

EAST AYRSHIRE COUNCIL

POLICY AND RESOURCES COMMITTEE

**MINUTES OF MEETING HELD ON TUESDAY 12 APRIL 2005 AT 1000 HOURS IN
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Drew McIntyre, Jim O'Neill, Brian Reeves, Willie Coffey, Douglas Reid, Gordon Cree, John Weir, Isabella Macrae, Harry Wilson, Provost Jane Darnbrough and Councillors John Knapp, Stuart Finlayson, Jimmy Kelly, Tommy Farrell, William Menzies, Eric Ross, Elaine Dinwoodie and Jimmy Carmichael.

ATTENDING: Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Corporate Support; John Mulgrew, Executive Director of Educational and Social Services; William Stafford, Executive Director of Neighbourhood Services; Alex McPhee, Executive Head of Finance; David Mitchell, Head of Administrative and Legal Services/Solicitor to the Council; Kay Gilmour, Head of Community Support; John Clayton, Head of Corporate Development and Communication; Malcolm Roulston, Head of Information Technology; Euan Couperwhite, Head of Resource Support; Eddie Fraser Community Care Manager, Educational and Social Services; and Anne Marie Carr, Senior Administrative Officer.

APOLOGIES: Councillors Stephanie Young, Daniel Coffey and Eric Jackson.

CHAIR: Councillor Drew McIntyre, Chair and Councillor Farrell, (Chair for Item 21 only).

CHAIR'S REMARKS

1. It was agreed that Items 18, 19 and 20 detailed on the Agenda be continued to a future meeting of the Policy and Resources Committee, viz:-

ITEM 18 - SCOTTISH HUMAN RIGHTS CENTRE - REQUEST FOR GRANT;

ITEM 19 - ETHNIC MINORITIES LAW CENTRE (EMLC); AND

ITEM 20 - SCOTTISH REFUGEE COUNCIL.

MINUTES

SUB-COMMITTEE MINUTES

2. There were submitted and approved as a correct record and in respect of any recommendations contained therein, the undernoted Sub-Committee Minutes as contained within Appendix I to these Minutes, viz:-
 - 2.1 **MEMBERS' SERVICES AND CIVIC CEREMONIAL SUB-COMMITTEE OF THE POLICY AND RESOURCES COMMITTEE OF 16 MARCH 2005 - APPENDIX I.**

BUDGET SCRUTINY GROUP

3. There were submitted and noted the Minutes of the Budget Scrutiny Group meeting held on 27 January 2005 (circulated).

FINANCE

BUDGETARY CONTROL STATEMENT - GENERAL FUND SERVICES

4. There was submitted a report dated 23 March 2005 (circulated) by the Executive Head of Finance which advised of the projected financial position for Revenue Services and the General Services Capital Programmes based on information provided by Executive Directors.

It was agreed:-

- (i) to approve the transfer of £0.025m for East Ayrshire Woodlands from the Council's ear-marked surplus to Development and Property Services as detailed in Paragraph 3.4 of the report;
- (ii) to approve the transfer from the renewal and repairs fund as detailed in Paragraph 3.8 of the report; and
- (iii) otherwise, to note the contents of the report.

BUDGETARY CONTROL STATEMENT - POLICY AND RESOURCES (CENTRAL SERVICES)

5. There was submitted and noted a report dated 22 March 2005 (circulated) by the Executive Head of Finance which advised of the current budgetary control position and the projected out-turn for the year for the services within the remit of Policy and Resources (Central Services).

BUDGETARY CONTROL STATEMENT - POLICY AND RESOURCES (CORPORATE SUPPORT)

6. There was submitted and noted a joint report dated 22 March 2005 (circulated) by the Executive Head of Finance and the Executive Director of Corporate Support which advised of the current budgetary control position and the projected out-turn for the year for the services within the remit of Policy and Resources (Corporate Support).

HOUSING REVENUE ACCOUNT TO 6 MARCH 2005 (PERIOD 12)

7. There was submitted and noted a joint report dated 23 March 2005 (circulated) by the Executive Head of Finance and the Executive Director of Neighbourhood Services which advised Members of the current budgetary control position of the Housing Revenue Account for the period ended 6 March 2005 (Period 12) and the projected out-turn for the year.

