

**EAST AYRSHIRE COUNCIL**

**GOVERNANCE AND SCRUTINY COMMITTEE**

**MINUTES OF MEETING HELD ON FRIDAY 13 MARCH 2009 AT 1000 HRS  
IN THE MEETING ROOM, COUNCIL HEADQUARTERS,  
LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Tom Cook, Helen Coffey, Willie Coffey, John Campbell, Alan Brown, Stuart Finlayson, Barney Menzies, Eric Ross, Elaine Dinwoodie and Drew Filson.

**ALSO PRESENT:** Councillors Jim Todd and Neil McGhee.

**ATTENDING:** 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; Bill Walkinshaw, Head of Democratic Services; Chris McAleavey, Head of Housing; David Mitchell, Head of Legal, Procurement and Regulatory Services; John Griffiths, Head of Leisure; Robin Baker, Financial Controller; and Stuart Nelson, Administrative Officer.

**APOLOGY:** Councillor Maureen McKay.

**CHAIR:** Councillor Tom Cook, Chair.

**PREVIOUS MINUTES**

1. There were submitted and approved as a correct record, the Minutes of the Meeting of the Committee held on 13 February 2009 (circulated).

**1.1 MATTERS ARISING**

**1.1.1 Capital Works Projects: Connections to Utilities (Item 1.1.2, Page 606, 07/12)**

It was noted:

- (i) as advised by the Chair, that the Executive Head of Finance and Asset Management had circulated to members of the Committee detailed information on those of the Council's capital works projects which had experienced delays arising from difficulties in programming connections to utilities; and
- (ii) as advised by the Executive Director of Neighbourhood Services, that the Officers meeting with Scottish Water had been postponed until later in the year, but that initial contact had been made with Scottish Water to make progress towards a meeting between their representatives and the members of the Committee to discuss connection difficulties and other issues relating to the delivery of Scottish Water services within East Ayrshire.

**1.1.2 Attendance and Absence 2007/08 (Item 3(iii), Page 607, 07/12)**

It was noted:

- (i) as advised by the Chair, that the Head of Service: Schools, had circulated to members of the Committee information on the number of authorised and

unauthorised absences, categorised in accordance with the Scottish Government's Attendance Codes; and

- (ii) that the Executive Director of Educational and Social Services would pursue with college principals the establishment of a means of recording information on absences relating to pupils engaged in training for work type initiatives at the colleges and would issue this information to Members when available.

#### **1.1.3 Exclusions from Schools in East Ayrshire (Item 4(ii), Page 608, 07/12)**

Noted, as advised by the Chair, that the Executive Director of Educational and Social Services had circulated to members of the Committee, information on the numbers of exclusions of male pupils and of looked after children, year on year.

#### **1.1.4 Employee Statistical Information: October to December 2008 (Item 5(ii)(a)(b), Page 608, 07/12)**

Noted, as advised by the Chair, that the Executive Director of Educational and Social Services and the Head of Human Resources, respectively, had circulated to members of the Committee, information on (a) the number of supply teachers over 65 years of age employed within primary and secondary schools; and (b) the number of Council employees as at December each year since 2003, by head count and full time equivalent.

#### **1.1.5 Awarding of Contracts: Refurbishment of Baird Institute, Cumnock (Item 6(ii), Page 608, 07/12)**

It was noted:

- (i) as advised by the Chair, that the Executive Director of Neighbourhood Services had circulated to members of the Committee a detailed breakdown of the costs for the full range of works to be undertaken at the Baird Institute; and
- (ii) that the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Neighbourhood Services would discuss with Councillor Eric Ross after the meeting, issues which he had raised regarding the need for consultation with, and permission from, Historic Scotland in relation to the carrying out of certain works at the Baird Institute; and that the outcome of the further investigations into this matter by the officers concerned would be advised to all members of the Committee.

#### **1.1.6 New Council Chambers: Detailed Costings (Item 1.1.1(ii), Page 606, 07/12)**

Noted, as advised by the Head of Democratic Services that a detailed breakdown of the costs associated with creation of the new Council Chambers would be circulated to members of the Committee prior to close of business on 13 March 2009.

