executive/Executive Director of Corporate Support to seek nominations for non-elected member representation within the Council's new decision making structure.

Having noted that confirmation had recently been received that Mr John McHugh would continue to be the Roman Catholic Church representative, it was agreed:

- (i) that the Depute Chief Executive/Director of Corporate Support be authorised to make appropriate arrangements to advertise in the local press seeking one

further nomination for a Church representative to serve on the Cabinet when dealing with Education business;

- (ii) that a Teacher Representative be appointed and that it be remitted to the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Educational and Social Services, in consultation with the Cabinet Spokespersons for Lifelong Learning, to make the appropriate arrangements to obtain a nomination for a Teacher Representative to participate in the Council's decision-making structure in respect of Education business as soon as practicable;
- (iii) that a Parent Representative be appointed and that, it be remitted to the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Educational and Social Services, in consultation with the Cabinet Spokespersons for Lifelong Learning, to make the appropriate arrangements to obtain a nomination for a Parent Representative to participate in the Council's decision-making structure in respect of Education business as soon as practicable;
- (iv) to note that all Representatives would be appointed to serve for the life of the Cabinet and the current Council, subject to their remaining eligible to hold such appointment and would have full voting rights; and
- (v) that where the Cabinet had, due to exceptional circumstances, referred an item of educational business to the Council to determine then the appointed Church Representatives and, the Teacher and Parent Representatives be invited to attend and participate with full voting rights.

**EAST AYRSHIRE COMMUNITY PLANNING PROCESS - "YEAR 4" 2006/07  
ANNUAL PERFORMANCE REPORT AND CONCLUSION OF FOUR-YEARLY  
REVIEW PROCESS**

3. There was submitted a report dated 24 May 2007 (circulated) by the Chief Executive which presented the "Year 4" 2006/07 Annual Performance Report for Community Planning in East Ayrshire and which provided an update on the Community Planning Four-Yearly Review Process.

It was agreed:

- (i) to note the progress made in respect of implementing Community Planning within East Ayrshire, and in particular the four-yearly review process;
- (ii) to note that a further report on the operating structures for Community Planning would be submitted to Council in due course;
- (iii) to note and endorse the "Year 4" 2006/07 Annual Performance Report;
- (iv) to remit to Officers to consolidate the information contained within the fourth Annual Performance report in the Council's wider Public Performance report; and
- (v) otherwise, to note the contents of the report.

It was further agreed that the Provost write to Nicola Sturgeon, Cabinet Secretary for Health and Wellbeing, on behalf of the Council to congratulate her on reversing the decision to close the Accident and Emergency Unit at Ayr Hospital and to ask that

the Executive still continue with the proposed improvement to the cancer treatment facility at Cumnock Community Hospital.

### **NOMINATIONS FOR CoSLA PRESIDENT/VICE-PRESIDENT**

4. There was submitted a report dated 31 May 1007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought ratification to support a nomination to CoSLA for the position of President/Vice-President.

Councillor Reid, seconded by Councillor Linton, moved:

- (i) to ratify the support for the nomination of Councillor Rob Murray, Angus Council, to the position of CoSLA President, failing which, Vice-President position; and
- (ii) that the Chief Executive notify CoSLA accordingly.

Councillor Jackson, seconded by Councillor Knapp, moved as an amendment to support the nomination of Councillor Pat Watters for the position of CoSLA President and Councillor Rob Murray for the position of Vice-President.

On a request by Councillor Kelly that a roll call vote be taken and there being at least one third of the Members present in agreement following a show of hands (13), in accordance with Standing Order 36.2 the vote was taken by calling the roll as follows:-

For the motion:- Councillors Cuninghame, J MacKay, H Coffey, W Coffey, Cook, Linton, Reid, Buchanan, Campbell, H Ross, Todd, Brown, McDill, Provost Young and Councillors Roberts, Morrice and Filson.

For the amendment:- Councillors J McGhee, M McKay, Keohone, Cree, McIntyre, Knapp, Finlayson, Jackson, Kelly, N McGhee, Crawford, E Ross and Sutherland.

The motion was therefore carried by 17 votes to 13.

### **APPLICATIONS FOR FINANCIAL ASSISTANCE**

#### **5.1 EAST AYRSHIRE VOLUNTEER CENTRE**

There was submitted a report dated 30 May 2007 (circulated) by the Executive Director of Educational and Social Services which advised Council of the grant application for 2007/08 from the Volunteer Centre and which made recommendations accordingly.

It was agreed:

- (i) to approve a grant of £11,275 for the East Ayrshire Volunteer Centre; and
- (ii) otherwise, to note the contents of the report.

