

**EAST AYRSHIRE COUNCIL****MINUTES OF MEETING HELD ON THURSDAY 24 JUNE 2010 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, Jim Buchanan, Depute Provost John Campbell, Councillors 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; Alan Neish, Head of Planning and Economic Development; Susan Taylor, Head of Service: Children and Families and Criminal Justice; Eddie Fraser, Head of Service: Community Care; Julie Jamieson, Chief Accountant; David Forbes, Senior Accountant; and Julie McGarry, Administration Manager.

**APOLOGY:** Councillor Gordon Cree.

**CHAIR:** Provost Stephanie Young, Chair.

**PROVOST'S REMARKS**

1. The Provost began by advising that Councillor Cree had submitted his apologies for the meeting and intimated on behalf of the meeting best wishes for a speedy recovery from his recent operation.

The Provost advised that pupils in East Ayrshire had taken part in a competition to find budding young journalists and further advised that the competition, sponsored by Taylor Wimpey and the Kilmarnock Standard, had been a great success and the judges had been amazed at the high standards. The Provost intimated her congratulations to all the winners and everyone who had taken part.

The Provost referred to Nicole Crawley and Calhi Young of James Hamilton Academy, Kilmarnock, who had created a three minute film about how they would like to get to school and had won first prize in a competition launched by the sustainable transport charity, Sustrans; their winning entry was showcased on Scotland's Moving Image education website as well as Sustrans' Active Travel conference on 25 May.

The Provost then congratulated two East Ayrshire Schools, Grange Academy and Hillside School who had won places as finalists in the Scottish Education Awards. The Provost also advised that Hillside School in Cumnock had been successful in the Health and Wellbeing Category and Grange Academy had won the Entrepreneurial Learning Category. The Provost congratulated both pupils and teachers in their achievements.

The Provost then expressed her pleasure and congratulated the East Ayrshire Council Community Service Team who had been highly commended (2<sup>nd</sup> place) in the partnership category at the first Scottish Community Service Awards; the successful initiative involved a partnership with East Ayrshire Carers Centre to develop Dalmellington House.

The Provost also congratulated Loudoun Academy, who had become the first secondary school in East Ayrshire to be awarded a Green Flag, the highest award under the Eco-Schools programme.

The Provost referred to pupils at Barshare Primary School who had landed a share of a bumper round of lottery awards. The Provost advised that the school had been successful in their bid for an Awards for All grant and had been awarded £6,690 which they would use to create a new sensory garden at the school.

The Provost expressed her delight to see that the East Ayrshire Schools Under 15 Team had beaten Glasgow at a recent match played at Lesser Hampden. The Provost gave recognition to the coaches, John Wilson and Graeme Kidd for this achievement, as well as the boys who had taken part. The Provost stated that winning the match had been no mean feat considering Glasgow had 34 schools to choose from whereas East Ayrshire had to draw players from only 7 schools.

The Provost informed that Cumnock Academy had also been successful in beating opponents Woodmill High School 7-1 in the Scottish Under-13 Plate Competition.

The Provost also intimated that Dalrymple Primary School Teacher, Marianne Flanagan, had entered the school for the RBS Personal Finance Education Awards 2010 for the work she had done with Primary 7 children over the last school session; as finalists, they had headed to London to an awards ceremony which had been held on 17 June. The Provost was delighted to announce that Marianne had secured the runners-up place in the Teacher Award and had been presented with £500 for the school and an i-pod for herself.

The Provost then referred to four S5 pupils from Stewarton Academy who had recently fought off competition from teams including Madras College, Mearns Castle, The Glasgow Academy and Stewarts Melville College to win the *Mathematiques san Frontiers* shield at Heriot Watt University in Edinburgh. The Provost advised that the competition had a European flair which required a team approach from senior pupils with a wide knowledge of maths and that Public Relations Officer Catriona Cochrane's son had been one of the team.

The Provost then informed that Gargieston had been the only primary school team which had taken part in competing in "The Salters' Challenge" and The University Challenge, held recently at Glasgow University. The Provost advised that the judges had been impressed with the scientific knowledge and understanding of the four pupils who had taken part in the competition and as a result they had won "The Salters' Challenge".