#### **1.1.7 Affordable Housing Review: Update Report: Shire Housing Association/ Investment in Difficult to Let Housing (Item 8(iii), Page 609, 07/12)**

Noted, as advised by the Executive Director of Neighbourhood Services, that information on (a) initiatives to be pursued within East Ayrshire by Shire Housing Association through the Scottish Government's Accelerated Affordable Housing Investment Programme; and (b) the housing areas to be included within the Council's proposals for investment in difficult to let housing and the average cost per house, was under preparation and would be circulated to members of the Committee shortly.

## CALLED-IN ITEM

### CONSIDERATION OF CALLED-IN DECISION OF CABINET

#### 2.1 PROCEDURE

There was submitted and noted (circulated) a copy of the procedure to be followed in dealing with the undernoted called-in decision of Cabinet.

#### 2.2 LEASE OF DISUSED WALLED GARDEN AT DEAN CASTLE COUNTRY PARK (Item 7, Page 598, 07/12)

The Committee considered the called-in decision of the Cabinet meeting held on 4 February 2009 relating to lease of the disused walled garden at the Dean Castle Country Park and, in this connection, there were submitted the following (all circulated), namely:-

- (i) the Call-In Notice;
- (ii) the related Cabinet report; and
- (iii) Position Statement - Lease of Disused Walled Garden at Dean Castle Country Park: Cabinet report 4 February 2009.

The Committee heard Councillor Neil McGhee, one of the five signatories to the call-in request, who further explained the reasons for the call-in.

The Committee then heard Councillor Jim Todd, Spokesperson for Management and Resources, and the Head of Leisure Services, who outlined the reasons for the Cabinet's decision and responded to the terms of the call-in request.

Members of the Committee then put questions to, and sought clarification on matters raised, from Councillor Neil McGhee and also from Councillor Jim Todd and the Head of Leisure Services.

The Chair informed all parties present of the final stages of the call-in process and Councillors Neil McGhee and Jim Todd and the Head of Leisure Services then withdrew to the public gallery.

The Committee then proceeded to deliberate the matter.

It was agreed to accept the decision of Cabinet in terms of the proposed lease of the disused walled garden at the Dean Castle Country Park to the Heal the Earth Group.

## SCRUTINY

### TOPICS FOR REVIEW 2009/2010

3. There was submitted a report dated 24 February 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which presented the topics suggested for review in 2009/10, along with the scoping papers for approval by the Committee.

It was agreed:

- (i) to approve the scoping papers for each of the topics as set out in Appendices I to III of the report; and

- (ii) to approve the Annual Programme timetable for 2009/10, as set out in Appendix IV of the report.

#### **UPDATE ON PRIVATE SECTOR REGISTRATION IN EAST AYRSHIRE**

4. There was submitted a report dated 26 February 2009 (circulated) by the Executive Director of Neighbourhood Services which advised of the work undertaken by Housing Services in relation to the private sector and, in particular, provided details of the registration process and rental structure that operate within this sector.

During discussion, the Head of Housing and the Financial Controller responded to questions and issues raised by members in relation to the undernoted matters, namely:-

- administration of Local Housing Allowance payments;
- average rent levels within the private rented sector in East Ayrshire with particular reference to the contribution which this sector makes to the provision of affordable housing in the area; and in this connection, it was noted that the Head of Housing would provide further information to members of the Committee on average rent levels for private sector housing within East Ayrshire, based upon the current Broad Rental Market area for Ayrshire, but focussed upon properties in East Ayrshire;
- action which can be taken against landlords who leave their properties vacant for extended periods of time, both in terms of Building Control enforcement and through the private sector registration process;
- application of the registration process to landlords who reside overseas;
- the factors and criteria applied in respect of the calculation of each tenant's Local Housing Allowance;
- the availability of funding assistance to install central heating within private rented properties, through the Warm Deal and Assisted Central Heating initiatives; and in this connection it was noted that the Head of Housing would provide further clarification to members of the Committee on entitlement criteria for these initiatives; and
- the cost of administration of the private sector registration scheme within East Ayrshire.

It was agreed:

- (i) to note the progress made by the Private Sector Housing Unit in respect of the administration of the registration system and the enforcement action undertaken;
- (ii) to note the arrangements in place for private sector rents and the benefits system;
- (iii) that the report submitted be placed on the Members' Information Portal in order that the information contained therein would be available to all Members; and
- (iv) otherwise, to note the contents of the report.

The meeting terminated at 1120 hrs.