

EAST AYRSHIRE COUNCIL

MINUTES OF MEETING HELD ON THURSDAY 12 MAY 2011 AT 1000 HRS IN THE COUNCIL CHAMBERS, 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, Depute Provost John Campbell, Councillors Gordon Cree, Drew McIntyre, John Knapp, Hugh Ross, Jim Todd, Alan Brown, Stuart Finlayson, Robert McDill, Jimmy Kelly, Neil McGhee, Jim Roberts, David Shaw, William Crawford, Barney Menzies, Kathy Morrice, Eric Ross, Elaine Dinwoodie, Drew Filson and Moira Pirie.

ATTENDING: Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Neighbourhood Services; Graham Short, Executive Director of Educational and Social Services; Alex McPhee, Executive Director of Finance and Corporate Support; Bill Walkinshaw, Head of Democratic Services; David Mitchell, Head of Legal, Procurement and Regulatory Services; Eddie Fraser, Head of Service: Social Work; and Julie McGarry, Administration Manager.

APOLOGY: Councillor Jim Buchanan.

CHAIR: Provost Stephanie Young, Chair.

PROVOST'S REMARKS

1. The Provost began the Council meeting by referring to the fantastic new PE Block at Auchinleck Academy which had now opened. The Provost stated that although she had been unable to attend the official opening she was sure the pupils would make good use of the facilities and continue their strong tradition of achieving excellence in many branches of sport.

The Provost then stated that news of the excellent school meals on offer throughout East Ayrshire had travelled far and wide and that Graham Short, Executive Director of Educational and Social Services had welcomed a film crew from South Korea who had been keen to hear about the Council's school meals provision, the documentary to be shown in early May in that country.

The Provost then congratulated New Farm Loch Primary School who had defeated Dalmellington 2-0 to lift the Mini-Basketball Champions Trophy. The Provost advised that the event had been held at the Glasgow Rocks' Stadium in Glasgow and that the quality of play had impressed Scot Russell, pro-player with the Glasgow Rocks.

The Provost then expressed her delight to learn that Jennifer Herd, a Grange Academy pupil had scooped the top prize in a prestigious writing competition which included entrants from Russia. The Provost advised that her folio of writing had been selected by judges of the Pushkin Prizes Competition which made her 1 of only 10 national winners. The Provost also advised that one of the stories she won through on, related to an older lady who suffered from dementia, which was her Charity of the Year. The Provost hoped to be able to meet up with Jenny in the near future to personally congratulate her on her success and to tell her how moved she had been with that particular story.

The Provost then informed Members that she had received a letter from Bob Parker, Mayor of Christchurch, New Zealand, which thanked East Ayrshire Council for their kind message of support following the aftermath of the earthquake.

The Provost also expressed her delight to attend, along with Provosts Winnie Sloan and Pat McPhee, a lunch being held by the Royal British Legion Scotland to hand over honorary membership of the Royal British Legion Scotland to the Office of Provost at all three Ayrshire Councils. The Provost stated that it had been an honour to receive this on behalf of the Council especially as this was a first in Scotland.

The Provost then expressed her pleasure at meeting up with some old friends at the launch of Friends of Hollybush. The Provost explained that the idea had been formed after Prince William and Catherine Middleton had intimated they would appreciate support for one of their favoured charities as a wedding present and this had been a fantastic way to continue support for the Ayrshire base of Combat Stress.

The Provost then referred to her attendance at the opening of the Drongan Urban Green Project, a dynamic community and youth project. The Provost explained that 16 local young people had worked in partnership with Irvine Housing Association and transformed an empty plot of land next to Burnbrae, Drongan, into space which all the community could enjoy and be proud of. The Provost further explained that the young people, who were not in employment, education or training, had been referred through partner agencies and had been involved in consultation with the local community, research and planning and design of the green space. The Provost stated that she had been very impressed with the result and thanked Impact Arts, Irvine Housing Association, Inspiring Scotland, the Scottish Government, Ayrshire Leader, East Ayrshire Council and the European Agricultural Fund for Rural Development for working in partnership on this project.