#### **5.2 SCOTTISH DOMESTIC ABUSE HELPLINE**

There was submitted a report dated 21 May 2007 (circulated) by the Executive Director of Educational and Social Services which advised Council of the grant application for 2007/08 from the Scottish Domestic Abuse Helpline and which made recommendations accordingly.

It was agreed:

- (i) to approve a grant of £500 for the Scottish Domestic Abuse Helpline; and

- (ii) otherwise, to note the contents of the report.

### **5.3 EAST AYRSHIRE (SOUTH) FORUM ON DISABILITY**

There was submitted a report dated 15 May 1007 (circulated) by the Executive Director of Educational and Social Services which informed Council of a grant funding request from the East Ayrshire (South) Forum on Disability and which made recommendations accordingly.

It was agreed:

- (i) to the funding request of £2,595 for the East Ayrshire (South) Forum on Disability; and
- (ii) otherwise, to note the contents of the report.

### **5.4 KILMARNOCK AND LOUDOUN FURNITURE REDISTRIBUTION SCHEME (NOW KNOWN AS AYRSHIRE HOUSEHOLD RECYCLING COMPANY) - GRANT FUNDING 2007/08**

There was submitted a report dated 22 May 1007 (circulated) by the Executive Director of Educational and Social Services which advised of the outcome of the annual evaluation of Kilmarnock and Loudoun Furniture Redistribution Scheme (now known as Ayrshire Household Recycling Company) and which made recommendations accordingly.

It was agreed:

- (i) to approve grant funding of £13,761 subject to satisfactory audited accounts;
- (ii) to defer a further Service Level Agreement until such time as the issues set out in Section 4 of the report had been satisfactorily resolved;
- (iii) that funding be released on a quarterly basis; and
- (iv) otherwise, to note the contents of the report.

### **5.5 COMMUNITY GRANT APPLICATION: CUMNOCK AND DOON VALLEY THEATRE AND ARTS CENTRE INITIATIVE (CG3531)**

There was submitted a report dated 28 May 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which requested Council to deal with a Community Grant application submitted by Cumnock and Doon Valley Theatre and Arts Centre Initiative.

It was agreed to make a grant of £1,500 subject to:

- (i) the usual conditions;
- (ii) a further condition that the grant would not be expended by the recipient body in a manner which would result in any payment being made for any purpose to any political party or any separate body, company or other legal entity to, or otherwise associated with, any political party;
- (iii) confirmation from the group that a funding package was in place to meet the balance of the costs of the Music Festival; and
- (iv) the costs for venue hire and quotes for the sound system and toilet hire being provided.

**PERMANENT 50MPH SPEED LIMIT ON ROUTE A71 BELLFIELD INTERCHANGE  
ROUNDBOUT TO MOORFIELD ROUNDBOUT, KILMARNOCK**

6. There was submitted a report dated 24 May 2007 (circulated) by the Executive Director of Neighbourhood Services which sought approval for the permanent reduction of the speed limit on the A71 between Bellfield Interchange and Moorfield Roundabout from 70mph to 50mph and to consider objections to the proposed Order.

It was agreed:

- (i) to determine the permanent 50mph speed limit Order for the A71 between Bellfield Interchange and Moorfield Roundabout without a Hearing; and
- (ii) having considered the objections set out in paragraph 3.4 of the report, to approve the proposals for 50mph speed limit on the A71 between Bellfield Interchange and Moorfield Roundabout, Kilmarnock as shown in the Appendix to the report.

**EXCLUSION OF PRESS AND PUBLIC**

7. The Council resolved that under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the Press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 9 of Schedule 7A of the Act.

**PROPOSED DISPOSAL OF LAND AT MEIKLEWOOD ROAD/  
AMLAI RD ROAD, KILMARNOCK**

8. There was submitted a joint report dated 24 May 2007 (circulated) by the Solicitor to the Council and the Executive Head of Finance and Asset Management which sought Council approval to dispose of an area of land extending to 0.15 hectares (0.37 acres) or thereby at Meiklewood Road/Amlaird Road, Kilmarnock identified on the plan annexed, to the party named, and for the purpose, all detailed in the report.

It was agreed:

- (i) to approve the proposal to dispose of land extending to 0.15 hectares (0.37 acres) or thereby at Meiklewood Road/Amlaird Road, Kilmarnock to the party and for the purchase price identified in the report subject to the consent of the Scottish Ministers in terms of Section 12(7) of the Housing (Scotland) Act 1987; and
- (ii) to authorise the Solicitor to the Council to conclude matters on the terms and conditions detailed in the report and on such other terms and conditions required to protect the interests of the Council.

The meeting terminated at 1030 hrs.