

EAST AYRSHIRE COUNCIL**MINUTES OF MEETING HELD ON THURSDAY 26 APRIL 2007
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, Stephanie Young, Brian Reeves, Helen Coffey, Willie Coffey, Douglas Reid, Gordon Cree, John Weir, Drew McIntyre, Isabella Macrae, Harry Wilson, Iain Linton, Ray Murray, John Knapp, Jim Raymond, Stuart Finlayson, Robert McDill, Eric Jackson, George Smith, Jimmy Kelly, Depute Provost Tommy Farrell, Councillors William Menzies, Neil McGhee, William Crawford, Eric Ross, Elaine Dinwoodie, Elaine Stewart and Jimmy Carmichael.

ATTENDING: Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Corporate Support; Graham Short, Executive Director of Educational and Social Services; William Stafford, Executive Director of Neighbourhood Services; Alex McPhee, Executive Head of Finance and Asset Management; Jackie Donnelly, Executive Head of Social Work; Chris McAleavey, Head of Housing; David Mitchell, Head of Legal, Procurement and Regulatory; Martin Rose, Head of Personnel; Alan Neish, Head of Planning and Economic Development; Jim Kane, Head of Roads and Transportation; John Clayton, Head of Corporate Development and Communication; Michael O'Neill, Executive Officer; David Morgan, Public Relations Officer; and Julie McGarry, Administration Manager.

APOLOGY: Councillor John Campbell.

CHAIR: Provost Darnbrough, Chair.

PROVOST'S REMARKS

1. The Provost began the Council meeting by advising that the last eight weeks had been very difficult for one family in Muirkirk, in particular. The Provost advised that Daniel Masterton, one of the Royal Marines who was held hostage by the Iranian Government had now, however, returned home safe. The Provost stated that she had written to Daniel expressing the Council's relief at the positive outcome.

The Provost then asked Members to join her in thanking Jim Kane for his magnificent work while undertaking the role of Acting Executive Director of Development and Property Services and advised that Jim had now returned to the love of his life – his roads!

PRESENTATION OF KILMARNOCK WEIGHTLIFTING CLUB

2. The Provost welcomed members of Kilmarnock Weightlifting Club to the meeting. The Provost advised that the Club, led by Coach Chic Hamilton, had over 20 young members and that Chic was joined today by Peter Kirkbride, Graeme Kane and Georgi Black who had over 40 Scottish titles and 30 British titles between them and held numerous British and Scottish records.

The Provost stated that Peter was a representative at the Commonwealth Games in 2006 and had already qualified for the next Commonwealth Games in India in 2010. The Provost then stated that Peter and Graeme had been picked for the World Junior Championships in Prague in June. The Provost further advised that all three were in

the Great British World Class Weightlifting Programme and also the build up squad for the 2012 Olympics.

The Provost asked Members to agree that these young athletes were to be commended and then presented them with a Civic Gift on behalf of the Council.

The Provost then asked Members to recognise the excellent work that Chic does with these young men and women and presented him with a gift with best wishes for continued success in the future.

Chic Hamilton then responded in suitable terms and thanked the Provost and the Council for their continuing support.

PREVIOUS MINUTES

3. There were submitted (circulated) and approved as correct records Minutes of Meeting of Council held on 1 March 2007 (pages 2726-2730).

COMMITTEE MINUTES

4. There were submitted (circulated) and approved both as correct records and in respect of any recommendations contained therein, the Minutes of the undernoted Committee meetings, viz:-
 - 4.1 **EMERGENCY POWERS COMMITTEE OF 19 FEBRUARY 2007 (pages 2721-2722)**
 - 4.2 **SOUTHERN LOCAL PLANNING COMMITTEE OF 23 FEBRUARY 2007 (pages 2723-2725).**
 - 4.3 **SPECIAL COMMUNITY SERVICES COMMITTEE OF 1 MARCH 2007 (page 2731).**
 - 4.4 **CENTRAL LOCAL PLANNING COMMITTEE OF 2 MARCH 2007 (pages 2732-2733).**
 - 4.5 **DEVELOPMENT SERVICES COMMITTEE OF 6 MARCH 2007 (pages 2734-2742).**
 - 4.6 **DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING COMMITTEE OF 6 MARCH 2007 (pages 2743-2746).**
 - 4.7 **NORTHERN AREA LOCAL COMMITTEE OF 7 MARCH 2007 (pages 2747-2749).**
 - 4.8 **SPECIAL LOCAL GOVERNMENT LICENSING PANEL OF 14 MARCH 2007 (pages 2750-2751).**
 - 4.9 **KILMARNOCK CENTRAL LOCAL COMMITTEE OF 14 MARCH 2007 (pages 2752-2755).**
 - 4.10 **LOCAL GOVERNMENT LICENSING PANEL OF 15 MARCH 2007 (pages 2756-2757).**
 - 4.11 **NORTHERN AREA LOCAL PLANNING COMMITTEE OF 16 MARCH 2007 (pages 2758-2765).**
 - 4.12 **EDUCATION COMMITTEE OF 20 MARCH 2007 (pages 2766-2772).**
 - 4.13 **EMERGENCY POWERS COMMITTEE OF 20 MARCH 2007 (pages 2773-2775).**
 - 4.14 **DOON VALLEY LOCAL COMMITTEE OF 20 MARCH 2007 (pages 2776-2779).**
 - 4.15 **KILMARNOCK NORTH LOCAL COMMITTEE OF 20 MARCH 2007 (pages 2780-2784).**