The Provost referred to Lainshaw Primary School pupils who had taken home the much coveted Winners Shield at the Sportshall Athletic Championships where 34 primary schools with a total of 680 pupils had completed a number of events throughout May to reach the final which had taken place at the Galleon Centre earlier this month. The Provost advised that the other finalists were Catrine, Drongan and Nether Robertland who had been cheered on by classmates, family and friends.

The Provost advised that East Gauchalland Tenants and Residents Association had been recognised as national leaders within the tenants movement at the Tenants Information Service's Annual Conference recently. The Provost informed that the group, from Galston, had been awarded the Frances Nelson MBE Award for outstanding achievements and contribution to the tenants' movement. The Provost congratulated Frank and Maureen Dawson, Chairperson and Secretary, who had collected the award on behalf of the group. The Provost also thanked Councillor Finlayson who had put forward the Association for the award.

The Provost was delighted to see that Patna born Major Gordon Muirhead, had been honoured in the Queen's Birthday Honour List with an MBE along with Kilmarnock man Norman Bone, Chief Business Officer and Group Operations Director of SELEX Galileo, a world leader in defence electronics. The Provost also advised that Jim Smith of Kerr & Smith, a commercial vehicle repair business based in Cumnock, had received the Queen's Fire Service Medal for his work with Strathclyde Fire and Rescue Service as an advisor to the retained duty system.

Finally, the Provost advised that she had hosted a Civic lunch on Tuesday 22 June to honour Des Browne in appreciation of his 13 years of service to the community. The Provost stated that Onsite Services had provided a wonderful meal and the ambience and conversation during lunch had been excellent. The Provost informed that Des had enjoyed the event and she had been delighted to present him, on behalf of East Ayrshire, with a canvas print of the Dean Castle and a presentation box which contained Kilmarnock 400 whisky.

## **PROVOST/DEPUTE PROVOST**

### **2.1 ELECTION OF PROVOST**

It was unanimously agreed that Councillor Stephanie Young be elected as Provost.

### **2.2 ELECTION OF DEPUTE PROVOST**

It was unanimously agreed that Councillor John Campbell be elected as Depute Provost.

## **PRESENTATION - "ONE BIG FAMILY" - CORPORATE PARENTING: NATIONAL ANTI-STIGMA CAMPAIGN AND TRAINING PROGRAMME FOR ELECTED MEMBERS IN RESPECT OF CHILDREN AND YOUNG PEOPLE WHO ARE LOOKED AFTER**

3. There was submitted a report dated 10 June 2010 (circulated) by the Executive Director of Educational and Social Services which advised of the launch of the Anti-Stigma Campaign and the National Training Programme for Elected Members in respect of children and young people who were looked after in East Ayrshire, to receive a presentation from young people as a key element of the training programme and which sought support for the Campaign via the East Ayrshire Promise - Give Me a Chance and Be Fair to a Child in Care.

The Chief Executive introduced Heather Gray, Chief Executive Officer, Who Cares? Scotland to the meeting, who then gave a presentation on the national campaign and information on the top five advocacy issues requested by children and young people.

The Council then received a drama presentation from young people "One Big Family".

It was agreed:

- (i) to note the launch of the National Corporate Parenting Training Programme for Elected Members and the launch of the National Anti-Stigma Campaign;
- (ii) to note the range of work which had already taken place in East Ayrshire to raise awareness of our corporate parenting responsibilities and to improve our services;
- (iii) to note the key messages from young care leavers as provided in the drama presentation of "One Big Family";
- (iv) that a further seminar for Elected Members would be arranged as part of the 2010 development programme for Members with a focus on hearing key messages from children and young people in East Ayrshire;
- (v) to commit to the East Ayrshire Promise as shown in Appendix I to the report in support of the National Anti-Stigma Campaign to promote and celebrate the success of children and young people in care and to tackle the negative stigma often associated with being in care;
- (vi) to note that progress reports on the Corporate Parenting Action Plan would continue to be presented to Cabinet on a six-monthly basis; and
- (vii) otherwise, to note the contents of the report.

#### **PROVOST'S OFFICE SUPPORT TO COMBAT STRESS**

4. There was submitted a report dated 8 June 2010 (circulated) by the Executive Director of Finance and Corporate Support which informed Council of the support which the Provost's Office had given to Combat Stress during 2009/2010.

