

EAST AYRSHIRE COUNCIL

POLICY AND RESOURCES COMMITTEE

**MINUTES OF MEETING HELD ON TUESDAY 8 FEBRUARY 2005 AT 1000 HRS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Drew McIntyre, Jim O'Neill, Brian Reeves, Stephanie Young, Daniel Coffey, Douglas Reid, Gordon Cree, Isabel Macrae, Harry Wilson, Provost Jane Darnbrough and Councillors Stuart Finlayson, Jimmy Kelly, Tommy Farrell, Elaine Dinwoodie and Jimmy Carmichael.

ATTENDING: Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Corporate Support; 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; Alex McPhee, Executive Head of Finance; Jackie Donnelly, Executive Head of Social Work; David Mitchell, Head of Administrative and Legal Services/Solicitor to the Council; John Clayton, Head of Corporate Development and Communication; Chris McAleavey, Head of Housing; Malcolm Roulston, Head of Information Technology; and Anne Marie Carr, Senior Administrative Officer.

APOLOGIES: Willie Coffey, John Weir, John Knapp, Eric Jackson and William Menzies.

CHAIR: Councillor Drew McIntyre, Chair.

SUB-COMMITTEE MINUTES

1. There was 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.
- 1.1 **MEMBERS' SERVICES AND CIVIC CEREMONIAL SUB-COMMITTEE OF THE POLICY AND RESOURCES COMMITTEE OF 26 JANUARY 2005 - Appendix 1.**

FINANCE 2004/05

BUDGET SCRUTINY GROUP

2. There were submitted and noted the Minutes of the Budget Scrutiny Group meeting held on 22 December 2004 (circulated).

**BUDGETARY CONTROL SUMMARY STATEMENT -
GENERAL FUND SERVICES**

3. There was submitted and noted a report dated 27 January 2005 (circulated) by the Executive Head of Finance which advised of the projected financial position for Revenue Services and the General Services Capital Programme based on information provided by Executive Directors.

**BUDGETARY CONTROL SUMMARY STATEMENT -
POLICY AND RESOURCES (CENTRAL SERVICES)**

4. There was submitted and noted a report dated 27 January 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 SUMMARY STATEMENT -
POLICY AND RESOURCES (CORPORATE SUPPORT)**

5. There was submitted and noted a joint report dated 27 January 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 12 DECEMBER 2004 (PERIOD 9)

6. There was submitted and noted a joint report dated 27 January 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 12 December 2004 (Period 9) and the projected out-turn for the year.

STATISTICAL INFORMATION ON REVENUE COLLECTION

7. There was submitted and noted a report dated 10 January 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 9 January 2005 (Period 10).

**WEST OF SCOTLAND RACE EQUALITY COUNCIL -
APPLICATION FOR FINANCIAL ASSISTANCE**

8. There was submitted a report dated 20 January 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised of a request for financial assistance from the West of Scotland Race Equality Council.

It was agreed:

- (i) to reject the application for grant funding from the West of Scotland Race Equality Council; and
- (ii) that the Depute Chief Executive/Executive Director of Corporate Support communicate the decision of the Committee to the West of Scotland Race Equality Council.

FINANCE 2005/06 - 2007/08

TREASURY MANAGEMENT ANNUAL STRATEGY REPORT FOR 2005/06

9. There was submitted a report dated 16 January 2005 (circulated) by the Executive Head of Finance which sought the approval of the Committee for the proposed Treasury Management Strategy for the financial year 2005/06 which incorporated certain mandatory Prudential Indicators which were required to be set and approved by the Council in advance of the financial year.

It was agreed:

- (i) to recommend to the Council that the Prudential Indicators set out in paragraphs 3.5, 3.6, 3.7, 4.1, 4.4, 5.1 and 5.2 be approved;
- (ii) to authorise the Executive Head of Finance to negotiate the extension of the existing Treasury Advisory Service; and
- (iii) otherwise, to note the contents of the report.

GENERAL SERVICES CAPITAL PROGRAMME 2005/06 AND 2007/08

10. There was submitted a report dated 26 January 2005 (circulated) by the Executive Head of Finance which provided Elected Members with information to allow the setting of the General Services Capital Programme for 2005/06 and an indicative programme for the financial years 2006/07 and 2007/08.

