

# Chief Executive's Department

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To: All Elected Members

2 October 2009

Dear Councillor

## **EAST AYRSHIRE COUNCIL - 8 OCTOBER 2009**

You are requested to attend a meeting of the **COUNCIL** to be held on **THURSDAY 8 OCTOBER 2009** at **1000 HRS** in **NEW FARM LOCH COMMUNITY CENTRE, FRASER WALK, KILMARNOCK**, in order to consider the undernoted business.

Yours sincerely



Elizabeth Morton

Depute Chief Executive/Executive Director of Corporate Support

JMcG/SC

## **B U S I N E S S**

### **CALL FOR SEDERUNT AND INTIMATE APOLOGIES.**

1. **EAST AYRSHIRE COUNCIL - WARD 9, DOON VALLEY BY-ELECTION - 1 OCTOBER 2009 (pages 1-2)** - Submit report dated 2 October 2009 ( [copy enclosed](#)) by the Chief Executive to provide the results of the recent Council by-election for Ward 9, Doon Valley held on 1 October 2009 as shown in the Appendix to the report.
2. **PREVIOUS MINUTES** - Submit, for approval as a correct record, Minutes of Council Meeting of 25 June 2009 (pages 783-791) ( [copy enclosed](#)).
3. **CABINET/COMMITTEE MINUTES** - Submit, for approval as correct records and approval of any recommendations contained therein (with the exception of the Minutes of the Governance and Scrutiny Committee which are here for noting only) the Minutes of the undernoted Meetings, viz:-
  - 3.1 **CABINET OF 17 JUNE 2009 (pages 760-770)** ( [copy enclosed](#)).
  - 3.2 **NORTHERN LOCAL PLANNING COMMITTEE OF 18 JUNE 2009 (pages 771-775)** ( [copy enclosed](#)).

- 3.3 GOVERNANCE AND SCRUTINY COMMITTEE OF 19 JUNE 2009 (pages 776-779) ([copy enclosed](#)).
  - 3.4 SPECIAL LOCAL GOVERNMENT LICENSING PANEL OF 24 JUNE 2009 (pages 780-782) ([copy enclosed](#)).
  - 3.5 APPEALS PANEL OF 29 JUNE 2009 (page 792) ([copy enclosed](#)).
  - 3.6 SPECIAL CABINET OF 8 JULY 2009 (pages 793-802) ([copy enclosed](#)).
  - 3.7 SPECIAL SOUTHERN LOCAL PLANNING COMMITTEE OF 10 JULY 2009 (pages 803-804) ([copy enclosed](#)).
  - 3.8 APPEALS PANEL OF 14 AND 16 JULY 2009 (pages 805-806) ([copy enclosed](#)).
  - 3.9 SPECIAL CABINET OF 29 JULY 2009 (pages 807-808) ([copy enclosed](#)).
  - 3.10 CENTRAL NORTH LOCAL GRANTS COMMITTEE OF 18 AUGUST 2009 (pages 809-811) ([copy enclosed](#)).
  - 3.11 CENTRAL SOUTH LOCAL GRANTS COMMITTEE OF 18 AUGUST 2009 (pages 812-814) ([copy enclosed](#)).
  - 3.12 CABINET OF 19 AUGUST 2009 (pages 815-821) ([copy enclosed](#)).
  - 3.13 NORTHERN LOCAL GRANTS COMMITTEE OF 19 AUGUST 2009 (pages 822-823) ([copy enclosed](#)).
  - 3.14 SOUTHERN LOCAL GRANTS COMMITTEE OF 20 AUGUST 2009 (pages 824-825) ([copy enclosed](#)).
  - 3.15 APPEALS PANEL OF 26 AUGUST 2009 (pages 826) ([copy enclosed](#)).
  - 3.16 LOCAL GOVERNMENT LICENSING PANEL OF 27 AUGUST 2009 (pages 827-832) ([copy enclosed](#)).
  - 3.17 GOVERNANCE AND SCRUTINY COMMITTEE OF 28 AUGUST 2009 (pages 833-837) ([copy enclosed](#)).
  - 3.18 CABINET OF 2 SEPTEMBER 2009 (pages 838-842) ([copy enclosed](#)).
  - 3.19 SOUTHERN LOCAL PLANNING COMMITTEE OF 4 SEPTEMBER 2009 (pages 843-844) ([copy enclosed](#)).
  - 3.20 CABINET OF 16 SEPTEMBER 2009 (pages 845-850) ([copy enclosed](#)).
  - 3.21 NORTHERN LOCAL PLANNING COMMITTEE OF 17 SEPTEMBER 2009 (pages 851-853) ([copy enclosed](#)).
  - 3.22 SPECIAL LOCAL GOVERNMENT LICENSING PANEL OF 24 SEPTEMBER 2009 (pages 854-855) ([copy enclosed](#)).
  - 3.23 GOVERNANCE AND SCRUTINY COMMITTEE OF 25 SEPTEMBER 2009 (pages 854-855) ([copy enclosed](#)).
4. REVIEW OF DECISION MAKING STRUCTURE (pages 3-14) - Submit report dated 30 September 2009 ([copy enclosed](#)) by the Chief Executive to present the findings of the review of the present decision-making structure.

