

**EAST AYRSHIRE COUNCIL****MINUTES OF MEETING HELD ON THURSDAY 28 APRIL 2005 AT 1000 HRS  
IN THE MEETING ROOM, COUNCIL HEADQUARTERS,  
LONDON ROAD, KILMARNOCK**

**PRESENT:** Provost Jane Darnbrough and Councillors Jim O'Neill, John McGhee, Brian Reeves, Daniel Coffey, Willie Coffey, Douglas Reid, Gordon Cree, John Weir, Drew McIntyre, Harry Wilson, Ray Murray, John Knapp, Jim Raymond, Stuart Finlayson, Robert McDill, Eric Jackson, George Smith, Jimmy Kelly, Depute Provost Tommy Farrell, Councillors William Menzies, William Crawford, 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; Jackie Donnelly, Executive Head of Social Work; David Mitchell, Head of Administrative and Legal Services; Robert Paton, Head of Economic Development and Property; Chris McAleavey, Head of Housing; Alan Neish, Head of Planning, Development and Building Standards; Jim Kane, Head of Roads and Transportation; Bill Walkinshaw, Administration Manager; David Morgan, Public Relations Officer; and Julie Armstrong, Assistant Administration Manager.

**APOLOGIES:** Councillors Maureen McKay, Stephanie Young, Isabel Macrae, Iain Linton, John Campbell, Neil McGhee and Elaine Stewart.

**CHAIR:** Provost Darnbrough, Chair.

**PRESENTATION TO JOHN McROBERT, ASSISTANT PRINCIPAL ENGINEER**

1. The Provost began by introducing John McRobert of the Council's Roads and Transportation Division who was due to receive the Society of Chief Officers of Transportation in Scotland (SCOTS) Achievement Award 2005.

The Provost stated that the award was being presented to John for his dedication to his profession at an awards ceremony to be held later that night. John, who had been nominated by the Council's Head of Roads and Transportation, was the Project Manager on the recently completed major multi-million pound flood prevention scheme, which was the fourth such scheme he had undertaken successfully.

The Provost continued by detailing John's other many and varied duties.

The Provost stated that it was a great privilege and honour on behalf of the full Council to present John with a Council presentation box of Johnnie Walker whisky and glasses for his outstanding dedication and achievement. The Provost finished by stating that it was also typical of John that he made sure that Elected Members and Officers present knew that it was always a team effort and that the success of the Roads Section was not just down to one man.

John McRobert, having received the presentation from the Provost, then thanked the Council and gave his reply.

### **PREVIOUS MINUTES**

2. There were submitted (circulated) Minutes of Meeting of Council held on 3 March 2005 (pages 1304-1306) which were approved as a correct record.

### **COMMITTEE MINUTES**

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

- 3.1 **SPECIAL COMMUNITY SERVICES COMMITTEE OF 23 FEBRUARY 2005 (pages 1292-1298).**

#### **MATTERS ARISING**

**(i) CORRECTION TO THE MINUTE (Item 14, Page 1298)**

It was agreed that the Minute be amended to insert the following paragraph at the end of Item 14, "On a division by a show of hands the motion was carried by 13 votes to 6".

**(ii) SERVICE REVIEW - COMMUNITY RECREATION - ALTONHILL COMMUNITY CENTRE CLOSURE (Item 13, Page 1297)**

A motion by Councillor D Coffey, seconded by Councillor Reid, to reconsider this matter in terms of Standing Order 40 was, on a division by a show of hands, defeated by 19 votes to 6 and accordingly failed to receive the requisite support of two-thirds of the Members voting.

- 3.2 **SOUTHERN LOCAL PLANNING COMMITTEE OF 25 FEBRUARY 2005 (pages 1299-1303).**

- 3.3 **CENTRAL LOCAL PLANNING COMMITTEE OF 4 MARCH 2005 (pages 1307-1310).**

- 3.4 **DEVELOPMENT SERVICES COMMITTEE OF 9 MARCH 2005 (pages 1311-1316).**

**MATTER ARISING - REMIT FROM COMMITTEE - CATRINE ENVIRONMENTAL HERITAGE PROJECT - ORGANISATIONAL ARRANGEMENTS (Item 8, Page 1314, 03/07)**

It was agreed to nominate three Elected Members (two from the Administration, one from the Opposition) to represent the Council on the Catrine Environmental Heritage Executive Committee, the Members being Councillors Smith, Neil McGhee and Wilson.

