

EAST AYRSHIRE COUNCIL**MINUTES OF MEETING HELD ON THURSDAY 13 MAY 2010 AT 1000 HRS IN
THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Provost Stephanie Young and Councillors Rose-Ann Cuninghame, John MacKay, Helen Coffey, Willie Coffey, Tom Cook, Iain Linton, Douglas Reid, Jim Buchanan, Depute Provost John Campbell and Councillors Hugh Ross, Alan Brown, Robert McDill, Jim Roberts, Kathy Morrice and Drew Filson,

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: Community Care.

APOLOGIES: Councillors Gordon Cree, John Knapp and Jim Todd.

CHAIR: Provost Stephanie Young, Chair.

PROVOST'S REMARKS

1. The Provost began by advising that Councillor Cree was making a full recovery following his operation on Thursday 6 May 2010 and wished him well and looked forward to his return.

The Provost reflected that the new Council Chambers were now operational and were a great improvement; the new Chamber facilities included web enabled meetings, conference seating arrangements and e-voting which, although not operational presently they would be following Members' familiarisation with them. The Provost also indicated how pleased she was that the facilities would be accessible to Community Planning Partners and wider community groups.

The Provost then referred to her charity of the year, Combat Stress and the recognition which it had attracted so far. The Provost advised that what was initially to have been a concert, Ball and a summer fete had developed into 20 events, all of which had included excellent examples of fundraising by Council employees and others.

The Provost advised that the target of £25,000 had been exceeded and that after the Ball this could perhaps double last year's figure. The Provost also advised that tickets for the Ball had sold out and enquiries of interest to attend were still being received. The Provost then advised that "Bootcamp" Day was to be held on 14 May 2010 and she hoped that Members would encourage the groups and make a donation.

The Provost then referred to the number of people who had attended the presentation at the Dick Institute for William Stafford, former Executive Director of Neighbourhood Services. The Provost advised that it was a testament to the high regard and respect that was felt towards Bill who had committed many years to working for Local Government.

The Provost reflected on the outstanding achievement for East Ayrshire Council in taking delivery of Eglinton Tournament Watercolours and that without Bill Stafford and James Knox's involvement these wonderful paintings would have left the country.

The Provost congratulated Nether Robertland Primary School who had won the final of East Ayrshire's Mini Basketball League; the event had been held in the Kelvin Hall International Sports Arena with a crowd of over 1,000 spectators.

The Provost referred to the seminar for Corporate Parenting which she attended with Councillor John MacKay at Crosshouse Community Centre. The Provost advised that the speaker, Ilona Richards, National Co-ordinator from Scottish Throughcare and Aftercare Forum highlighted the changes that had taken place in Scotland over the last few years and Susan Taylor had ensured that East Ayrshire was one of the Lead Authorities covering this important issue.

The Provost expressed her delight in joining the participants at the World Indoor Bowling Championships which had taken place in Auchinleck Indoor Bowling Club. The Provost said that it had been an honour to present Stewart Anderson, a local lad and his partner Margaret Letham with the mixed pairs trophy on Friday 23 April 2010. The Provost stated that everyone who participated commented on the venue and the warm welcome they had received from the host club.

The Provost referred to the success of Dylan Campbell from Kilmarnock who had won an Environment Award at the Young Scot Award Ceremony held in the Hilton Hotel Glasgow at the beginning of May.

The Provost then expressed her delight that Hurlford Primary School had made it through to the Grand Final of the Scottish European Trust's Euroquiz which had been held on Monday 10 May at the Scottish Parliament. The Provost advised that although they did not win the competition she was sure that they had a wonderful day.

In conclusion, the Provost intimated how pleased she was to have received a request from the Leader of the Council to host a civic lunch in recognition of the many years of outstanding public service given by Des Browne to East Ayrshire and that this would be organised shortly.

PREVIOUS MINUTES

2. There were submitted and approved as a correct record Minutes of Council held on 25 March 2010 (pages 1089-1094).

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 **SPECIAL NORTHERN LOCAL PLANNING COMMITTEE OF 16 MARCH 2010 (pages 1068-1069)**
 - 3.2 **APPEALS PANEL OF 17 MARCH 2010 (pages 1070-1071)**

- 3.3 GOVERNANCE AND SCRUTINY COMMITTEE OF 19 MARCH 2010 (FOR INFORMATION ONLY) (pages 1072-1077)
- 3.4 APPEALS PANEL OF 19 MARCH 2010 (pages 1078-1080)
- 3.5 CABINET OF 24 MARCH 2010 (pages 1081-1088)
- 3.6 SOUTHERN LOCAL PLANNING COMMITTEE OF 26 MARCH 2010 (pages 1095-1098)
- 3.7 SPECIAL CABINET OF 31 MARCH 2010 (pages 1099-1104)
- 3.8 SPECIAL CENTRAL NORTH LOCAL GRANTS COMMITTEE OF 31 MARCH 2010 (pages 1105-1108)
- 3.9 SPECIAL CENTRAL SOUTH LOCAL GRANTS COMMITTEE OF 31 MARCH 2010 (pages 1109-1112)
- 3.10 NORTHERN LOCAL PLANNING COMMITTEE OF 1 APRIL 2010 (pages 1113-1114)
- 3.11 CABINET OF 21 APRIL 2010 (pages 1115-1122)
- 3.12 GOVERNANCE AND SCRUTINY COMMITTEE OF 23 APRIL 2010 (FOR INFORMATION ONLY) (pages 1123-1129)

ELECTED MEMBER LEARNING AND DEVELOPMENT ARRANGEMENTS - UPDATE

- 4. There was submitted a report dated 22 April 2010 (circulated) by the Executive Director of Finance and Asset Management which presented an update on the Elected Member Learning and Development arrangements.

