

EAST AYRSHIRE COUNCIL**MINUTES OF MEETING HELD ON THURSDAY 8 DECEMBER 2005 AT 1000 HOURS 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, Iain Linton, John Campbell, Ray Murray, John Knapp, Stuart Finlayson, Robert McDill, George Smith, Jimmy Kelly, Depute Provost Tommy Farrell, and Councillors 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; Alex McPhee, Executive Head of Finance; Jackie Donnelly, Executive Head of Social Work; David Mitchell, Head of Administrative and Legal Services; John Clayton, Head of Corporate Development and Communication; Chris McAleavey, Head of Housing; Martin Rose, Head of Personnel; Jim Kane, Head of Roads and Transportation; Bill Walkinshaw, Administration Manager; Julie Haig, Public Relations Officer; and Julie McGarry, Assistant Administration Manager.

APOLOGIES: Councillors Stephanie Young, Isabella Macrae, Jim Raymond and Eric Jackson.

CHAIR: Provost Darnbrough, Chair.

PROVOST'S REMARKS

1. The Provost began the Council meeting by commenting on East Ayrshire Council's inaugural Employee Excellence Awards Ceremony which took place on Thursday 27 October 2005 in the Park Hotel. The Provost stated that the event was held to recognise, formally, excellence, achievement and innovation amongst the employees and that from a total of 97 nominations, nine awards were given.

The Provost remarked that the evening had been a huge success and that an extremely enjoyable evening was had by all in attendance.

The Provost then offered her sincere congratulations to the winners of the various awards and all who had been nominated.

The Provost continued by stating that the Awards Ceremony formed part of the Council's overall arrangements for recognition wherein all Departments and Services recognised the contributions and achievements of employees throughout the Council.

The Provost concluded her remarks by thanking the Chief Executive and all employees involved in the organisation of the event for such an enjoyable evening.

PRESENTATION TO MR TOMMY McINALLY, AYRSHIRE GOLF CHAMPION OF CHAMPIONS

2. The Provost introduced Mr Tommy McInally, who had enjoyed the recent unique success of winning the Ayrshire Golf Champion of Champions event at Royal Troon for the third successive time.

The Provost advised that Tommy had been a member of Loudoun Gowf Club since he was a boy and had been club champion on various occasions. The Provost further advised that Tommy played off a handicap of +2 and was amongst the lowest handicapped golfers in Ayrshire. He had experienced much success in Ayrshire competitions with the highlight being his victory in the Ayrshire Stroke Play Championships and this success had seen Tommy become an integral part of the Ayrshire County Team playing for his County throughout Scotland.

The Provost continued by stating that Tommy had over the last three years made the Ayrshire Champion of Champions title his own winning it on three consecutive occasions, a feat that had never been matched and all the more remarkable given that it was only open to Club Champions from throughout Ayrshire.

The Provost stated that the final, which was played over Royal Troon Golf Club's championship course was an eagerly awaited event in the Ayrshire Golf calendar and this year an extremely large contingent from Loudoun witnessed Tommy defeat Annanhill's Champion, Tony Fraser, in an exciting game.

The Provost finished by stating that it was a truly great achievement and, on behalf of the Council, the Provost congratulated him on his marvellous accomplishment and wished him even more success in the future.

The Provost then presented Mr McInally with a gift on behalf of the Council.

PREVIOUS MINUTES

3. There were submitted (circulated) Minutes of Meeting of Council held on 13 October 2005 (pages 1743-1746) which were approved as a correct record.

COMMITTEE MINUTES

4. 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 Committee meetings, viz:-
- 4.1 **SOUTHERN LOCAL PLANNING COMMITTEE OF 7 OCTOBER 2005 (pages 1731-1733).**
- 4.2 **DEVELOPMENT SERVICES COMMITTEE OF 12 OCTOBER 2005 (pages 1734-1741).**
- 4.3 **DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING COMMITTEE OF 12 OCTOBER 2005 (page 1742).**
- 4.4 **CENTRAL LOCAL PLANNING COMMITTEE OF 14 OCTOBER 2005 (pages 1747-1748).**
- 4.5 **SPECIAL EDUCATION COMMITTEE OF 19 OCTOBER 2005 (pages 1749-1750).**
- 4.6 **KILMARNOCK CENTRAL LOCAL COMMITTEE OF 25 OCTOBER 2005 (pages 1751-1755).**

