

**EAST AYRSHIRE COUNCIL****COMMUNITY SERVICES COMMITTEE****MINUTES OF MEETING HELD ON WEDNESDAY 15 SEPTEMBER 2004 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Jimmy Carmichael, Stephanie Young, Daniel Coffey, Gordon Cree, John Weir, Drew McIntyre, Harry Wilson, Iain Linton, John Campbell, John Knapp, Jim Raymond, George Smith, Tommy Farrell, Elaine Dinwoodie and Elaine Stewart.

**ATTENDING:** Bill Stafford, Executive Director of Neighbourhood Services; David Mitchell, Head of Administrative and Legal Services; John Griffiths, Head of Leisure; John F Crawford, Head of Protective Services; Paul Whip, Financial Services Manager; and Christine Baillie, Administrative Officer.

**APOLOGIES:** Councillors Isabella Macrae, Ray Murray, William Menzies, Neil McGhee and William Crawford.

**CHAIR:** Councillor Jimmy Carmichael, Chair (Items 1-12 and 14-22); and Councillor Jim Raymond (Item 13).

**BUDGETARY CONTROL SUMMARY STATEMENT: COMMUNITY SERVICES TO 25 JULY 2004 (PERIOD 4)**

1. There was submitted and noted a joint report dated 25 August 2004 (circulated) by the Executive Head of Finance and Executive Director of Neighbourhood Services on the current budgetary control position and the projected out-turn for the year for Neighbourhood Services (Leisure and Protective Services) for the period ended 25 July 2004 (Period 4).

**BUDGETARY CONTROL SUMMARY STATEMENT: OUTDOOR AMENITIES AND LEISURE MANAGEMENT TO 25 JULY 2004 (PERIOD 4)**

2. There was submitted and noted a joint report dated 27 August 2004 (circulated) by the Executive Head of Finance and Executive Director of Neighbourhood Services on the current budgetary control position and the projected out-turn for the year for Outdoor Amenities and Leisure Management for the period ended 25 July 2004 (Period 4).

**BUDGETARY CONTROL SUMMARY STATEMENT: REFUSE COLLECTION AND STREET CLEANSING TO 25 JULY 2004 (PERIOD 4)**

3. There was submitted and noted a joint report dated 27 August 2004 (circulated) by the Executive Head of Finance and Executive Director of Neighbourhood Services on the current budgetary control position and the projected out-turn for the year for Refuse Collection and Street Cleansing for the period ended 25 July 2004 (Period 4).

**ABSENCE MANAGEMENT REPORT QUARTER 2 (1 APRIL 2004 - 30 JUNE 2004)**

4. There was submitted and noted a report dated 20 August 2004 (circulated) by the Executive Director of Neighbourhood Services on absence rates for the Department

of Neighbourhood Services (Leisure and Protective Services) for the quarterly period ended 30 June 2004.

**REPORT ON THE DEPARTMENTAL CONTINUOUS IMPROVEMENT PLAN  
2003 - 2006 (Item 2, Page 82, 03/07)**

5. There was submitted a report dated 23 August 2004 (circulated) by the Executive Director of Neighbourhood Services on the first annual review of the Department of Neighbourhood Services (Leisure and Protective Services' Sections), Continuous Improvement Plan 2003 - 2006.

It was agreed:-

- (i) to approve the contents of the Community Services Continuous Improvement Plan 2003 - 2006 annual review; and
- (ii) otherwise, to note the contents of the report.

**ANNUAL SERVICE IMPROVEMENT REPORT (Item 9, Page 575, 03/07)**

6. There was submitted and noted a report dated 23 August 2004 (circulated) by the Executive Director of Neighbourhood Services on the Neighbourhood Service Department's activity and progress in relation to Best Value within the Leisure and Protective Services' Sections in the last year (1 October 2003 to 30 September 2004).

**HEALTH AND SAFETY ACTION PLAN (Item 4, Pages 275 & 276, 03/07)**

7. There was submitted a report dated 23 August 2004 (circulated) by the Executive Director of Neighbourhood Services on the Department of Neighbourhood Services progress against individual Health and Safety Action Plans 2003-2004 for those Sections that now constitute the Neighbourhood Services Department (i.e. Community Services, Homes and Building and Works) and which recommended a unified Neighbourhood Services Department Health and Safety Action Plan for 2004-2005.