5. **DRAFT EAST AYRSHIRE COUNCIL MEETINGS CALENDAR FOR JANUARY TO DECEMBER 2010 (pages 15-31)** - Submit report dated 14 September 2009 ([copy enclosed](#)) by the Depute Chief Executive/Executive Director of Corporate Support to submit, for consideration of Council, a draft East Ayrshire Council Meetings Calendar for January to December 2010.
6. **APPOINTMENTS -**
  - 6.1 **APPOINTMENT TO THE BOARD OF DIRECTORS OF CATRINE COMMUNITY TRUST (pages 32-34)** - Submit report dated 20 August 2009 ([copy enclosed](#)) by the Depute Chief Executive/Executive Director of Corporate Support to consider the appointment of an Elected Member to the Board of Directors of Catrine Community Trust.
  - 6.2 **EAST AYRSHIRE LOCAL LICENSING FORUM - APPOINTMENT OF ADDITIONAL MEMBERS (pages 35-37)** - Submit report dated 22 September 2009 ([copy enclosed](#)) by Depute Chief Executive/Executive Director of Corporate Support to apprise Members of three applications received in respect of membership of East Ayrshire Local Licensing Forum and to recommend the appointment of the applicants.
  - 6.3 **COMPOSITION OF KILMARNOCK PRISON VISITING COMMITTEE (pages 38-39)** - Submit report dated 29 September 2009 ([copy enclosed](#)) by the Depute Chief Executive/Executive Director of Corporate Support to apprise Council of a vacancy having arisen in the composition of Kilmarnock Prison Visiting Committee and to seek the appointment of a suitable person to fill the vacancy in terms of the Council's statutory obligations by virtue of the relevant provisions of The Prisons and Young Offenders (Scotland) Rules 2006.
  - 6.4 **VACANCIES ARISING FROM THE DEATH OF COUNCILLOR JAMES SUTHERLAND** - Consider the filling of the following vacancies, viz:-
    - (i) **Cumnock and Doon Valley Minerals Trust** - The Deed requires that the member must represent the communities mostly affected by minerals operation in the former Cumnock and Doon Valley area.
    - (ii) **Licensing Board**
    - (iii) **Southern Local Grants Committee - Chair**
    - (iv) **Southern Local Planning Committee - Vice-Chair**

7. **ALTERATION TO THE EAST AYRSHIRE LOCAL PLAN: OUTSTANDING OBJECTIONS TO THE LOCAL PLAN AND OBJECTIONS RECEIVED IN RESPECT OF AGREED MODIFICATIONS (pages 40-60)** - Submit report dated 29 September 2009 ([copy enclosed](#)) by the Depute Chief Executive/Executive Director of Corporate Support to inform Council of those objections received in respect of the finalised version of the East Ayrshire Local Plan which remain outstanding and unresolved; to inform Council of the formal objections and representations received in respect of modifications made to the finalised version of the Local Plan; to inform Council of the Planning and Economic Development Services' assessment of each objection received in respect of the modifications and to seek authorisation from Council to forward a copy of the remaining outstanding and unresolved objections to the Local Plan and a copy of the objections received in respect of the modifications made to the Local Plan to the Scottish Government's Directorate for Planning and Environmental Appeals for consideration through the Planning Examination process.
  
8. **"KEEP JOHNNIE WALKER IN KILMARNOCK" CAMPAIGN (pages 61-67)** - Submit report dated 30 September 2009 ([copy enclosed](#)) by the Depute Chief Executive/Executive Director of Corporate Support to advise Council of expenditure made on the "Keep Johnnie Walker in Kilmarnock" Campaign; to confirm the Council's final position in terms of the Campaign; and to outline the next steps in terms of regeneration initiatives for Kilmarnock in the light of the Diageo plc's proposed closure of their Johnnie Walker plant at Hill Street, Kilmarnock, and of their decision to outsource their consolidation facility at Barleith, Hurlford.
  
9. **STANDARDS COMMISSION FOR SCOTLAND'S DECISION IN RESPECT OF COMPLAINT LA/EA/833 (pages 68-80)** - Submit report dated 25 September 2009 ([copy enclosed](#)) by the Council's Monitoring Officer to invite Council to consider the written decision of the Standards Commission in respect of a complaint made to them concerning Councillor Helen Coffey.

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AT THE CONCLUSION OF THE COUNCIL MEETING, GERALDINE WATT, AYRSHIRE AREA PROCURATOR FISCAL, WILL GIVE A PRESENTATION TO COUNCIL MEMBERS.