- 4.7 DOON VALLEY LOCAL COMMITTEE OF 25 OCTOBER 2005 (pages 1756-1759).
- 4.8 LOCAL GOVERNMENT LICENSING PANEL OF 27 OCTOBER 2005 (pages 1760-1763).
- 4.9 NORTHERN AREA LOCAL COMMITTEE OF 27 OCTOBER 2005 (pages 1764-1767).
- 4.10 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 28 OCTOBER 2005 (pages 1768-1775).
- 4.11 EMERGENCY POWERS COMMITTEE OF 2 NOVEMBER 2005 (page 1776).
- 4.12 HOUSING COMMITTEE OF 2 NOVEMBER 2005 (pages 1777-1781).
- 4.13 SOCIAL WORK COMMITTEE OF 3 NOVEMBER 2005 (pages 1782-1786).
- 4.14 CUMNOCK AREA LOCAL COMMITTEE OF 3 NOVEMBER 2005 (pages 1787-1790).
- 4.15 SOUTHERN LOCAL PLANNING COMMITTEE OF 4 NOVEMBER 2005 (pages 1791-1793).
- 4.16 EDUCATION COMMITTEE OF 8 NOVEMBER 2005 (pages 1794-1799)

MATTER ARISING - 2005/06 SCHOOL FUND PROGRAMME (Item 1, Page 1794, 03/07)

It was agreed that the Minute be amended to reflect that this was not in fact a "C" paragraph but was a reallocation of monies within the School Fund programme due to slippage and not virement as stated.

MATTER ARISING - BUDGETARY CONTROL SUMMARY STATEMENT - EDUCATION TO 18 SEPTEMBER 2005 (PERIOD 5)

It was agreed that the second paragraph of this item be amended as follows:-
"Councillor W Coffey, seconded by Councillor D Coffey, moved that the Committee reject the report and request a full detailed report to the next Education Committee which would provide further details of the management action planned and associated savings".

- 4.17 KILMARNOCK NORTH LOCAL COMMITTEE OF 8 NOVEMBER 2005 (pages 1800-1804).
- 4.18 COMMUNITY SERVICES COMMITTEE OF 9 NOVEMBER 2005 (pages 1805-1810)

MATTER ARISING - FACILITIES PLANNING MODEL FOR EAST AYRSHIRE (Item 8, Page 1807, 03/07)

Councillor O'Neill seconded by Councillor J McGhee moved the Minute as a correct record and in respect of any recommendations contained therein.

Councillor D Coffey, seconded by Councillor Wilson, moved as an amendment that the Minute was an incorrect record in respect of the wording of the amendment as originally proposed in relation to this item.

On a division by a show of hands, the motion was carried by 20 votes to 8.

- 4.19 IRVINE VALLEY LOCAL COMMITTEE OF 9 NOVEMBER 2005 (pages 1811-1815).**
- 4.20 POLICY AND RESOURCES COMMITTEE OF 15 NOVEMBER 2005 (pages 1816-1824).**

MATTER ARISING - SEDERUNT

It was agreed that the Minutes be amended to reflect that Councillor John Weir was in attendance and not Councillor Willie Coffey.

ADMINISTRATIVE NOTE: FURTHER CORRECTION

Arising from the above correction to the Minutes, and after a further check being made, it was ascertained that Councillors Macrae had also been omitted in error from the "Present" Section of the sederunt and it is recommended that the Minutes be amended to reflect this.

REMIT FROM COMMITTEE - MEMBERS' SERVICES AND CIVIC CEREMONIAL SUB-COMMITTEE OF 2 NOVEMBER 2005 - ELECTED MEMBERS' TRAINING AND DEVELOPMENT FORUM (Item 6, Page 1824, 03/07)

It was agreed to appoint four Members to the Forum (split 2/1/1), Members being Councillors Finlayson (Chair), Kelly, Wilson and Young.

MATTER ARISING - PROPOSED DISPOSAL OF 30-32 DUNDONALD ROAD, KILMARNOCK (Item 19, Page 1821, 03/07)

A motion by Councillor Linton, 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 20 votes to 8 and accordingly failed to receive the requisite support of two thirds of the Members voting.