- 3.5 **DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING COMMITTEE OF 9 MARCH 2005 (pages 1317-1319).**

- 3.6 **SPECIAL LOCAL GOVERNMENT LICENSING PANEL OF 10 MARCH 2005 (pages 1320-1321).**

- 3.7 **NORTHERN AREA LOCAL COMMITTEE OF 10 MARCH 2005 (pages 1322-1326).**

- 3.8 **KILMARNOCK CENTRAL LOCAL COMMITTEE OF 15 MARCH 2005 (pages 1327-1329).**

- 3.9 **HOUSING COMMITTEE OF 16 MARCH 2005 (pages 1330-1336).**

- 3.10 KILMARNOCK SOUTH LOCAL COMMITTEE OF 16 MARCH 2005 pages 1337-1340).**
- 3.11 LOCAL GOVERNMENT LICENSING PANEL OF 17 MARCH 2005 (pages 1341-1343).**
- 3.12 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 18 MARCH 2005 (pages 1344-1349).**
- 3.13 EMERGENCY POWERS COMMITTEE OF 21 MARCH 2005 (pages 1350-1358).  
MATTER ARISING - CORRECTION TO THE MINUTE (pages 1353 & 1354)**

It was agreed to amend the Appendix to the Minute at the entries under KL18, KL23 and KL41 at pages 1353 and 1354 to replace the word "party" with "part".

- 3.14 EDUCATION COMMITTEE OF 22 MARCH 2005 (pages 1359-1365).**
- 3.15 DOON VALLEY LOCAL COMMITTEE OF 22 MARCH 2005 (pages 1366-1370).**
- 3.16 KILMARNOCK NORTH LOCAL COMMITTEE OF 22 MARCH 2005 (pages 1371-1375).**
- 3.17 SOCIAL WORK COMMITTEE OF 24 MARCH 2005 (pages 1376-1389).  
MATTER ARISING - REMIT FROM COMMITTEE - AYRSHIRE CRIMINAL JUSTICE SOCIAL WORK SERVICES PARTNERSHIP MINUTE OF AGREEMENT (Item 7, Page 1378, 03/07)**

It was agreed to appoint the Chair and Vice-Chair of the Social Work Committee to the Criminal Justice Joint Committee.

- 3.18 SOUTHERN LOCAL PLANNING COMMITTEE OF 24 MARCH 2005 (pages 1390-1391).**
- 3.19 COMMUNITY SERVICES COMMITTEE OF 29 MARCH 2005 (pages 1392-1398).  
MATTER ARISING - BURNS MONUMENT, KAY PARK, KILMARNOCK - PROGRESS REPORT (Item 14, Page 1395)**

A motion by Councillor Reid, seconded by Councillor D Coffey, to reconsider this matter in terms of Standing Order 40 was, on a division by a show of hands, defeated by 19 votes to 6 and accordingly failed to receive the requisite support of two thirds of the Members voting.

- 3.20 CUMNOCK AREA LOCAL COMMITTEE OF 30 MARCH 2005 (pages 1399-1403).**
- 3.21 IRVINE VALLEY LOCAL COMMITTEE OF 30 MARCH 2005 (pages 1404-1407).**
- 3.22 POLICY AND RESOURCES COMMITTEE OF 12 APRIL 2005 (pages 1408-1423).  
MATTER ARISING - EAST AYRSHIRE VOLUNTEER CENTRE (Item 19.1, Page 1412)**

Councillor Reid, seconded by Councillor Wilson, moved that the Council reconsider this matter in terms of Standing Order 40.

#### **Declaration of Interest**

Provost Darnbrough and Councillors O'Neill, J McGhee, Reeves, Cree, McIntyre, Murray, Knapp, Raymond, Finlayson, Jackson, Smith and Kelly declared a non-financial interest in respect of this item and left the meeting.

**Chair**

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

On a division by a show of hands, there were six votes for the motion and six votes against the motion and, accordingly, the motion failed to receive the requisite support of two-thirds of the Members voting.

Provost Darnbrough and Councillors O'Neill, J McGhee, Reeves, Cree, McIntyre, Murray, Knapp, Raymond, Finlayson, Jackson, Smith and Kelly then rejoined the meeting.

Provost Darnbrough then resumed the Chair.