It was agreed:

- (i) to acknowledge the efforts of everyone involved and congratulate them for the support given and money raised through the Provost's Office during 2009/10 for Combat Stress totalling £50,065 and
- (ii) to recognise and endorse the approach being taken by the Provost's Office for 2010/11 to focus on raising awareness of and supporting people with dementia.

Clive Fairweather, Chief Fundraiser for the charity was then presented with the cheque for the funds raised and gave thanks to the Council and the support which the Provost's office had given to Combat Stress over the last year.

#### **ADJOURNMENT/RECONVENTION**

5. The Council adjourned at 1048 hrs and reconvened at 1100 hrs with the same Members and Officers present and in attendance.

#### **PREVIOUS MINUTES**

6. There were submitted and approved as a correct record, the Minutes of Council held on 13 May 2010 (pages 1151-1155) (circulated).

### **REPORT BY THE LEADER OF THE COUNCIL**

7. There was submitted and noted a report (circulated) by Councillor Douglas Reid, Leader of the Council.

Councillor Reid spoke to the report and Members were given the opportunity to put questions to the Leader. (A synopsis of the questions and answers, by way of information only, is shown in the Appendix to these Minutes)

### **CABINET/COMMITTEE MINUTES**

8. There were submitted (circulated) and approved, with the exception of those Minutes as recorded hereafter, 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:-
- 8.1 **SOUTHERN LOCAL PLANNING COMMITTEE OF 30 APRIL 2010 (pages 1130-1132)**
  - 8.2 **CABINET OF 5 MAY 2010 (pages 1133-1135)**
  - 8.3 **APPEALS PANEL OF 11 AND 12 MAY 2010 (pages 1136-1137)**
  - 8.4 **NORTHERN LOCAL PLANNING COMMITTEE OF 12 MAY 2010 (pages 1138-1140)**
  - 8.5 **SOUTHERN LOCAL GRANTS COMMITTEE OF 12 AND 27 MAY 2010 (pages 1141-1150)**
  - 8.6 **RECRUITMENT PANEL OF 18 MAY 2010 (page 1156)**
  - 8.7 **CABINET OF 19 MAY 2010 (pages 1157-1163)**
  - 8.8 **NORTHERN LOCAL GRANTS COMMITTEE OF 19 MAY 2010 (pages 1164-1168)**
  - 8.9 **CENTRAL SOUTH LOCAL GRANTS COMMITTEE OF 20 MAY 2010 (pages 1169-1170)**
  - 8.10 **CENTRAL NORTH LOCAL GRANTS COMMITTEE OF 20 MAY 2010 (pages 1171-1172)**
  - 8.11 **APPEALS PANEL OF 20 MAY 2010 (pages 1173-1174)**
  - 8.12 **GOVERNANCE AND SCRUTINY COMMITTEE OF 21 MAY 2010 (FOR INFORMATION ONLY) (pages 1175-1180)**
  - 8.13 **SOUTHERN LOCAL PLANNING COMMITTEE OF 27 MAY 2010 (pages 1181-1184)**
  - 8.14 **LOCAL GOVERNMENT LICENSING PANEL OF 28 MAY 2010 (pages 1185-1195)**
  - 8.15 **APPEALS PANEL OF 28 MAY 2010 (page 1196)**
  - 8.16 **CABINET OF 2 JUNE 2010 (pages 1197-1200)**
  - 8.17 **NORTHERN LOCAL PLANNING COMMITTEE OF 4 JUNE 2010 (pages 1201-1206)**
  - 8.18 **RECRUITMENT PANEL OF 8 JUNE 2010 (pages 1207-1208)**
  - 8.19 **SPECIAL LOCAL GOVERNMENT LICENSING PANEL OF 9 JUNE 2010 (pages 1208-1210)**

**MATTER ARISING (Page 1209)**

It was agreed that the Minute be amended to show that Councillor Campbell chaired the meeting, not Councillor Hugh Ross, as minuted.