- 4.21 SPECIAL DEVELOPMENT SERVICES COMMITTEE OF 15 NOVEMBER 2005 (pages 1825-1826).**
- 4.22 DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING COMMITTEE OF 15 NOVEMBER 2005 (pages 1827-1829).**
- 4.23 CORPORATE GOVERNANCE COMMITTEE OF 24 NOVEMBER 2005 (pages 1830-1835).**
- 4.24 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 25 NOVEMBER 2005 (pages 1836-1840).**

AUDITED ACCOUNTS 2004/05

5. There was submitted and noted a report dated 21 November 2005 (circulated) by the Executive Head of Finance which presented to Members the audited abstract of accounts 2004/05 following certification by the External Auditor.

Following discussion on the possibility of information in relation to the Chief Executive, Depute Chief Executive and Executive Director's salary details being included within the report along with the information already published on Elected Members, it was noted that there was no provision for recording such non statutory, non relevant information within this statutory report.

However, having heard the Head of Administrative and Legal Services it was agreed that the Head of Administrative and Legal Services consider the inclusion of this information within the Council's Publication Scheme as this information had recently

been released under the Freedom of Information (Scotland) Act 2002 in response to an enquiry under the Act.

It was agreed to otherwise note the contents of the report.

REVIEW OF THE RACE EQUALITY SCHEME 2002-2005 AND THE RACE EQUALITY SCHEME 2005-2008

6. There was submitted a report dated 24 November 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised of the review of the Council's Race Equality Scheme 2002-2005 and which submitted for approval the Race Equality Scheme 2005-2008.

It was agreed:-

- (i) to note the review of the Race Equality Scheme 2002-2005;
- (ii) to approve the Race Equality Scheme 2005-2008;
- (iii) to approve the Corporate Action Plan;
- (iv) that each Executive Director submit to the relevant Committee a revised Departmental Action Plan for period 2005-2008; and
- (v) that the Race Equality Scheme 2005-2008 be publicised.

NHS AYRSHIRE AND ARRAN - REVIEW OF EMERGENCY AND UNSCHEDULED CARE SERVICES - CONSULTATION RESPONSE (Item 2.1, Page 1743, 03/07)

7. There was submitted a report dated 29 November 2005 (circulated) by the Chief Executive which presented the proposed response to NHS Ayrshire and Arran's proposals on the review and development of Emergency and Unscheduled Care Services.

7.1 Declaration of Interest

Councillor Farrell declared a non-financial interest in this matter and left the meeting.

It was agreed:-

- (i) to approve the response to NHS Ayrshire and Arran's proposals for the development of emergency and unscheduled care submitted by the Chief Executive on 2 December 2005 as the Council's response subject to and including the various points, comments and minor textual amendments made during the meeting;
- (ii) to note that a copy of the final response to NHS Ayrshire and Arran by the Chief Executive would be circulated to all Members for their information; and
- (iii) otherwise, to note the contents of the report.

Councillor Farrell re-joined the meeting.

RESIDUAL WASTE TREATMENT AND DISPOSAL: JOINT WORKING ARRANGEMENTS FOR THE THREE AYRSHIRE COUNCILS

8. There was submitted a report dated 23 November 2005 (circulated) by the Executive Director of Neighbourhood Services which advised of progress made towards the development of a strategic outline case for a bid to the Strategic Waste Fund and which sought the nomination of four Elected Members to represent East Ayrshire

Council on a Group to be known as the Ayrshire Joint Strategic Waste Management Project Group.

Councillor McIntyre left the meeting at this point.

It was agreed:-

- (i) to note the significant progress made by consultants appointed by the three Ayrshire Authorities to develop a strategic outline case for an award from the Strategic Waste Fund;
- (ii) to approve the Memorandum of Understanding set out in Appendix I to the report which would support joint working in waste management among the Ayrshire Local Authorities;
- (iii) to remit to the Executive Director of Neighbourhood Services and the Solicitor to the Council in consultation with the Chair of Community Services Committee to make any further minor or inconsequential changes which may be required to the Memorandum of Understanding;
- (iv) to nominate four Elected Members (split 3/1), Members being Chair and Vice-Chair of Community Services Committee and Councillors Dinwoodie and Wilson to serve on the proposed Joint Strategic Waste Management Project Group;
- (v) to request that regular update reports be provided to the Community Services Committee for consideration; and
- (vi) otherwise, to note the report.

The meeting terminated at 1127 hours.