It was agreed that appropriate Officers review the information provided in the application and supplementary information in respect of the Volunteer Centre and inform Councillor Reid of the outcome.

- 3.23 DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING COMMITTEE OF 12 APRIL 2005 (pages 1424-1425).**
- 3.24 CENTRAL LOCAL PLANNING COMMITTEE OF 13 APRIL 2005 (pages 1426-1428).**
- 3.25 CORPORATE GOVERNANCE COMMITTEE OF 14 APRIL 2005 (pages 1429-1436).**
- 3.26 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 15 APRIL 2005 (pages 1437-1439).**

**EXCERPT FROM SPECIAL HOUSING COMMITTEE OF 20 APRIL 2005**

- 4.** There was submitted an excerpt (circulated) from the Special Housing Committee of 20 April 2005 for approval of the recommendations contained therein.

Councillor Kelly, seconded by Councillor Cree, moved the excerpt as a correct record.

Councillor W Coffey, seconded by Councillor Wilson, moved as an amendment that the excerpt was not a correct record.

On a division by a show of hands the motion was carried by 19 votes to 6.

Councillor Kelly, seconded by Councillor Cree, moved approval of the recommendations as detailed in the excerpt.

Councillor W Coffey, seconded by Councillor D Coffey, moved as an amendment: that East Ayrshire Council has no intention of transferring its housing stock in full or in part and commits itself to a proactive strategy which focuses on stock retention and improving the service in full participation with Council tenants and staff. Further, East Ayrshire Council is appalled at the Scottish Executive scheme to blackmail local Councils by providing grants and debt write-off in return for stock transfers, recognising the impact this will have on current and future service planning for the public rented sector in East Ayrshire.

The wording of the above amendment as per the specific request of Councillor W Coffey.

On a division by a show of hands the motion was carried by 19 votes to 6.

### **CHAIR OF THE CUMNOCK AREA LOCAL COMMITTEE**

5. It was agreed that, following the resignation of Councillor Menzies, to appoint Councillor Carmichael as the Chair of the Cumnock Area Local Committee.

### **NOMINATION TO THE NHS BOARD**

6. There was submitted a report dated 20 April 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought the nomination of a member of Council to become a member on the NHS Board.

It was agreed to nominate Councillor Farrell for consideration by the Minister for Health and Community Care, as a member of the principal NHS Board.

### **KILMARNOCK COMMON GOOD FUND - APPLICATION FOR FUNDING FROM SPORTS FOR SPECIAL NEEDS**

7. There was submitted a report dated 14 April 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which requested Council to consider making a grant from the Kilmarnock Common Good Fund to Sports for Special Needs based at the Galleon Leisure Centre, Kilmarnock.

It was agreed:

- (i) to make a grant award of £2,000 from the Kilmarnock Common Good Fund to Sports for Special Needs in respect of the Galleon Centre hire charges for 12 months;
- (ii) to remit to the Depute Chief Executive/Executive Director of Corporate Support to release payment; and
- (iii) otherwise, to note the terms of the report.

### **LOCAL COMMUNITY GRANTS SCHEME - DISTRIBUTION OF RESOURCES**

8. There was submitted a report dated 19 April 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which presented, for consideration, the proposed distribution of resources for the Council's Local Committee Community Grants Scheme.

Councillor McIntyre, seconded by Councillor Kelly, moved:

- (i) to agree the formula as detailed in paragraph 3.4 of the report as a basis for determining the 2005/06 and future years Local Committee Grants Scheme allocations;
- (ii) the application of Option 2 as detailed in Appendix I of the report as the preferred method of allocation to each Local Committee as detailed below;

<u>Local Committee area</u>	<u>2005/06 Option 2</u>
Northern	£16,780
Kilmarnock South	£21,663
Kilmarnock North	£27,099
Kilmarnock Central	£21,922

Irvine Valley	£24,554
Doon Valley	£24,720
Cumnock	<u>£54,716</u>
Total	<u>£191,455</u>

(iii) otherwise, to note the contents of the report.

Councillor Reid, seconded by Councillor Wilson, moved as an amendment to continue consideration of the matter in order that public consultation may be carried out and that the matter be then considered at the special Council meeting to be held on 9 May 2005.

On a division by a show of hands the motion was carried by 19 votes to 6.

The meeting terminated at 1115 hrs.