**8.20 SPECIAL SOUTHERN LOCAL PLANNING COMMITTEE OF 11 JUNE 2010 (pages 1211-1213).**

**8.21 SPECIAL SOUTHERN LOCAL GRANTS COMMITTEE OF 11 JUNE 2010 (pages 1214-1215).**

**8.22 RECRUITMENT PANEL OF 11 JUNE 2010 (page 1216).**

**APPOINTMENTS****9.1 APPOINTMENT OF LEADER OF THE COUNCIL/DEPUTE LEADER AND CABINET PORTFOLIO SPOKESPERSONS ETC**

There was submitted a report dated 26 May 2010 (circulated) by the Executive Director of Finance and Corporate Support which requested the Council to consider the appointment of the Leader of the Council, Depute Leader of the Council, Cabinet Portfolio Spokespersons, Chairs and Vice-Chairs etc, as detailed in the Appendix to the report.

Councillor McDill, seconded by Councillor Linton, moved the following appointments:-

Leader of the Council and Spokesperson for Strategic Planning, Management and Resources and Equalities - Councillor Reid.

Depute Leader of the Council and Spokesperson for Strategic Planning, Management and Resources and Equalities - Councillor Linton.

Spokespersons for Improving Community Health and Wellbeing - Councillors Kathy Morrice and John MacKay.

Spokespersons for Delivering Community Regeneration - Councillors Jim Buchanan and Robert McDill.

Spokespersons for Promoting Lifelong Learning - Councillors Jim Roberts and Hugh Ross.

Spokesperson for Improving Community Safety - Councillor Jim Todd.

Spokesperson for Planning - Councillor Alan Brown.

Governance and Scrutiny Committee - Councillor Tom Cook, Chair; Councillor Willie Coffey, Vice-Chair.

Appeals Panel - Councillor Linton as Spokesperson for Management and Resources and two other Members as potential Chairs, names to be submitted to the Head of Democratic Services in due course.

Local Government Licensing Panel - Councillor Hugh Ross, Chair.

**Planning Function**

Local Review Body - the status quo, namely, Councillors Cook and John McGhee as the two other potential Chairs.

Northern Local Planning Committee - Councillor Alan Brown, Chair; Councillor John Campbell, Vice-Chair.

Southern Local Planning Committee - Councillor Drew Filson, Chair; Councillor Kathy Morrice, Vice-Chair.

### **Local Grants Committees**

Northern Area Local Grants Committee - Councillor Robert McDill, Chair; Councillor Rose-Ann Cuninghame, Vice-Chair.

Central North Local Grants Committee - Councillor Jim Buchanan, Chair; Councillor Helen Coffey, Vice-Chair.

Central South Local Grants Committee - Councillor Jim Todd, Chair; Councillor Tom Cook, Vice-Chair.

Southern Area Local Grants Committee - Councillor Kathy Morrice, Chair; and Councillor Drew Filson, Vice-Chair.

Councillor Dinwoodie, seconded by Councillor Kelly, moved as an amendment the following appointments, viz:-

Leader of the Council and Spokesperson for Strategic Planning, Management and Resources and Equalities - Councillor Maureen McKay.

Depute Leader of the Council and Spokesperson for Strategic Planning, Management and Resources and Equalities - Councillor Barney Menzies.

Governance and Scrutiny Committee - Councillor Stuart Finlayson, Chair and Councillor John McGhee, Vice-Chair.

Local Government Licensing Panel - Councillor Elaine Dinwoodie, Chair.

### **Planning Function**

Local Review Body - Councillor Drew McIntyre, Chair.

Northern Local Planning Committee - Councillor John Knapp, Chair; Councillor Drew McIntyre, Vice-Chair.

Southern Local Planning Committee - Councillor Jimmy Kelly, Chair; Councillor William Crawford, Vice-Chair.

### **Local Grants Committees**

Northern Area Local Grants Committee - Councillor John McGhee, Chair; Councillor Stuart Finlayson, Vice-Chair.

Central North Local Grants Committee - Councillor Gordon Cree, Chair; Councillor Drew McIntyre, Vice-Chair.

Central South Local Grants Committee - Councillor Robert Keohone, Chair; Councillor John Knapp, Vice-Chair.

Southern Local Grants Committee - Councillor Neil McGhee, Chair; Councillor Moira Pirie, Vice-Chair.

On a division by a show of hands the motion was carried by 17 votes to 14.

## **9.2 EAST AYRSHIRE LOCAL LICENSING FORUM - APPOINTMENT OF AN ADDITIONAL MEMBER**

There was submitted a report dated 7 April 2010 (circulated) by the Executive Director of Finance and Corporate Support to apprise Members of an application

received in respect of membership of East Ayrshire Local Licensing Forum and to recommend the appointment of the applicant.