It was agreed:

- (i) to recommend to Council to approve the proposed Capital Investment Strategy outlined in the report comprising the following total capital investment allocation for each Department:

RECOMMENDED ALLOCATIONS	05/06 £M	06/07 £M	07/08 £M	TOTAL £M
Education	4.706	8.280	6.977	19.963
Social Services	2.165	3.620	0.350	6.135
Development - Operational	13.572	6.750	5.710	26.032
Development - Accommodation	0.100	0.100	0.100	0.300
Neighbourhood Services - Community	1.785	2.415	0.750	4.950
Neighbourhood Services - Housing	0.670	0.670	0.670	2.010
Corporate Support	0.500	0.500	0.500	1.500
Council Issues	7.224	-	-	7.244
TOTAL EXPENDITURE	30.772	22.335	15.057	68.114

- (ii) to recommend to Council to approve the proposed arrangements for expenditure on construction and related works;
- (iii) to recommend to Council to instruct Executive Directors to submit detailed Capital Programmes for the utilisation of capital allocations to their Service Committees for consideration and approval having satisfied all requirements in relation to option appraisal and categorisation of capital expenditure; and
- (iv) to recommend to Council to approve the overall proposed capital expenditure outlined in Section 6 of the report.

GENERAL SERVICES REVENUE ESTIMATES 2005/06 TO 2007/08 - SETTING THE COUNCIL TAX

11. There was submitted a report dated 4 February 2005 (circulated) by the Executive Head of Finance which requested the Committee to agree the overall General Services Revenue budget for 2005/06 and projection for 2006/07 and 2007/08 and which recommended to the Council the level at which Council Tax Band 'D' should

be set for the financial year 2005/06 and the indicative level of Council Tax for 2006/07; together with a report dated 7 February 2005 (circulated) on the outcome of the Council's consultation exercise on the budget for 2005/06.

Councillor McIntyre, seconded by Councillor Reeves, having noted the overall allocations for the General Services Revenue Budget for 2005/06 and projection for 2006/07 shown as follows:

Service	Total Allocation 2005/06 £m	Proposed Allocation 2006/07 £m
Educational Services	92.827	92.786
Social Services	40.473	43.173
Neighbourhood Services	49.394	50.114
Development & Property Services	15.991	17.195
Corporate Support	9.079	9.024
*Other Non-Departmental Items	70.152	77.371
Net Expenditure	277.916	289.663
Net Income	278.761	290.508
Energy Efficient Target	0.845	0.845

**Other Non-Departmental Items include amounts for Supporting People, Debt Charges, Council Tax and Rent Rebates, Insurance and Trading Services surpluses.*

moved:

- (i) to recommend to Council that the budget be approved;
- (ii) to recommend to Council that the Band 'D' Council Tax level for 2005/06 be set at £1,116.27;
- (iii) to recommend to Council that the indicative Band 'D' Council Tax levels for 2006/07 be £1,171.44;
- (iv) to recommend to Council that Service Committees be requested to determine Service budgets within the allocations indicated taking account of Service Plans and priorities;
- (v) to recommend to Council that Service Committees be requested to produce a three year plan for the use of Quality of Life funds allocated to them;
- (vi) to recommend to Council that it does not set an indicative figure for revenue allocation for 2007/08 due to uncertainty in Scottish Executive funding; and
- (vii) otherwise, to note the contents of the report.

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

- (i) to note the report and continue consideration to the full Council; and
- (ii) that the Council does not set an indicative figure for revenue allocation for 2007/08, due to uncertainty in Scottish Executive funding.

On a division by a show of hands the motion was carried by 11 votes to 4.

HOUSING REVENUE ACCOUNT ESTIMATES AND ASSOCIATED RENT LEVELS FOR 2005/06

- 12.** There was submitted a joint report dated 4 February 2005 (circulated) by the Executive Director of Neighbourhood Services and the Executive Head of Finance which requested the Committee to agree the overall Housing Revenue Account budget for 2005/06 and which recommended to the Council the level of housing rent increase for the financial year 2005/06.