It was noted:

- (i) that all Seminars would be held in the Council Chambers; and
- (ii) that the Chief Executive and Leader would continue to give appropriate consideration to conference requests and would give due cognisance to conference evaluation forms by Members to ensure value for money was achieved from Members' attendance at future conferences.

BEST VALUE 2 AUDIT REPORT

- 5. There was submitted a report dated 6 May 2010 (circulated) by the Chief Executive which (i) provided Council with the Accounts Commission's findings in respect of the Best Value 2 Audit of East Ayrshire Council; and (ii) sought agreement of the proposed response to the Accounts Commission's findings; and (iii) informed Council of the invitation to meet with representatives of the Accounts Commission.

It was agreed:-

- (i) to welcome the Accounts Commission's report on the findings of East Ayrshire Council's Best Value 2 Audit and to note that the Council had been assessed as "improving well" and was "well placed to deliver future improvements";
- (ii) to note the arrangements that the Council had in place to address the key findings which arose from the Audit which had been acknowledged by Audit Scotland;

- (iii) to approve the content of the report as the basis of the Council's statutory response to the Accounts Commission;
- (iv) to task the Chief Executive with making proper arrangements for publishing a notice in the local press, to advise the public of the conclusions reached by the Council in the Accounts Commission's findings;
- (v) to welcome the Accounts Commission's invitation to meet to discuss the findings of the BV2 Audit and to remit the Chief Executive to make appropriate arrangements in this regard; and
- (vi) otherwise, to note the terms of the report.

TREASURY MANAGEMENT - BANKING ARRANGEMENTS
(Item 4, Page 725, 03/07)

6. There was submitted a report dated 28 April 2010 (circulated) by the Executive Director of Finance and Corporate Support which requested the Council to update certain resolutions made at its meeting on 24 April 2004 in favour of the Clydesdale Bank.

Council resolved as follows:-

- (i) that a banking account or accounts be continued and further accounts opened as may be considered advisable from time to time in the name of the Council with the Clydesdale Bank ("the Bank"), and that the following resolutions shall apply to all accounts of the Council with the Bank now, or in the future;
- (ii) that the Bank be, and it is hereby, instructed and authorised to honour, comply with and debit to the Council's account or accounts, whether in credit or overdrawn in consequence of such debit, all cheques, warrants, orders, bills, promissory notes, negotiable instruments or instructions made drawn or given on behalf of the Council at any time provided that any such cheques, warrants, orders, bills, promissory notes, negotiable instruments or instructions are signed by either the

Executive Director of Finance and Corporate Support or; Head of Finance or any 2 of;

Financial Controller
 Corporate Accounting Manager,
 Chief Accountant;

- (iii) that as regards the following matters:
 - (a) instructions to withdraw, deliver, dispose of or deal with any property, documents or securities held on account of the Council and the withdrawal of securities, documents or articles lodged for safe custody on account of the Council;
 - (b) endorsement of all cheques, orders, bills, promissory notes and negotiable instruments payable to the Council;
 - (c) any indemnities or counter indemnities given to the Bank;
 - (d) instructions for the opening of credits or the issue of guarantees, bonds or indemnities by the Bank;

- (e) the discounting of inland or foreign bills;
- (f) instructions for the opening of any banking account or accounts from time to time in the name of the Council with the Bank.

The Bank or its nominee be hereby authorised to accept on behalf of the Council instructions signed by:

Executive Director of Finance and Corporate Support or;
 Head of Finance
 or any 2 of;
 Financial Controller
 Corporate Accounting Manager,
 Chief Accountant;

- (iv) that the Bank be supplied with a list of the names of, and specimen signatures for, the above postholders and advised of any alterations to the list;
- (v) that it is the Council's desire and intention to issue cheques drawn on the current accounts kept in the books of the Bank in our name with the signature of Alexander McPhee, Executive Director of Finance and Corporate Support lithographed or stamped thereon in facsimile: Therefore we do agree that in honouring such cheques when presented to the Bank they shall as between the Council and the Bank have the same rights, powers and privileges and be in the same position in all respects as if the facsimile signature on such cheques was the manuscript signature of the said Alexander McPhee and it shall not be competent to the Council to plead or maintain as against the Bank that any such cheques so presented have been issued without the Council's authority or that the facsimile signature thereon has been adhibited without the Council's authority: And we further agree to hold the Bank indemnified from and against all loss, costs, damages and expense which they may sustain or incur or be liable for, in any manner of way in consequence of the Bank honouring cheques issued by the Council as aforesaid; and
- (vi) that these Regulations be communicated to the Bank and remain in force until amending resolutions shall be passed by a meeting of the Council, and a copy thereof, certified by the chair shall have been received by the Bank.

The meeting terminated at 1058 hrs.