

EAST AYRSHIRE COUNCIL

MINUTES OF MEETING HELD ON THURSDAY 29 APRIL AT 1000 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Provost Jane Darnbrough and Councillors Maureen McKay, Jim O'Neill, John McGhee, Brian Reeves, Daniel Coffey, Willie Coffey, Douglas Reid, Gordon Cree, John Weir, Drew McIntyre, Harry Wilson, John Campbell, Ray Murray, John Knapp, Jim Raymond, Stuart Finlayson, Robert McDill, Eric Jackson, George Smith, Tommy Farrell, William Menzies, Neil McGhee, William Crawford, Eric Ross, Elaine Dinwoodie, Elaine Stewart and Jimmy Carmichael.

ATTENDING: Fiona Lees, Chief Executive; James Lavery, Executive Director of Development and Property Services; John Mulgrew, Executive Director of Educational and Social Services; William Stafford, Executive Director of Neighbourhood Services; David Mitchell, Head of Administrative and Legal Services; Alex McPhee, Executive Head of Finance; Chris McAleavey, Head of Housing; Jackie Donnelly, Executive Head of Social Work; John Clayton, Head of Corporate Development and Communication; Bill Walkinshaw, Administration Manager and Julie Armstrong, Assistant Administration Manager.

APOLOGIES: Councillors Stephanie Young, Isabel Macrae, Iain Linton and Jimmy Kelly.

CHAIR: Provost Darnbrough, Chair.

PROVOST'S REMARKS

1. Provost Darnbrough began by congratulating Fiona Lees on her recent appointment as Chief Executive of East Ayrshire Council and wished her the best for the future.

Fiona Lees, Chief Executive then thanked the Council and gave a short response.

The Provost then referred to the untimely death of Anna Boyd, wife of Jimmy Boyd MBE on 26 April 2004. The Provost stated that the service would be at St John's Church this evening at 6.30pm and that a mass would be held at 10am on Friday 30 April 2004 with the service at the crematorium in Masonhill thereafter at 11.30am.

The Provost commented that Anna had been ill for some time but had remained brave, strong and supportive to Jimmy throughout. The Provost then passed on her deepest sympathy to Jimmy and his family at this time.

The Provost then advised the meeting that she had written to the Spanish Ambassador in relation to the bombing in Madrid on Thursday 11 March 2004. The Provost intimated that she had received a response from the Spanish Ambassador who had stated that he was grateful for the sympathies sent to his country.

PREVIOUS MINUTES

2. There were submitted Minutes of the meeting of Council held on 4 March 2004 (pages 599-605) (circulated) which were approved as a correct record.

COMMITTEE MINUTES

3. There were submitted (circulated) and approved both as correct records and in respect of the recommendations contained therein the Minutes of the undernoted meeting, viz:-

3.1 SOUTHERN LOCAL PLANNING COMMITTEE OF 27 FEBRUARY 2004 (pages 596-598).

3.2 CENTRAL LOCAL PLANNING COMMITTEE OF 5 MARCH 2004 (pages 606-607).

3.3 DEVELOPMENT SERVICES COMMITTEE OF 10 MARCH 2004 (pages 608-615).

3.4 DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING COMMITTEE OF 10 MARCH 2004 (pages 616-617).

3.5 NORTHERN AREA LOCAL COMMITTEE OF 11 MARCH 2004 (pages 618-623).

3.6 KILMARNOCK CENTRAL LOCAL COMMITTEE OF 16 MARCH 2004 (pages 624-628).

MATTER ARISING - NEW LOCAL ISSUES - REFURBISHMENT OF THE KAY PARK BURNS MONUMENT (Item 15, Page 628, 03/07)

It was agreed that the report requested by this Committee also be referred to the Kilmarnock North and Kilmarnock South Local Committees for their information.

3.7 EMERGENCY POWERS COMMITTEE OF 17 MARCH 2004 (pages 629-631).

MATTER ARISING - NORTHWEST KILMARNOCK PRIMARY CARE NEIGHBOURHOOD SERVICES CENTRE - TRANSFER OF OWNERSHIP OF THE ARDBEG HEALTH CLINIC

It was noted that the facility, subject to the transfer of ownership, was locally known as the Keep Well Clinic.

3.8 HOUSING COMMITTEE OF 17 MARCH 2004 (pages 632-640).

3.9 SOCIAL WORK COMMITTEE OF 18 MARCH 2004 (pages 641-644).

3.10 LOCAL GOVERNMENT LICENSING PANEL OF 18 MARCH 2004 (pages 645-646).

3.11 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 19 MARCH 2004 (pages 647-652).