- 4.16 HOUSING COMMITTEE OF 21 MARCH 2007 (pages 2785-2791).
- 4.17 KILMARNOCK SOUTH LOCAL COMMITTEE OF 21 MARCH 2007 (pages 2792-2795).
- 4.18 SOCIAL WORK COMMITTEE OF 22 MARCH 2007 (pages 2796-2802).
- 4.19 SPECIAL CORPORATE GOVERNANCE COMMITTEE OF 22 MARCH 2007 (pages 2803-2806).
- 4.20 SOUTHERN LOCAL PLANNING COMMITTEE OF 23 MARCH 2007 (pages 2807-2811).
- 4.21 POLICY AND RESOURCES COMMITTEE OF 27 MARCH 2007 (pages 2812-2826).
- 4.22 DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING COMMITTEE OF 27 MARCH 2007 (pages 2827-2829).
- 4.23 COMMUNITY SERVICES COMMITTEE OF 28 MARCH 2007 (pages 2830-2833).

MATTER ARISING - TRADING STANDARDS SERVICE

It was agreed that the Provost, on behalf of all Members, pass on thanks to Officers within the Trading Standards Service for the work undertaken in relation to a recent Trading Standards investigation which secured a notable conviction against two people involved in the production and supply of counterfeit DVDs.

- 4.24 IRVINE VALLEY LOCAL COMMITTEE OF 28 MARCH 2007 (pages 2834-2835).
- 4.25 CORPORATE GOVERNANCE COMMITTEE OF 29 MARCH 2007 (pages 2836-2845).
- 4.26 CUMNOCK AREA LOCAL COMMITTEE OF 29 MARCH 2007 (pages 2846-2850).
- 4.27 CENTRAL LOCAL PLANNING COMMITTEE OF 30 MARCH 2007 (pages 2851-2852).
- 4.28 SPECIAL NORTHERN AREA LOCAL PLANNING COMMITTEE OF 30 MARCH 2007 (pages 2853-2857).
- 4.29 SPECIAL SOUTHERN LOCAL PLANNING COMMITTEE OF 13 APRIL 2007 (page 2858-2859).
- 4.30 SPECIAL CENTRAL LOCAL PLANNING COMMITTEE OF 13 APRIL 2007 (pages 2860-2861).
- 4.31 SPECIAL DEVELOPMENT SERVICES COMMITTEE OF 17 APRIL 2007 (pages 2862-2863).
- 4.32 SPECIAL DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING COMMITTEE OF 17 APRIL 2007 (pages 2864-2866).
- 4.33 SPECIAL SOCIAL WORK COMMITTEE OF 18 APRIL 2007 (pages 2867-2868).
- 4.34 SPECIAL POLICY AND RESOURCES COMMITTEE OF 18 APRIL 2007 (pages 2869-2870).
- 4.35 SPECIAL CORPORATE GOVERNANCE COMMITTEE OF 19 APRIL 2007 (pages 2871-2874).
- 4.36 SPECIAL LOCAL GOVERNMENT LICENSING PANEL OF 19 APRIL 2007 (pages 2875-2878).

Note: Notwithstanding Council's previous approval of this Minute it had since been identified that it contained an erroneous reference to Councillor George Smith having left the meeting when in fact he remained in attendance for the duration of the proceedings. Accordingly, Council was asked to now agree to the Minute being amended appropriately.

AYRSHIRE JOINT STRUCTURE PLAN: DRAFT MODIFICATIONS

5. There was submitted a report dated 18 April 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised of the Draft Modifications proposed by Scottish Ministers to the replacement Ayrshire Joint Structure Plan and to approve a policy response for submission to the Scottish Executive.