It was agreed:

- (i) to appoint the applicant, Paul Moon, resident of Coatbridge (licence holder in East Ayrshire) to serve on East Ayrshire Local Licensing Forum; and
- (ii) otherwise, to note the contents of the report.

### **9.3 CoSLA EXECUTIVE GROUP - EDUCATION, CHILDREN AND YOUNG PEOPLE**

Following a request from the SNP Group, it was agreed that Councillor Hugh Ross replace Councillor Iain Linton on the CoSLA Executive Group - Education, Children and Young People.

#### **AFFILIATIONS TO OUTSIDE ORGANISATIONS 2010/2011**

- 10.** There was submitted a report dated 14 June 2010 (circulated) by the Executive Director of Finance and Corporate Support which invited Council to consider the background aims and objectives and activities of organisations which had sought association with and affiliation to the Council.

It was agreed:

- (i) to note those affiliations, already approved by Cabinet, shown at Nos 5-15 on the Appendix to the report;
- (ii) not to affiliate to the following organisations, viz:-
  - (a) Equality Exchange;
  - (b) Strathclyde Buildings Preservation Trust;
  - (c) LARSOR (Local Authorities Road Safety Officers Association);
  - (d) Scottish Council for Single Homeless;
  - (e) Chartered Institute of Library Information Professional;
  - (f) Tenants Information Service;
  - (g) Scottish Local Government Forum Against Poverty;
- (iii) to approve all other applications as detailed in Appendix I to the report;
- (iv) that the appropriate Departments make payment of the affiliation fees to those approved organisations;
- (v) to note that in respect of the affiliations not continued, Elected Member representation would cease where applicable; and
- (vi) that the Chief Executive report back to Council in the course of the year on the value for money and benefits to the Council in affiliating to those organisations which had been approved and noted that future annual reports would include for Members' information the benefits obtained from affiliation.

Councillor McIntyre left the meeting at this point.

### **STATEMENT OF ACCOUNTS 2009/10**

11. There was submitted a report dated 24 June 2010 (circulated) by the Executive Director of Finance and Corporate Support which submitted the Statement of Accounts for the year ended 31 March 2010 to the Council and which sought approval to forward them to the Controller of Audit.

It was agreed:

- (i) to approve the transfer of £0.093m from the Capital Fund as indicated in paragraph 4.2.1 of the report;
- (ii) to approve the transfer of £0.964m to the Renewals and Repairs Fund as indicated in paragraph 4.3.1 of the report;
- (iii) to approve the Statement of Accounts for 2009/10;
- (iv) to approve the submission of the Group Statement of Accounts to the Controller of Audit once the relevant information became available; and
- (v) otherwise, to note the contents of the report.

### **2009/10 STATUTORY PERFORMANCE INDICATORS AND ANNUAL PERFORMANCE REPORT**

12. There was submitted a report dated 10 June 2010 (circulated) by the Executive Director of Finance and Corporate Support which submitted the Annual Performance Report for 2009/10 to Council and which sought approval of Council of proposed arrangements for its publication and distribution.

Councillor McIntyre rejoined the meeting during discussion of this item and Councillor Kelly left the meeting at this point.

It was agreed:

- (i) to note the contents of the 2009/10 Annual Performance Report which included the audited 2009/10 Statutory Performance Indicators subject to minor textual adjustments
- (ii) to highlight that the figures on the winter maintenance measure included gritting of roads during the severe weather conditions experienced during December 2009/January 2010;
- (iii) to note that in respect of the indicators, where a slight or significant deterioration had been recorded, reports would be submitted to the Governance and Scrutiny Committee on proposed action plans to increase performance in these areas;
- (iv) to approve the arrangements for publication of information; and
- (v) otherwise, to note the contents of the report.

### **COMMUNITY PLAN FOUR YEARLY REVIEW: OUTCOME OF STAGE 1**

13. There was submitted a report dated 10 June 2010 (circulated) by the Chief Executive which presented to Council, for consideration and endorsement, the proposed strategic priorities and associated local outcomes for the period 2011 to 2015, the development of which was informed by the findings of the wide ranging consultation

engagement carried out as part of Stage 1 of the Community Plan Four Yearly Review.