Councillor McIntyre, seconded by Councillor Reeves, moved:

- (i) to recommend to Council approval of the draft Estimates for the Housing Revenue Account submitted to the Housing Committee on 26 January 2005;
- (ii) to recommend to Council a rent increase of £1.40 per week over a 48 week period; an increase of £0.10 per week for lock-ups and £3.39 for garage site charges; and
- (iii) otherwise, to note the contents of the report.

Councillor Reid, seconded by Councillor Wilson, moved as an amendment to note the report and continue consideration to the full Council.

On a division by a show of hands the motion was carried by 11 votes to 4.

EFFICIENT GOVERNMENT FUND (Item 12, Page 1016, 03/07)

- 13.** There was submitted a report dated 11 January 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support (i) which advised of the submission, in conjunction with other Partners, of a bid to the first tranche of the first round of the Scottish Executive's Efficient Government Fund for Information and Communications Technology (ICT) related projects; (ii) which advised of the submission of a joint bid by Glasgow City and Renfrewshire Councils as lead authorities on behalf of the 12 West of Scotland Authorities, in respect of a proposed procurement related bid; and (iii) which advised of the preparation for a bid in Tranche 2 of the Fund.

It was agreed:

- (i) to note the submission of a Tranche 1, Stage 1 Bid to the Efficient Government Fund; and that a report would be presented to a future meeting of the Policy and Resources Committee which would advise Members of the outcome of the bid;
- (ii) to note the position in relation to the procurement related bids by Glasgow City Council and Renfrewshire Council and to remit to the Depute Chief Executive/Executive Director of Corporate Support to keep the Committee advised;
- (iii) to authorise appropriate officers to prepare and submit, where appropriate, bid(s) in respect of all or any of the issues reported at paragraph 5 of the report; and
- (iv) otherwise, to note the contents of the report.

COMMUNITY PLANNING

REGENERATION OUTCOME AGREEMENT AND ASSOCIATED FUNDING (Item 27, Page 1021, 03/07)

14.1 Declaration of Interest

Councillor McIntyre stated that he wished to declare a non-financial interest in respect of this item, specifically that he was a member of the Kilmarnock and Loudoun Constituency Labour Party, landlord to the East Ayrshire Volunteer Centre, which latter body included within the projects listed in Appendix I of the report in respect of which funding from the Community Regeneration Fund was recommended. Further, Councillor McIntyre stated that having due regard to the terms of Section 5 of the Councillors' Code of Conduct, particularly paragraphs 5.17 and 5.18, it was his intention to remain and participate in the consideration of this item.

Councillors O'Neill, Reeves, Cree, Macrae, Provost Darnbrough and Councillor Finlayson all then declared an interest in the same terms.

Provost Darnbrough left the meeting at this point.

14.2 Consideration of Item

There was submitted a report dated 26 January 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which presented to Members for consideration and endorsement, a summary of the East Ayrshire Community Planning Partners Regeneration Outcome Agreement and associated programme of funding for the new Community Regeneration Fund.

It was agreed:

- (i) to endorse East Ayrshire's Regeneration Outcome Agreement (ROA) and associated package of projects for submission to Communities Scotland, subject to minor textual changes and all output and outcome information being satisfactorily completed;
- (ii) to agree to act as the grant recipient for the new Community Regeneration Fund;
- (iii) to underwrite the 2005/06 CRF allocation until the ROA receives Ministerial 'sign off', to allow for continuity of service provision;
- (iv) to note the proposed review of existing operating structures for the North Social Inclusion Partners and Coalfield Area Social Inclusion Partnership and agree to receive a further report on the outcome of this review at a future Committee; and
- (v) otherwise, to note the contents of the report.

SETTING UP OF COMMUNITY HEALTH PARTNERSHIPS IN AYRSHIRE AND ARRAN

15. There was submitted a report dated 25 January 2005 (circulated) by the Executive Director of Educational and Social Services (i) which advised Committee of progress in establishing East Ayrshire Community Health Partnerships; and (ii) which sought

Committee endorsement of a draft Scheme of Establishment for Community Health Partnerships (CHPs) across Ayrshire and Arran.