It was agreed:

- (i) to formally approve the responses of the Ayrshire Joint Structure Plan and Transportation Committee appended to the report and in the Minute of the Meeting of 18 April subject to the comments contained in Section 3 of the report;
- (ii) that correspondence expressing the Council's concern be sent to Scottish Ministers regarding the conflicting information and advice emanating from the Scottish Executive particularly with regard to wind farm and waste policy; and
- (iii) otherwise, to note the contents of the report.

MOTION BY COUNCILLOR WILSON

6. Councillor Wilson, seconded by Councillor Reid, moved:

"That Council adopt a policy that no public monies disbursed by the Council, in the form of grants or otherwise, to any external body or organisation be it in turn expended by the recipient body or organisation in a manner which would result in any payment being made for any purpose to any political party or any separate body, company or other legal entity subsidiary to, or otherwise associated with, any political party".

Councillor McIntyre, seconded by Councillor Kelly, moved as an amendment to continue this matter to allow the new Council to consider it further.

On a division by a show of hands the amendment was carried by 23 votes to 8.

EXCLUSION OF PRESS AND PUBLIC

7. Council 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 DISPOSAL OF SITE AT AUCHINLECK ROAD, CUMNOCK

8. There was submitted a joint report dated 19 April 2007 (circulated) by the Executive Head of Finance and Asset Management and the Solicitor to the Council which requested that Council agree to adjust the price to be paid relative to the site

extending to 3.72 acres (1.507 hectares) or thereby at Auchinleck Road, Cumnock to reflect the extraordinary development costs identified.

It was agreed to authorise the Executive Head of Finance and Asset Management to finalise negotiations with the party identified in the report on the level of the extraordinary development costs on the basis that the revised sale price would be no less than the figure identified in the report and thereafter authorise the Solicitor to the Council to conclude the sale of the site at Auchinleck Road, Cumnock.

SHARED SERVICES - CONTRACT FOR MEDIA ADVERTISING

9. There was submitted a report dated 20 April 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised Council of the outcome of the joint tendering exercise for Media Advertising and which recommended approval of the preferred bidder pending the joint provision taking effect on 1 June 2007.

It was agreed to approve the proposal that Advertising Works be appointed as the agency for media advertising to the three Ayrshire Councils with effect from 1 June 2007.

RE-ADMITTANCE OF PRESS AND PUBLIC

10. The Press and public were then re-admitted to the meeting.

VALEDICTORY SPEECHES

11. The Chief Executive took the opportunity to comment on the excellent working relationship which existed within East Ayrshire Council between Officers and Members and passed on her personal thanks and good wishes to all Members and especially to those Members retiring next week. The Chief Executive stated that this was the end of an era and hoped that all Members would participate in a commemorative photograph at the end of the meeting.

Councillor Young then stated that another four years had passed and thanked the Provost for her unstinting hard work, even although she had had ill health and grief in her personal life, she did not allow these to deter her from her duties as Provost.

Councillor Young thanked Fiona Lees, who had taken over from the "headmaster" and had proved a more than worthy successor. She stated that she would wait with interest to see how all the job losses at Director level were going to effect the running of the new Council. Councillor Young then thanked the Administration staff, especially Bill Walkinshaw, who were going to have their work cut out, if, as she hoped, they were going to be seeing a lot of new faces after May 3rd. Councillor Young then stated that, to her, the most important person had been Fiona McMurtrie, who had been her gem, which she considered to be much greater than a rock.

Councillor Young continued by commenting on the construction of the M77 which obviously for her had been a very emotional experience, sitting on the first bus that was driven down the new road, prior to the opening ceremony. She stated that sadly there continued to be problems at the old A77 road junction with the A719 and a few other blips with the cycle lanes etc which she hoped would soon be resolved. She then commented that it was mooted that this new road would bring more industry and tourism to East Ayrshire, and looked forward to this happening.

Councillor Young then thanked all the Chairs of the Committees on which she had sat over the last four years, especially Maureen MacKay, who so ably took over as Chair of the Northern Area Planning Committee. Councillor Young advised that four years ago she said that, "I thought the Planning Department would have their fingers crossed that the Northern Area Local Planning Committee would be less troublesome in the next term" and she was glad it was proved that there was no change.

Councillor Young also thanked all the Directors of the various Departments within the Council who had been helpful and courteous at all times, even though she had sometimes tried their patience with various problems, not her's of course, but brought to her by her constituents.

Finally, Councillor Young wished all Elected Members that were standing for re-election, the very best of luck -- and to those who were retiring -- enjoy.