It was agreed:

- (i) to note the progress in respect of Stage 1 of the Community Plan Four Yearly Review;
- (ii) to endorse the revised guiding principles;
- (iii) to endorse the proposed strategic priorities and planned local outcomes;
- (iv) to note the proposals for Stage 2 of the review process;
- (v) to note the proposals in respect of impact assessment;
- (vi) to note that the Depute Chief Executive/Executive Director of Neighbourhood Services would review street lighting, for pathways in particular, taking into account Elected Members' suggestions for areas to be improved;
- (vii) to note that a report would be submitted to the Cabinet meeting on 18 August in respect of tourism figures; and
- (viii) otherwise, to note the contents of the report.

#### **MOTION BY COUNCILLOR MAUREEN MCKAY**

#### **14. Council unanimously agreed to adopt the following motion:-**

“That Council support the Bank on Owen Campaign noting that Robert Owen was a campaigner for a better and fairer society whose pioneering approach to tackling poverty and in promoting the co-operative ideal are as important in today's society as they were then, recognise our local link with Robert Owen given that David Dale (born Stewarton) was the owner of New Lanark and Owen's father-in-law that request the Council Leader write to both the Bank of Scotland and RBS to highlight this support campaign to have him commemorated on Scottish banknotes in time for the International Year of the Co-operative in 2012.”

Councillors Eric Ross, Elaine Dinwoodie, Maureen McKay and David Shaw left the meeting at this point.

#### **RECOMMENDATION OF NORTHERN LOCAL PLANNING COMMITTEE HELD ON 4 JUNE 2010 - APPLICATION NO 08/0654FL: ERECTION OF 25 WIND TURBINES, CONSTRUCTION OF ASSOCIATED ACCESS TRACKS, INSTALLATION OF UNDERGROUND 33KV CIRCUIT, A 33KV SUBSTATION, ERECTION OF TWO METEOROLOGICAL MASTS AND FORMATION OF NEW ACCESS ROAD AT COWANS LAW, HEMPHILL ROAD, MOSCOW BY COMMUNITY WINDPOWER LTD (Item 3, Page 1201, 07/12)**

#### **16.1 Declaration of Interest**

The Provost declared a non-financial interest in this item, vacated the Chair in favour of Depute Provost Campbell, and left the meeting.

#### **16.2 Consideration of Item**

There was submitted a report dated 17 June 2010 (circulated) by the Executive Director of Finance and Corporate Support which informed Council of the recommendation of the Northern Local Planning Committee held on 4 June 2010

regarding the above planning application and for Council to consider its position on the application for planning permission in terms of the Scheme of Delegation as the application under consideration was a major development as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, and was significantly contrary to the Local Development Plan.

It was agreed to approve the recommendations from the Northern Local Planning Committee:

- (i) to adopt the position in terms of the appeal process that the application should have been refused for the reasons indicated in the report by the Head of Planning and Economic Development under Appendix I;
- (ii) that this decision be conveyed to the Directorate of Planning and Environmental Appeals (DPEA) as representing the position of the Council in the current non-determination appeal; and
- (iii) to note that the circumstances encountered in this case were unusual as it involved planning appeals legislation that currently gave the Council only 21 days to present a view on the proposal to the Directorate for Planning and Environmental Appeals, which period may not always afford a realistic time frame for a Council response, and to therefore further note that in future Special Local Planning Committees or Council meetings may be required to endeavour to attain the 21 day response deadline required by the appeal legislation.

The meeting terminated at 1250 hrs.

## **APPENDIX**

### **SYNOPSIS OF QUESTIONS, POINTS AND ANSWERS ON THE REPORT BY LEADER OF THE COUNCIL**

#### **COMMUNITY ENGAGEMENT (Para 2.2)**

Councillor Menzies commented on the working of the Local Community Planning Forums and the need to increase attendance by Community Representatives at Forum meetings. He advised that the Forums are looking at common issues and there was a need for intergenerational work throughout all the existing Forums. He also commented on the substantial work that the Children and Young Persons Forum had achieved over the last two years.

Councillor Reid and the Chief Executive concurred with these views and that the community engagement initiative would be reviewed during the current year.