STATISTICAL INFORMATION ON REVENUE COLLECTION

8. There was submitted and noted a report dated 23 March 2005 (circulated) by the Executive Head of Finance which provided an update on the position of the Council with regard to billing and collection of local taxes as at 6 March 2005 (Period 12).

2005/06 INFORMATION TECHNOLOGY CAPITAL PROGRAMME

9. There was submitted a report dated 21 February 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which recommended approval of the Information Technology Capital Programme for 2005/06.

It was agreed:-

- (i) to approve the 2005/06 Information Technology Capital Programme as detailed within Appendix I of the report; and
- (ii) to note that a further report would be submitted by the Depute Chief Executive/Executive Director of Corporate Support on integration of the Ayrshire Electronic Community within the north of the Authority.

MODERNISING GOVERNMENT FUND - THIRD ROUND (Item 16, Page 701, 03/07)

10. There was submitted a report dated 22 February 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised on the outcome of the Council's bids for funding under the third round of the Scottish Executive Modernising Government Fund (MGF3) and which sought approval to accept the Scottish Executive offer of award.

It was agreed:-

- (i) to note the Council's success in securing MGF3 funding for ICT related projects and accept the offer of award as detailed in Section 3 of the report;
- (ii) to note that a further report would be presented to a future meeting of the Policy and Resources Committee which would advise Members of progress in respect of delivering project objectives; and
- (iii) otherwise, to note the contents of the report.

BELLSBANK WOMEN'S PROJECT SERVICE LEVEL AGREEMENT EVALUATION (Item 12, Page 700, 03/07)

11. There was submitted a report dated 15 March 2005 (circulated) by the Executive Director of Educational and Social Services which advised of the outcome of the evaluation of the Service Level Agreement with Bellsbank Women's Project and which made recommendations accordingly.

It was agreed:-

- (i) to remit to the Head of Community Support the development of a third Service Level Agreement with Bellsbank Women's Project for the period 2005/2008 ;
- (ii) to approve an annual award of £22,363 to the Bellsbank Women's Project which included an inflationary uplift; and
- (iii) otherwise, to note the contents of the report.

AFFILIATIONS TO OUTSIDE ORGANISATIONS

12. There was submitted a report dated 23 March 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which invited the Committee to consider the background, aims and objectives and activities of those organisations which had sought association with, and affiliation of, the Council.

It was agreed:-

- (i) to approve the applications, in principle, detailed in Appendix II to these Minutes; and
- (ii) that the appropriate Departments make payment of the affiliation fees to those approved organisations.

**BUILDING LEARNING COMMUNITIES: SCHOOLS PPP PROJECT -
GROUND SURVEY COSTS**

13. There was submitted a joint report dated 24 March 2005 (circulated) by the Executive Director of Educational and Social Services and the Executive Head of Finance which invited Committee consideration of the extraordinary costs of ground condition surveys undertaken as part of the PPP Project.

It was agreed:-

- (i) that the costs of the ground condition survey amounting to £97,368 be met from uncommitted general fund balances; and
- (ii) otherwise, to note the contents of the report.

CONSULTATION

AYRSHIRE & ARRAN DRAFT CHILD HEALTH STRATEGY

14. There was submitted a report dated 23 February 2005 (circulated) by the Executive Director of Educational and Social Services which advised of the Council response to the Ayrshire & Arran Draft Child Health Strategy.

It was agreed to approve East Ayrshire Council's response to Ayrshire & Arran's Draft Child Health Strategy as detailed in Appendix I of the report.

FIRE AND RESCUE FRAMEWORK FOR SCOTLAND

15. There was submitted a report dated 15 March 2005 (circulated) by the Executive Director of Neighbourhood Services which advised on a Scottish Executive Consultation Paper entitled "Fire and Rescue Framework for Scotland" and which sought authority to submit an appropriate response on behalf of the Council.

It was agreed:-

- (i) to remit to the Executive Director of Neighbourhood Services to respond to the Consultation Paper having regard to the specific comments contained in Section 3 of the report; and
- (ii) otherwise, to note the contents of the report.

**INQUIRY INTO BOUNDARIES, VOTING AND REPRESENTATION IN SCOTLAND:
THE ARBUTHNOTT COMMISSION**

16. There was submitted a report dated 21 March 2005 (circulated) by the Chief Executive which advised of a consultation exercise undertaken by the Arbuthnott Commission in respect of an inquiry into Boundaries, Voting and Representation in Scotland.

