

## **EAST AYRSHIRE COUNCIL**

### **GOVERNANCE AND SCRUTINY COMMITTEE**

#### **MINUTES OF MEETING HELD ON FRIDAY 2 MAY 2008 AT 1000 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

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

**ATTENDING:** Fiona Lees, Chief Executive; 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; Jackie Donnelly, Executive Head of Social Work; 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; Derek Spence, Community Recreation Manager; Robert McCulloch, Outdoor Amenities Manager; Alison Brown, Developer Contributions Officer; Deborah Brady, Development Officer (Housing); Julie McGarry, Administration Manager; and Anne Marie Carr, Senior Administrative Officer.

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

#### **PREVIOUS MINUTES**

1. There were submitted and approved as a correct record, the Minutes of the Meeting held on 4 April 2008 (circulated).

#### **1.2 MATTERS ARISING**

##### **1.2.1 Housing Investment Programme - Modern Facilities and Services (Item 4.1, Page , 07/11) - Awarding of Contracts for the Period February- March 2008**

The Chair advised, and it was noted that responses in respect of the items detailed above, reports had now been issued to Members of the Committee and he advised that should Members have any further issues they wished to raise that they could do so direct with the respective Officers.

#### **CALLED-IN ITEMS**

#### **CONSIDERATION OF CALLED-IN DECISIONS 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 decisions of Cabinet.

## **2.2 CHARGES FOR COMMUNITY USE OF COUNCIL PREMISES 2008/09 (Item 3, Page 306, 07/11)**

The Committee considered the called-in decision of the Cabinet meeting held on 26 March 2008 relating to charges for community use of Council premises 2008/09 and, in this connection, there was submitted the following (all circulated), namely:-

- (i) the call-in notice;
- (ii) the related Cabinet report together with the related extract from Schedule 1 of the report; and
- (iii) Position Statement - Charges for Council Premises: Cabinet report dated 26 March 2008 - Report by Executive Director of Neighbourhood Services dated 23 April 2008.

The Committee heard Councillors Eric Jackson, Elaine Dinwoodie and Gordon Cree, three of the five signatories to the call-in request, who further explained the reasons for the call-in.

The Committee then heard Councillor Kathy Morrice, Spokesperson for Community Wellbeing, and John Griffiths, 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 the Members and signatories to the call-in request and also from the Head of Leisure Services and the Community Recreation Manager.

The Chair informed all parties present of the final stages of the call-in process and Councillors Eric Jackson, Elaine Dinwoodie, Gordon Cree and Kathy Morrice, and the Head of Leisure Services and Community Recreation Manager then returned to the public gallery.

The Committee then proceeded to consider and deliberate the matter.

Councillor Alan Brown, seconded by Councillor Tom Cook, moved to accept the decision of Cabinet in terms of the proposed charges for community use of Council premises 2008/09 and that future reports to Cabinet on this matter should also include (i) more benchmarking information to provide comparable charges with a range of other Councils and providers; and (ii) the outcome of consultation with consumers and stakeholders in respect of proposed charges for facilities.

Councillor John Knapp, seconded by Councillor Barney Menzies, moved as an amendment to refer the matter back to Cabinet to reconsider the level of charges.

On a division by a show of hands, the motion was carried by six votes to four.

## **2.3 CHARGES FOR LEISURE SERVICES 2008/09 (Item 10, Page 308, 07/11)**

The Committee considered the called-in decision of the Cabinet meeting held on 26 March 2008 relating to charges for Leisure Services, and in this connection there were submitted the following (all circulated), namely:-

- (i) the call-in notice;
- (ii) the related Cabinet report together with the relevant extract from Appendix III of the report; and

- (iii) Position Statement - Charges for Leisure Services (Golf): Cabinet report dated 26 March 2008 - Report by Executive Director of Neighbourhood Services dated 22 April 2008.

The Committee heard Councillors Eric Jackson and Gordon Cree, two of the five signatories to the call-in request, who further explained the reasons for the call-in.