Councillor Reid then thanked the Provost and all Elected Members, particularly retiring Elected Members, for their co-operation over the years and gave personal thanks to his own Group.

Councillor McIntyre then stated that over the last four years, the Labour Administration had been determined to deliver real benefits to the people of East Ayrshire, and believed that they had done just that. He stated that they had achieved, and made excellent progress, with 91% of their manifesto commitments having been signed, sealed and delivered, and good progress being made on the remaining 9%.

Councillor McIntyre then stated that it was useful to look back briefly at some of the many achievements that had taken place through the combined efforts of the Labour Administration and all employees, that had resulted in:-

- East Ayrshire ranking highest amongst all Councils in Scotland in terms of overall performance improvement over the three year period between 2003/04 and 2005/06 in relation to Statutory Performance Indicators, making the Council the most improved Council in Scotland.
- The recent Best Value and Community Planning Audit, concluded that this Council demonstrated a clear commitment to Best Value and Community Planning through its strategic vision and effective political and managerial leadership.
- Also, the Council's Website had recently been rated as the best in the UK in terms of customer satisfaction.
- Together with partners, the Council had made it easier for companies to invest here and create jobs, and the completion of the M77 in 2005 had gone a long way to making East Ayrshire an even more attractive place in which to invest, create jobs and live in. Within the last four years 1,332 houses had been built within East Ayrshire, with further proposals for a total of 12,000 before 2025.
- In January 2006, the Kilmarnock Town Centre Regeneration Strategy was launched which was designed to strengthen the positive aspects of the town that already existed and to diversify the role of the Town Centre. The Top of the Town development was currently under way and ambitious plans had also been drawn up for Cumnock town centre. Only last week, a new Kilmarnock Townscape Heritage Initiative Partnership was set up, which hoped to bring in the region of £14m, with an extra £2m from the CARS project.

- The Building Learning Communities – Schools’ PPP Project was progressing well with Mauchline Primary School scheduled to be handed to the Council in July, followed by an extensive community facility in Shortlees in October, including a new Primary School with nursery. The St. Joseph’s campus was programmed to open in April 2008 and would include St. Joseph’s Academy, the new St. Andrew’s Primary. The Grange campus would be completed in August 2008 and would house Grange Academy, Annanhill Primary and Park School.
- Working with the Primary Care Trust and other Community Planning partners, the £9.4 million North West Kilmarnock Area Centre opened last month taking the concept of integrated public services to a new level. The Council is the first in Scotland to provide a flagship facility which would provide a wide range of Council and specialised health services, including a dentistry teaching facility. This showing East Ayrshire as a driving force leading the way in shared services across Scotland. Work had started in Stewarton and Centres in Crosshouse and Galston are to follow in the next few years.
- The Arts and Museums Service have refurbished five of its venues over the last two years: The Palace Theatre, Dean Castle, Burns House Museum, Doon Valley Museum and the Dick. Just under £1.5 million was invested in these important buildings from a range of external funders and East Ayrshire Council. As a result of this investment, visitor numbers had dramatically increased across all venues.
- The £9 million Flood Prevention Scheme opened in 2004, achieving national recognition with a commendation at the Saltire Society Awards for Civil Engineering in 2005.
- In the last two years, the Council’s recycling performance had gone from around 7% to over 30%, exceeding the Scottish Executive’s target of 25% by 2006.

He stated that these were just some of the achievements of the Labour Administration and believed that they stood in good stead for delivering further improvements to the area and the lives of the people served.

Councillor McIntyre went on to state that it was worth recognising that these achievements could not have taken place without the hard work of all Elected Members including one who was sadly no longer with us. He commented that in February 2006, the Council lost a valued friend and colleague in Councillor Danny Coffey.

Councillor McIntyre thanked all of the Elected Members who had served over the period of this Council term, particularly his own Group for their hard work, support and co-operation. He also thanked Councillor Reid and Members of the Opposition Group and stated that although their politics may vary on different issues, they had all worked in the best interests of the people they were elected to represent. He also extended his personal thanks to Councillor Young for her contribution over the time of the Council.

Councillor McIntyre then sent best wishes to those Members who were retiring – Provost Jane Darnbrough, Councillors George Smith, James Carmichael and Harry Wilson and on behalf of all the Elected Members, thanked the Chief Executive, the

Senior Management Team and all staff for their continued support to Members over the period of this Council.

He then wished all Members standing for re-election good luck and hoped to see the majority of them back in the new Council with the multi-member wards.

Finally, he gave a special mention to the Provost. He stated that he was confident that everyone, irrespective of party affiliations, would agree that the Provost had served her role with dedication and commitment as indeed she has done in all of the years she has given to public service.