Councillor McIntyre, seconded by Councillor Reeves, moved support for the proposed response, under deletion of the reference, in paragraph 3 of the Appendix to the report, to support for an STV voting system and substitution therefor of a statement in support of retention of a first past the post system.

Councillor Reid, seconded by Councillor Wilson, moved as an amendment:-

- (i) to support STV and the principle of fair voting; and
- (ii) otherwise, to note the contents of the report.

On a division by a show of hands, the motion was carried by 14 votes to 4.

SUPPORTING POLICE, PROTECTING COMMUNITIES: PROPOSAL FOR LEGISLATION

17. There was submitted a report dated 9 March 2005 (circulated) by the Executive Director of Neighbourhood Services which advised of a Scottish Executive consultation entitled "Supporting Police, Protecting Communities: Proposals for Legislation" and which sought approval of a proposed response.

It was agreed:-

- (i) to approve the draft response to the consultation to the Scottish Executive detailed at Appendix I of the report; and
- (ii) arising from a query from Councillor W Coffey, to pursue with the Scottish Executive the provision of support to Police in tackling drug dealers within housing estates given that this matter did not fall within the scope of this consultation document.

RESIDENTS' SURVEY

18. There was submitted a report dated 6 April 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval to part-fund a Community Planning Residents' Survey.

It was agreed:-

- (i) to note the commitment by Community Planning Partners to jointly carry out future community consultation and engagement exercises, where possible;
- (ii) to finance the survey as outlined at Paragraph 3.4 of the report;
- (iii) to remit to the Community Planning Partnerships Joint Officers' Group to approve the surveys' final question sets; and
- (iv) to receive and consider the results of the survey once completed.

EAST AYRSHIRE VOLUNTEER CENTRE

19.1 Declaration of Interest

Councillor McIntyre stated that he wished to declare a non-financial interest in respect of this item due to the fact that the Kilmarnock and Loudoun Constituency Labour Party was the Volunteer Centre's landlord and left the meeting. Councillors O'Neill, Reeves, Cree, Macrae, Provost Darnbrough and Councillors Knapp, Finlayson and Kelly also declared a non-financial interest in the same terms and left the meeting.

19.2 Chair

In accordance with Standing Order 16.1, the Chief Executive invited nominations for the appointment of a Chair for this item.

Councillor Menzies, seconded by Councillor Carmichael, moved that Councillor Farrell be appointed as Chair.

Councillor Reid, seconded by Councillor W Coffey, moved as an amendment that Councillor Wilson be appointed as Chair.

On a division by a show of hands, the motion was carried by 5 votes to 4.

Councillor Farrell took the Chair.

19.3 Consideration of Item

There was submitted a report dated 21 March 2005 (circulated) by the Executive Director of Educational and Social Services which advised of a grant application for 2005/06 for the Volunteer Centre and which made recommendations accordingly.

Councillor Farrell, seconded by Councillor Carmichael, moved:-

- (i) to approve a grant of £10,789 for the East Ayrshire Volunteer Centre, subject to other funding being secured; and
- (ii) otherwise, to note the contents of the report.

Councillor Reid, seconded by Councillor Wilson, moved to continue consideration of this item to allow a proper evaluation and satisfactory assessment of the organisation in terms of Best Value.

On a division by a show of hands, the motion was carried by 5 votes to 4.

**REMIT FROM IRVINE VALLEY LOCAL COMMITTEE OF 30 MARCH 2005 -
COMMUNITY GRANT APPLICATION - IRVINE VALLEY REGENERATION
PARTNERSHIP**

Councillors McIntyre, O'Neill, Reeves, Cree, Macrae, Provost Darnbrough and Councillors Knapp, Finlayson and Kelly rejoined the meeting at this point.

Councillor Farrell vacated the Chair in favour of Councillor McIntyre.

20.1 Declaration of Interest

Councillors Macrae, Wilson and Finlayson declared a non financial interest in the undernoted item.

20.2 Consideration of Item

There was submitted a report dated 31 March 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which requested the Committee to consider a Community Grant application which had been remitted from the Irvine Valley Local Committee of 30 March 2005.

It was agreed:-

- (i) to award a Community Grant of £1,000 to the Irvine Valley Regeneration Partnership which had been remitted from the Irvine Valley Local Committee of 30 March 2005 for consideration; and
- (ii) otherwise, to note the contents of the report.