It was agreed:

- (i) to endorse the draft Scheme of Establishment for Community Health Partnerships;
- (ii) to recommend the merger of the Improving Health Action Plan Working Group with the Community Health Partnership;
- (iii) to receive future reports on the progress of implementation and on the Local Partnership Development Plan; and that the basis for actions contained within the Partnership Development Plan be those contained within the Improving Health Action Plan for the Community Plan;
- (iv) otherwise, to note the contents of the report.

CORPORATE MANAGEMENT

DEPARTMENT OF CORPORATE SUPPORT - HEALTH AND SAFETY ACTION PLAN 2005/06 (Item 17, Page 1018, 03/07)

16. There was submitted a report dated January 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which presented the Health and Safety Action Plan for the Department of Corporate Support for 2005/06 in response to Item 1 of the Corporate Health and Safety Action Plan for 2005/06.

It was agreed to support the proposed Health and Safety Action Plan 2005/06 for the Department of Corporate Support as detailed at Appendix I of the report.

DEPARTMENT OF CORPORATE SUPPORT AND CHIEF EXECUTIVE'S OFFICE - ABSENCE MANAGEMENT REPORT (QUARTER 4, 2004)

17. There was submitted and noted a report dated 24 January 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised of absence rates for the Department of Corporate Support and the Chief Executive's office for the quarterly period ending 30 December 2004.

IMPLEMENTATION OF THE FREEDOM OF INFORMATION ACT 2002 - RECORDS MANAGEMENT UPDATE (Item 10, Page 699, 03/07)

18. There was submitted a report dated 25 January 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support (i) which updated the Committee on the steps taken to implement the Freedom of Information (Scotland) Act 2002 which included issues surrounding Records Management; and (ii) which requested the Committee to consider an appropriate fee structure for dealing with requests.

The Chief Executive reported and it was noted that the Corporate Management Team had reviewed all requests received by the Council to date under the Freedom of Information Act 2002 and confirmed that it would continue to do so with a particular eye to the potential financial implications for the Council and, if required, would review the proposed policy at a future date.

It was agreed:

- (i) to approve Option 2 detailed in paragraph 3.4.3 of the report as the preferred option for a fee structure;
- (ii) to remit to the Head of Administrative and Legal Services to put in place an appropriate procedure for charging;
- (iii) to note that further reports and issues arising from the introduction of the Freedom of Information (Scotland) Act 2002 would be submitted in due course after an initial operational period;
- (iv) that any Members wishing to take up Councillor O'Neill's invitation to visit the Ayrshire Archives contact him direct; and
- (v) that the Council take up with CoSLA the need for the Scottish Executive to review future financial settlements to Local Authorities to ensure sufficient funding within Councils' budgets to enable them to meet the associated costs should future levels of requests for information under the Freedom of Information Act 2002 become extensive.

Councillor Cree left the meeting at this point.

**STATUTORY PERFORMANCE INDICATORS 2005/06 -
DIRECTION 2004 (Item 4, Page 126, 03/07)**

- 19.** There was submitted a report dated 12 January 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised of the Publication of Information (Standards of Performance) Direction 2004 by the Accounts Commission

It was agreed:

- (i) to note the publication by the Accounts Commission of the Direction 2004;
- (ii) to note the completion of trial runs on new and amended Performance Indicators for 2004/05 contained within Direction 2003; and
- (iii) to note the planned trial run for new and amended 2005/06 Indicators in the Direction 2004.

**CCTV MONITORING STATION AND
RISK MANAGEMENT CENTRE (Item 4, Page 126, 03/07)**

- 20.** There was submitted a report dated 27 January 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which provided an update on progress and revised estimated costs associated with the development of a dedicated Closed Circuit Television (CCTV) Monitoring Station and Risk Management Centre together with additional office accommodation.