The Provost then advised that she had welcomed a delegation from the twin town of Joué-Lès-Tours to Kilmarnock on Saturday 20 April and had been especially pleased to meet Monsieur Marc Dandault who was the new President of Joué's Twinning Committee. The Provost explained that a tour of the Dean Castle had been arranged followed by a light lunch in the Dower House and an exchange of gifts.

The Provost then congratulated Danielle Galloway who had been awarded the James Watt Cup for Early Education at the College's graduation and prize-giving ceremony on 29 March. The Provost stated that as well as studying full-time, 18 year old Danielle had not one, but four, part-time jobs with East Ayrshire Council. The Provost further explained that Danielle from Galston would complete her HNC in Early Education and Childcare in June and had already had a couple of job offers.

The Provost then referred to Grange Academy, which had been one of three schools in Scotland invited by the Tapestry Partnership to take part in the Silk Road Project in November 2010, the historical Silk Road being a series of trade routes which criss-crossed Eurasia for almost 2,000 years. The Provost explained that the school had welcomed visitors from the Scottish Government and education experts to see how Kilmarnock children were fast becoming "global citizens". The Provost stated that the forward thinking education at the Grange was even discussed by stars, Sting, Bono, Robert de Niro and Peter Gabriel at the World Economic Forum in Davos, Switzerland. The Provost further explained that pupils from the Grange Academy would perform with the two other schools in the Silk Road Project in a mass concert in Glasgow's Royal Concert Hall in November 2012 which promised to be an amazing event.

The Provost then congratulated Shaun and Liam McCluskey from Drongan and Alan Girvan from Kilmarnock in their success in the Young Scot 2011 Awards Ceremony. The Provost advised that Shaun and Liam had won the Volunteering Award for the hard work they had carried out in local communities and that Alan, who was part of the British Trust for Conservation Volunteers' Environmental Task Force Team, had been nominated for the Environmental Category.

The Provost then also congratulated Ross Grant, Youth Worker, who had won a place representing Scotland at a top Duke of Edinburgh's Award event in Kenya in September. The Provost explained that 21 year old Ross, who had a hearing impairment and who held the Duke of Edinburgh Golden Globe Award, supported young people at the Grange Hearing Impairment Unit to undertake their Bronze Awards. The Provost also explained that Ross was selected after his interview because of this work and that he had been the best candidate to represent his country at the international Gold event.

PREVIOUS MINUTES

2. There were submitted (circulated) Minutes of Meeting of Council held on 24 March 2011 (pages 1580 - 1596).

MATTER ARISING (Item 1, Page 1580)

It was agreed to note a correction to the Minute that "St Sophie's Primary School" should read "St Sophia's Primary School).

CABINET/COMMITTEE MINUTES

3. There were submitted (circulated) and approved, both as correct records and in respect of any recommendations contained therein, with the exception of the Minutes of the Governance and Scrutiny Committee which were for noting only, the Minutes of the undernoted meetings, viz:-

3.1 CABINET OF 23 MARCH 2011 (pages 1572-1577).

MATTER ARISING - HEALTH AND SAFETY ROADMAP (Item 3(e), Page 1573, 07/12)

With regard to consultation and engagement arrangements, to note the Chief Executive's intention to consider yet further the strengthening of existing arrangements including the important role of the Trade Unions and with particular reference to the potential to establish a small Health and Safety Focus Group comprising senior officers and relevant employees.

Councillor McIntyre joined the meeting at this point.