CONTRACTS

AWARDING OF CONTRACTS

21. There was submitted and noted a report dated 24 March 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which provided, for information, details of tenders which had been accepted, viz:-

<u>CONTRACT</u>	<u>SUCCESSFUL CONTRACTOR</u>	<u>AMOUNT</u>
Clerk of Work Services, Northwest Kilmarnock Centre	D A Gilmour Ltd., Falkirk	£66,220.00
Construction of the Northwest Kilmarnock Primary Care Neighbourhood Services Centre	Barr Ltd., Paisley	£5,608,986.09*
London Road Centre Annexe, Kilmarnock - Internal Refurbishment	Forbes & Whiteford Ltd., Kilmarnock	£84,551.25

* This tender was revised following a value engineering exercise which resulted in the lowest offer for the proposed works being reduced from £6,345,401.19 to £5,608,986.09.

EXCLUSION OF PRESS AND PUBLIC

22. The Committee resolved that under Section 50(A) of the Local Government (Scotland) Act 1973, as amended the Press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in the Paragraphs of Schedule 7A of the Act as shown against each item.

STAFFING

DEVELOPMENT OF EAST AYRSHIRE COUNCIL'S FREEDOM OF INFORMATION AND RECORDS MANAGEMENT SERVICES (Item 18, Page 1262, 03/07) (PARAS 1 & 11)

23. There was submitted a report dated 31 March 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval for proposals to further develop the Council's Freedom of Information and Records Management Service to ensure continuing improvements in terms of the Freedom of Information (Scotland) Act 2002 and which would meet the Council's commitment to have improved records and information management systems as set out in Section 61 of the Act.

It was agreed:-

- (i) to approve the proposals contained in the report; and

- (ii) to refer the report to the Corporate Governance Committee for consideration of the additional staffing requirements arising therefrom.

PROPERTY

PROPOSED DISPOSAL OF FORMER OCHILTREE STORE, MAIN STREET, OCHILTREE (PARA 9)

24. There was submitted a report dated 21 March 2005 (circulated) by the Solicitor to the Council which advised of the outcome of the recent marketing of the former Ochiltree Store, Main Street, Ochiltree, and which sought authority to dispose of the subjects to the party detailed in the report.

It was agreed to authorise the Solicitor to the Council to accept the offer from the party detailed in the report, subject to the receipt of detailed plans and specifications satisfactory to the Head of Planning, Development and Building Standards and subject to any additional terms and conditions required to protect the Council's interests and should the detailed plans and specifications not be satisfactory to the Head of Planning, Development and Building Standards, to authorise the Solicitor to the Council to revert to the remaining parties detailed in the report to accept their offer on similar terms and conditions.

PROPOSED DISPOSAL OF LAND AT GARDEN STREET, GALSTON (PARA 9)

25.1 Declaration of Interest

Councillor Finlayson declared a non-financial interest in the undernoted item.

25.2 Consideration of Item

There was submitted a report dated 16 March 2005 (circulated) by the Solicitor to the Council which advised the Committee of the outcome of a recent joint marketing exercise with Galston Bowling Club of the combined development site and which sought authority to dispose of that part of the development site within Council ownership to the party detailed in the report.

It was agreed to authorise the Solicitor to the Council in conjunction with the Solicitor acting for Galston Bowling Club, as joint owners of the development site to accept the offer from the party detailed, however, should Missives not be successfully concluded within an acceptable timescale, or should the suspensive Conditions contained therein not be purified, to authorise the Solicitor to the Council to revert to the remaining parties detailed in the report to accept their offer, subject to the agreement of the Solicitor representing Galston Bowling Club.

PROPOSED DISPOSAL OF FORMER COUNTY HALL, MAUCHLINE ROAD, HURLFORD (PARA 9)

26. There was submitted a report dated 21 March 2005 (circulated) by the Solicitor to the Council which advised the Committee of the outcome of the recent marketing of the former County Hall, Mauchline Road, Hurlford, and which sought authority to dispose of the subjects to the party detailed in the report.

It was agreed to authorise the Solicitor to the Council to accept the offer from the party detailed in the report, subject to any additional terms and conditions required to

protect the Council's interest, whom failing, to revert to the remaining parties detailed in the report to accept their offer subject to appropriate terms and conditions.

The meeting terminated at 1053 hours.