It was agreed:

- (i) to note the progress which had been made towards the development of a dedicated CCTV Monitoring Station and Risk Management Centre at Council Headquarters in Kilmarnock;
- (ii) to approve the proposed location of the extension to accommodate the CCTV Monitoring Station and Risk Management Centre at the south-west corner of the Council's Headquarters in London Road, Kilmarnock as detailed on the location plan appended to the report;

- (iii) to approve the proposed management arrangements as outlined in Section 4 of the report;
- (iv) to note that the Executive Director of Neighbourhood Services had confirmed that the future revenue implications associated with transitional and operational arrangements relative to this development could be accommodated within existing resources based on the current level of service and continuation of funding from the Community Regeneration Fund and the Community Safety Strategic Partnership;
- (v) to note the potential increase in the estimated costs of providing this facility as outlined within the report;
- (vi) to approve the allocation of additional capital funding of £348,000 to meet the potential shortfall in funding identified within the report, bringing the total capital funding allocated for this development to £2,028,000; and
- (vii) otherwise, to note the contents of the report.

EXCLUSION OF PRESS AND PUBLIC

21. The Committee resolved that under Section 50A(4) 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 paragraph 9 of Schedule 7A of the Act.

PROPOSED LEASE OF LAND AT RECREATION PARK, DARVEL TO DARVEL JUNIORS FC

22. There was submitted a report dated 17 January 2005 (circulated) by the Executive Director of Development and Property Services which sought approval to lease Recreation Park, Darvel and associated land at Darvel Juniors FC in accordance with the Council's concessionary rental policy.

It was agreed to approve the proposal to lease land at Irvinebank Road, Darvel known as Recreation Park to Darvel Juniors FC in accordance with the terms and conditions identified within the report and to instruct the Solicitor to the Council to conclude matters on behalf of the Council.

GRANT OF SERVITUDE RIGHT OF ACCESS AT GALSTON ROAD, HURLFORD

23. There was submitted a report dated 11 January 2005 (circulated) by the Executive Director of Development and Property Services which sought approval to authorise the Solicitor to the Council to grant a Servitude Right of access over ground at Galston Road, Hurlford to the parties detailed in the report.

It was agreed to approve the basic terms and conditions for the granting of a Servitude Right of pedestrian and vehicular access to the parties detailed in the report, as outlined in Section 6 of the report, and to authorise the Solicitor to the Council to conclude matters on behalf of the Council.

**DISPOSAL OF UNIT 1, CUMNOCK BUSINESS PARK,
GLAISNOCK ROAD, CUMNOCK**

24. There was submitted a report dated 12 January 2005 (circulated) by the Executive Director of Development and Property Services which sought approval (i) to obtain a renunciation from the party detailed in the report in connection with their lease of Unit 1, Cumnock Business Park; and (ii) thereafter, to dispose of the Council's interest in Unit 1, Cumnock Business Park, Glaisnock Road, Cumnock and associated land to the party detailed in the report, all as shown hatched on the plan attached to the report.

It was agreed:

- (i) to approve the obtaining of a renunciation from the party detailed in the report of their lease of Unit 1, Cumnock Business Park, Glaisnock Road, Cumnock;
- (ii) to approve the proposed disposal of Unit 1, Cumnock Business Park, Glaisnock Road, Cumnock together with associated land to the party detailed in the report in accordance with the initial terms and conditions identified within paragraph 7 of the report; and
- (iii) to authorise the Solicitor to the Council to conclude matters on behalf of the Council, subject to all necessary consents being obtained from the party identified in paragraph 4.1 of the report.

**PROPOSED RENT REVIEW AND ASSIGNATION OF UNIT 2, GLAISNOCK
SHOPPING CENTRE, TOWNHEAD STREET, CUMNOCK**

25. There was submitted a report dated 24 January 2005 (circulated) by the Executive Director of Development and Property Services which sought approval for (i) the revised rental for Unit 2, Glaisnock Shopping Centre, Cumnock; and (ii) for the assignation of the lease of the unit from the current tenant to the prospective tenant detailed in the report.

It was agreed:

- (i) to approve the increase in rental as detailed in Section 7 of the report from £50,700 per annum to £63,000, effective from 1 November 2004;
- (ii) to grant consent for the assignation of Unit 2, Glaisnock Shopping Centre under the terms and conditions as detailed in paragraph 8.1 of the report; and
- (iii) to instruct the Solicitor to the Council to conclude both matters on behalf of the Council.

The meeting terminated at 1045 hrs.