The Committee then heard Councillor Jim Buchanan, Spokesperson for Environment and Regeneration and John Griffiths, 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 the Members and signatories to the call-in request and also from Councillor Jim Buchanan, Head of Leisure Services and the Outdoor Amenities Manager.

The Chair informed all parties present of the final stages of the call-in process and Councillors Eric Jackson, Gordon Cree and Jim Buchanan, Head of Leisure Services and the Outdoor Amenities Manager then returned to the public gallery.

The Committee then proceeded to consider and deliberate the matter.

Councillor Alan Brown, seconded by Councillor John Campbell, moved to accept the decision of Cabinet in terms of the proposed charges for leisure services (golf) for 2008/09.

Councillor John Knapp, seconded by Councillor Stuart Finlayson, moved as an amendment to refer the matter back to Cabinet to reconsider the level of charges.

On a division by a show of hands, the motion was carried by six votes to four.

The Chair then clarified, and it was agreed, that future reports to Cabinet on this matter should also include (i) more benchmarking information to provide comparable charges with a range of other Councils and providers; and (ii) the outcome of consultation with consumers and stakeholders in respect of proposed charges for facilities.

## **SCRUTINY**

### **CONCLUDED PROPERTY TRANSACTIONS**

3. There was submitted and noted a joint report dated 21 April 2008 (circulated) by the Executive Head of Finance and Asset Management and the Solicitor to the Council which provided, for information, details of disposals and acquisitions by the Council of land and buildings, which had been concluded during the six month period from 1 October 2007 to 31 March 2008, with the exception of Council houses sold in terms of the Right to Buy Legislation contained within the Housing (Scotland) Act 1987, as amended, and the disposal of loft spaces to owner occupiers of former Council houses.

### **JOINT INSPECTION OF SERVICES TO PROTECT CHILDREN AND YOUNG PEOPLE IN EAST AYRSHIRE COUNCIL AREA**

4. There was submitted a report dated 13 March 2008 (circulated) by the Executive Director of Educational and Social Services which advised of the publication by HM Inspectorate of Education (HMIe) of the final report on the Joint Inspection of

Services to Protect Children and Young People in the East Ayrshire Council Area, and advised of the proposed arrangements for the development of an Action Plan in respect of the report's findings.

It was agreed:

- (i) to note the generally positive conclusions arising from the HMle Joint Inspection of Services to Protect Children and Young People in the East Ayrshire Council Area;
- (ii) to note that the Child Protection Chief Officers' Group was progressing the preparation of an Action Plan to address the issues identified by the Chief Inspector as part of the annual business planning process of the Child Protection Committee;
- (iii) that the finalised Action Plan be presented to a future meeting of this Committee for review in relation to its scrutiny role; and
- (iv) otherwise, to note the terms of the report.

#### **REPORT ON THE REVIEW OF THE WASTE RECYCLING POLICY/ TECHNICAL EVALUATION OF THE KERBSIDE RECYCLING SCHEME**

5. There was submitted a report dated 24 April 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which presented the outcome report by Members of the Committee on their recent review of the Waste Recycling Policy/Technical Evaluation of the Kerbside Recycling Scheme and invited the Committee to agree, or otherwise, the recommendations contained in the draft report for presentation to Cabinet.

It was agreed:

- (i) to approve the draft report and the review findings contained therein; and
- (ii) that the review report be presented to the next appropriate Cabinet meeting, for Cabinet to consider the recommendations contained therein.

#### **REVIEW TO ASSESS THE AVAILABILITY OF AFFORDABLE HOUSING THROUGHOUT THE SETTLEMENTS OF EAST AYRSHIRE (Item 2, Page 294, 07/11)**

6. The Committee received an awareness raising presentation by Chris McAleavey, Head of Housing, on issues relating to this topic.

The Head of Housing and the Developer Contributions Officer then responded to questions put, and issues raised, by Members during discussion of pertinent matters arising from the presentation.

The Chair thanked the Head of Housing for the presentation which had provided a useful basis to inform the Committee's forthcoming review of the topic.

Councillors John Campbell and Eric Ross left the meeting during the above item.

The meeting terminated at 1202 hrs.