#### **BUDGET CONSULTATION (Para 3)**

Councillor Maureen McKay noted the report, but expressed her view that the budget consultation process had not been as successful as claimed. It was noted that over 1,000 responses had been received but Councillor Maureen McKay questioned whether all of the respondents had fully understood the impact on them of the package of cuts presented to them.

Councillor Reid responded by confirming that he would have preferred not to need to reduce spending by £7m as had been proposed within the budget, but this was a result of the current wider financial climate in terms of restrictions on public expenditure that the Council found itself in through no fault of its own. He confirmed that as far as he was concerned the most recent budget consultation exercise was the best he had experienced in terms of number of people and volume of comments made.

#### **REVENUE BUDGET 2010/11 TO 2012/13 - KILMARNOCK REGENERATION (Para 3.3.3)**

Councillor Maureen McKay requested confirmation that the Scottish Government had matched the Council's £300,000 commitment for the regeneration and revitalisation of Kilmarnock.

Councillor Reid advised that in terms of match funding, the Scottish Government's support in respect of this initiative had been confirmed at a recent Taskforce meeting.

The Chief Executive reported that a letter had been received from John Swinney, Cabinet Secretary, which, the Chief Executive intimated she was sure that Councillor Reid, Leader of the Council, would share with other Group Leaders. That letter confirmed the Council's commitment would be matched by the Scottish Government. The Chief Executive also confirmed that it was officers' interpretation that this

£100,000 per annum was viewed as a minimum level of support and that officers would be focussing on developing evidence based bids to support further Government support to the initiative.

#### **REDUCTION IN CLASS SIZES (Para 3.4.4)**

Councillor Maureen McKay referred to the progress made to reduce class sizes and advised of discussion she had had with some Parent Forums who still had no knowledge of the composite classes and structure of classes for the August 2010 term.

Councillor Reid advised that in relation to progressing a reduction in class sizes, East Ayrshire Council was currently the best performing mainland Council and second best in Scotland overall in this respect.

#### **SCHOOL ESTATE (Para 4.2)**

Councillor Maureen McKay outlined the allocation which the Council had made for the refurbishment of primary and secondary schools for 2009/10 through to 2019 which was predominantly a frontloaded programme but limited from the mid to end of that time frame and enquired if this was appropriate.

Councillor Reid referred to the repair legacy of £80m inherited by East Ayrshire in 1995 and also advised that the frontloading of the programme was in recognition of the Scottish Government proposals to advance capital spend.

Councillor Maureen McKay referred to the proposed funding contribution for Gargieston Primary and Nursery Class from the Scottish Futures Trust which would not amount to 50% of the costs as had previously been suggested.

Councillor Reid reported that at a recent presentation on the proposals for the new school to parents, the feedback had been very good and parents were more concerned with having the proposed new school development delivered on time and the Council was committed to delivering that outcome.

Councillor Maureen McKay confirmed that she looked forward to the provision of a new school and also commented on the commitment to build in total five new schools by the end of this Administration's tenure.

Councillor Linton commented that it would take £80m to bring schools up to an adequate level and that over three years there had been a commitment to build, under conventional spend schools at Willowbank, Gargieston, a replacement for Patna St Xavier's, New Cumnock, Knockroon and the extension to Darvel.

Councillor Cook also welcomed the new school at Gargieston but expressed concern at achieving the target for the new schools building programme and sought assurances that targets could be achieved.

Councillor Reid advised that, although the Capital Programme was challenging, every effort was being made to deliver projects as early as possible.

### **SOCIAL WORK SUSTAINABILITY (Para 6.1)**

Councillor Maureen McKay expressed her delight at the £2m investment in the Social Work Sustainability which she hoped would mean moving from “satisfactory” ratings to a “good/very good” rating in the future in terms of SWIA assessment.

Councillor Reid confirmed he wished to build on the tremendous success of the Social Work Sustainability Plan to date..

### **ZERO WASTE FUND: PROPOSED FOOD AND PLASTICS COLLECTION TRIAL (Para 5.2)**

Councillor Cook welcomed the introduction of the pilot system for recycling plastics, which had been a suggestion following the Governance and Scrutiny Review of the Waste Recycling Policy/Kerbside Recycling Scheme.

Councillor Buchanan welcomed the comments from Councillor Cook and advised that a new vehicle had been procured for the pilot scheme which would begin by the end of the year.