Councillor McIntyre advised that Provost Darnbrough had been an excellent ambassador for East Ayrshire and extended his personal thanks and the thanks and best wishes of the entire Council to her and her family and looked forward to seeing the Provost back in the very near future to receive her Past Provost badge.

Councillor McIntyre then presented the Provost with a gift which he advised would act as a reminder of the numerous official engagements she had performed as East Ayrshire's Provost, together with a print of one of her favourite places in the world, Arran.

The Provost then thanked Councillor McIntyre for his kind words.

The Provost then took the opportunity of the last Council meeting prior to the elections, and to her imminent retirement, to say a final few words.

The Provost began by stating that it hardly seemed four years since she was appointed Provost of East Ayrshire and it has been an honour and a privilege to serve the Council and the people of the area. The Provost advised that she had tried to visit as many local communities as possible during this time and had met many of the unsung heroes and heroines who worked in a voluntary capacity to help others. The Provost thanked them for the immense contribution they made to our society.

The Provost then put her role as Provost into perspective, by advising that she entered public life as a Care Worker many years ago, before becoming a Councillor, then Chair of Social Work and became Depute Provost in May 1999, proud to become the first female Provost of East Ayrshire on 8 May 2003.

She stated that as Provost, she had been asked to attend many official functions and it had always been an honour to do so and to meet many interesting and hardworking people. The Provost stated she also attended many local events and celebrations, from the official opening of Morrison's first Scottish store in Kilmarnock to Gala Days, charity events and family occasions such as Diamond Weddings.

The Provost advised that the role of Provost was very diverse and in her final message as Provost, she wanted to recognise the many acts of self sacrifice, kindness and community support she had witnessed in the past four years, and indeed throughout her time with East Ayrshire.

The Provost stated that she recently had the pleasure of meeting two wonderful ladies, namely Winnie Campbell and Jessie Graham, who between them had served with various voluntary organisations in their communities for 95 years.

The Provost advised that she had taken great pleasure in supporting the work of the Chernobyl Children's Lifeline which brought groups of young people from Belarus and that over 12,000 children from Belarus had visited Britain since 1992. The Provost advised that children could have medical attention such as dental care and

having their eyes tested and they benefited greatly from living in a healthy environment for four weeks with clean air and clean water.

The Provost stated that she had been proud to represent the people of East Ayrshire during Royal visits, especially when they were in recognition of the excellent work that was being done in the communities. The Provost said that a good example of this was the visit by Prince Charles and his wife, the Duchess of Rothesay, on their first official visit to Scotland when they visited Hurlford Primary School to see for themselves the innovative approach to encouraging healthy eating among young people.

The Provost commented that she had always taken a personal interest in the work being done by the Princess Royal Trust for Carers and that they do wonderful work throughout East Ayrshire with carers of all ages and it was always a pleasure to support them.

The Provost advised that as someone born and brought up in Kilmarnock, she was delighted to accompany Councillor McIntyre on a visit to shops in the town to congratulate them on achieving national recognition for Kilmarnock being named as the UK's friendliest shopping town. The Provost stated that they were all a credit to the local community and she thoroughly enjoyed meeting shopworkers and others to thank them for being such excellent ambassadors.

Finally, the Provost commented on another local project that was especially close to her heart being the work done by Ayrshire Cancer Support. The Provost stated that the organisation could not be thanked or praised enough. With their dedicated volunteers and tireless fundraising they make the lives of cancer sufferers and their families so much easier through the wonderful work and support they provide in the communities.

The Provost stated that she had been humbled by those who would like to give her a gift to mark her retirement, however she asked instead that they make a donation to Ayrshire Cancer Support which was based at Portland Road in Kilmarnock.

The Provost then commented that she had witnessed the real strength of the people of East Ayrshire - friends and neighbours coming together and supporting each other for the benefit of their local community and that this widespread support was the foundation on which our sense of community is based.

The Provost, in closing her remarks, then offered her special thanks to a number of people for their support in helping her carry out her role as Provost, particularly her husband John, son Paul and daughter-in-law, Morag. The Provost advised that she could not have carried out her duties without their support and looked forward to spending more time with them in her retirement.

The Provost also thanked her fellow Elected Members, all the members of staff and workforce who had worked hard to make East Ayrshire a better place to live and work. The Provost advised that the four tenets of East Ayrshire Council - Quality, Equality, Access and Partnership - had been at the heart of the work done, and that she was sure that they would continue to drive the work for the benefit of the communities Members served – the people of East Ayrshire.

The meeting terminated at 1120 hrs.