3.12 EDUCATION COMMITTEE OF 23 MARCH 2004 (pages 653-660).

3.13 DOON VALLEY LOCAL COMMITTEE OF 23 MARCH 2004 (pages 661-664).

3.14 COMMUNITY SERVICES COMMITTEE OF 24 MARCH 2004 (pages 665-668).

REMIT FROM COMMITTEE - REVIEW OF LIBRARY, INFORMATION AND REGISTRATION SERVICES (Item 5, Page 666, 03/07) -

It was agreed that the membership to the Member/Officer Working Group on the Review of Library, Information and Registration Services comprise the Chair and Vice-Chair of the Community Services Committee, Councillors Macrae, Murray, N McGhee, Wilson and W Coffey.

3.15 KILMARNOCK SOUTH LOCAL COMMITTEE OF 24 MARCH 2004 (pages 669-672).

- 3.16 CUMNOCK AREA LOCAL COMMITTEE OF 25 MARCH 2004 (pages 673-678).
- 3.17 SOUTHERN LOCAL PLANNING COMMITTEE OF 26 MARCH 2004 (pages 679-681).
- 3.18 EMERGENCY POWERS COMMITTEE OF 31 MARCH 2004 (page 682).
- 3.19 CORPORATE GOVERNANCE COMMITTEE OF 31 MARCH 2004 (pages 683-688).
- 3.20 KILMARNOCK NORTH LOCAL COMMITTEE OF 31 MARCH 2004 (pages 689-692).
- 3.21 IRVINE VALLEY LOCAL COMMITTEE OF 31 MARCH 2004 (pages 693-697).
- 3.22 POLICY AND RESOURCES COMMITTEE OF 1 APRIL 2004 (pages 698-708).

MATTER ARISING - EAST AYRSHIRE VOLUNTEER CENTRE (Item 18.4, Page 702, 03/07)

Councillor Reid seconded by Councillor D Coffey moved that the Council reconsider this matter in terms of Standing Order 40 and Councillor Reid requested that a Roll Call vote be taken.

Declaration of Interest

Councillors McKay, O'Neill, J McGhee, Reeves, Cree, McIntyre, Murray, Provost Darnbrough, Knapp, Raymond and Finlayson declared an indirect non-pecuniary interest in the item and took no part in the discussion.

Chair

As Provost Darnbrough had declared an interest in this matter, Depute Provost Farrell took the Chair during this item.

On the request by Councillor Reid that a roll call vote be taken and there being at least one third of the remaining 17 Members present and not declaring an interest in agreement (that is 7 members), in accordance with Standing Order 36.2 the vote on the motion to reconsider was taken by calling the roll as follows:-

For the motion - Councillors D Coffey, W Coffey, Reid, Weir, Wilson, Campbell and McDill.

Against the motion - Councillors Jackson, Smith, Farrell, Menzies, N McGhee, Crawford, Ross, Dinwoodie, Stewart and Carmichael.

The motion to reconsider the item was defeated by 10 votes to 7.

Provost Darnbrough then resumed the Chair.

- 3.23 DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING COMMITTEE OF 1 APRIL 2004 (pages 709-713).
- 3.24 CENTRAL LOCAL PLANNING COMMITTEE OF 2 APRIL 2004 (pages 714-716).

**TREASURY MANAGEMENT - BANKING ARRANGEMENTS
(Item 5, Page 2396, 99/03)**

- 4. There was submitted a report dated 20 April 2004 (circulated) by the Acting Chief Executive to request Council to update certain resolutions made at its meeting on 14 February 2002 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 Head of Finance or;
Financial Controller
 - or any two of;
 - Finance Manager – Strategic and Operational Accounting,
Finance Manager – Financial Accounting and Control
Treasury and Risk Services Manager;
- (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 Head of Finance or;
Financial Controller
 - or any two of;
 - Finance Manager – Strategic and Operational Accounting,
Finance Manager – Financial Accounting and Control
Treasury and Risk Services Manager;
- (iv) that the Bank be supplied with a list of the names of 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 Head of Finance 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.

JOUÉ-LÉS-TOURS - EXCHANGE ARRANGEMENTS

- 5. There was submitted a report dated 1 April 2004 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which informed the Council of a proposed civic visit and Officer exchange from representatives from Joué-Lés-Tours in May/June of this year.

Having heard the Chief Executive report that there would now be only four representatives involved in the visit/Officer exchange and that estimated costs would not exceed £3,500 it was agreed:-

- (i) to note that Mayor Breton had accepted the invitation and would be accompanied by the Depute for Sport, General Business and Twinning and that the Officer exchange participants were the Director of Cultural Development and the Highways Engineer; and
- (ii) to remit to the Depute Chief Executive/Executive Director of Corporate Support to make the appropriate arrangements in connection with the visit/Officer exchange.

The meeting terminated at 1102 hours.