3.2 SPECIAL LOCAL GOVERNMENT LICENSING PANEL OF 24 MARCH 2011 (pages 1578-1579).

3.3 SOUTHERN LOCAL PLANNING COMMITTEE OF 25 MARCH 2011 (pages 1587-1588).

3.4 APPEALS PANEL OF 29 MARCH 2011 (pages 1589-1590).

3.5 SPECIAL CENTRAL SOUTH LOCAL GRANTS COMMITTEE OF 31 MARCH 2011 (pages 1591-1593).

- 3.6 SPECIAL CENTRAL NORTH LOCAL GRANTS COMMITTEE OF 31 MARCH 2011 (pages 1594-1597).
- 3.7 GOVERNANCE & SCRUTINY COMMITTEE OF 1 APRIL 2011 (FOR INFORMATION ONLY) (pages 1598-1602).
- 3.8 NORTHERN LOCAL PLANNING COMMITTEE OF 1 APRIL 2011 (pages 1603-1606).
- 3.9 LOCAL REVIEW BODY OF 8 APRIL 2011 (pages 1607-1608).
- 3.10 SPECIAL NORTHERN LOCAL GRANTS COMMITTEE OF 13 APRIL 2011 (pages 1609-1610).
- 3.11 SPECIAL LOCAL GOVERNMENT LICENSING PANEL OF 14 APRIL 2011 (pages 1611-1614).
- 3.12 SPECIAL LOCAL GOVERNMENT LICENSING PANEL OF 15 APRIL 2011 (page 1615).
- 3.13 CABINET OF 20 APRIL 2011 (pages 1616-1623).
- 3.14 SOUTHERN LOCAL PLANNING COMMITTEE OF 21 APRIL 2011 (pages 1624-1625).
- 3.15 NORTHERN LOCAL PLANNING COMMITTEE OF 27 APRIL 2011 (page 1626).
- 3.16 GOVERNANCE & SCRUTINY COMMITTEE OF 28 APRIL 2011 (FOR INFORMATION ONLY) (pages 1627-1629).

LICENSING OF STREET TRADERS IN THE VICINITY OF EAST AYRSHIRE SCHOOLS

- 4. There was submitted a report dated 27 April 2011 (circulated) by the Executive Director of Finance and Corporate Support which invited Council to agree to the terms of a proposed Resolution for public consultation which would take effect on a date nine months after its formal adoption which would seek to create an exclusion zone preventing street traders operating within a set distance of the centre of all East Ayrshire schools.

Councillor Stuart Finlayson, seconded by Councillor John McGhee, moved to continue consideration of this matter and that officers provide further information (i) in respect of each school, the percentage of pupils (a) who took school meals; (b) who took packed lunches; (c) who had lunch at home; and (ii) the type of food sold in the retail establishments within the proposed 250m exclusion zone.

Councillor Linton, seconded by Councillor Todd, moved as an amendment:

- (i) to agree the terms of the proposed Resolution as stated in paragraph 5.6 of the report as follows: "The Council proposes to resolve that on a date nine months after the formal adoption of the Resolution it will create an exclusion zone preventing street traders operating within a distance of 250m from the centre of all East Ayrshire Council schools during term time between 8am and 5pm on any school day";
- (ii) to authorise the Executive Director of Finance and Corporate Support to engage in a public consultation on the terms of the proposed Resolution;

- (iii) to remit to the Executive Director of Finance and Corporate Support to undertake the necessary statutory public notification and consultation in terms of the Section 9(6) of the Civic Government (Scotland) Act 1982; and
- (iv) otherwise, to note the contents of the report.

Councillor Eric Ross joined the meeting at this point.

On a division by a show of hands, the motion was carried by 16 votes to 15.

Councillor John McGhee left the meeting at this point.

MOTION TO COUNCIL BY COUNCILLOR MOIRA PIRIE

5. Councillor Moira Pirie, seconded by Councillor Neil McGhee, moved the following motion:-

“This Council seeks assurances that Job Seekers attending Job Centre Plus Services within East Ayrshire are not and will not experience the application of sanctions through trickery and that all sincere Job Seekers throughout East Ayrshire receive a full and supportive service designed to enable them to resume economic activity. This Council requests that the Leader directly contacts Job Centre Plus to state the Council's position and receive assurances on services provided”.

Councillor Cook, seconded by Councillor Reid, moved an amended motion as follows:

“This Council recognises the impact of the global recession on the employment market in East Ayrshire and seeks assurances that all Job Seekers throughout the Authority receive a full and supportive service designed to enable them to resume economic activity, and in particular appropriate assurance that the Department of Work and Pensions is neither operating specific targets or quotas as to the number of claimants to be referred for sanctions nor otherwise targeting claimants with a view to applying sanctions in an unfair or inappropriate manner. This Council requests that the Leader contacts the Job Centre directly to seek the assurances outlined above”.

The Council, having heard Councillor Moira Pirie intimate her acceptance of the amended motion, thereafter adopted the amended motion.

The meeting terminated at 1120 hrs.