It was agreed:-

- (i) to note the achievements of the Health and Safety Action Plan 2003-2004;
- (ii) to approve the recommended Health and Safety Action Plan 2004-2005 as shown in Appendix I to the report; and
- (iii) otherwise, to note the contents of the report.

**REMEMBRANCE SUNDAY - 14 NOVEMBER 2004**

8. There was submitted a report dated 29 July 2004 (circulated) by the Executive Director of Neighbourhood Services on arrangements made in respect of Remembrance Day Services held in East Ayrshire in 2003 and which proposed the arrangements to be made for this year's Services.

It was agreed to remit to the Executive Director of Neighbourhood Services to make the necessary arrangements, as detailed in the report, in relation to the Kilmarnock Service and for Elected Members' attendance at Remembrance Services throughout East Ayrshire.

**SMOKING IN PUBLIC PLACES - A CONSULTATION ON REDUCING EXPOSURE TO SECOND-HAND SMOKE**

9. There was submitted a report dated 25 August 2004 (circulated) by the Executive Director of Neighbourhood Services on the Council's position in relation to the Scottish Executive's consultation on reducing exposure to second-hand smoke.

It was agreed:-

- (i) that it be remitted to the Executive Director of Neighbourhood Services to report back to the Scottish Executive that the Council's position in relation to their consultation on reducing exposure to second-hand smoke be that a total, Scotland-wide ban in enclosed public spaces; and
- (ii) otherwise, to note the contents of the report.

**NATIONAL PERFORMANCE FRAMEWORK FOR TRADING STANDARDS**

10. There was submitted a report dated 15 September 2004 (circulated) by the Executive Director of Neighbourhood Services which sought approval of a Service Delivery Plan 2004/05 prepared in response to the National Performance Framework for Trading Standards within the Department of Trade and Industry (DTI).

It was agreed:-

- (i) to approve the contents of the Service Delivery Plan; and
- (ii) to approve the submission of the Plan to the DTI.

**FOOD STANDARDS AGENCY FUNDING FOR PROMOTION OF FOOD SAFETY MANAGEMENT PROCEDURES**

11. There was submitted a report dated 16 August 2004 (circulated) by the Executive Director of Neighbourhood Services which advised that the Food Standards Agency had made available a sum of up to £40,424 in both this financial year and next, for the funding of a project to promote the introduction of Food Safety Management Systems within catering businesses and which requested approval for the creation of a temporary post of Project Worker funded by the Food Standards Agency to take the project forward.

It was agreed:-

- (i) to note the initiative by the Food Standards Agency and the proposed funding levels;
- (ii) to approve the appointment of a Temporary Project Worker and to refer the matter to the Corporate Governance Committee in respect of their interest;
- (iii) that it be remitted to the Executive Director of Neighbourhood Services to submit a report to the next meeting of the Licensing Board for their information; and
- (iv) otherwise, to note the contents of the report.

Councillor McIntyre left the meeting during discussion of the above item.

**PROVISION OF PUBLIC CONVENIENCE - REQUEST FOR AUTHORISATION TO CLOSE DARVEL FACILITY**

12. There was submitted a report dated 24 August 2004 (circulated) by the Executive Director of Neighbourhood Services which invited the Committee to note an ongoing review of the Public Convenience Service and which sought authorisation for the closure of the facility at Darvel.

Councillor McIntyre rejoined the meeting as this point.

Councillor Wilson, seconded by Councillor D Coffey, moved:-

- (i) that the item be deferred to the next meeting of the Committee to allow the Irvine Valley Local Committee and Darvel Community Council an opportunity to comment on the matter; and
- (ii) as an alternative, that if the Committee agree to the closure of the facility then the building be demolished and the site cleared as soon as possible.

Councillor Carmichael, seconded by Councillor Raymond, moved as an amendment:-

- (i) to note that a review of public conveniences was ongoing;
- (ii) to agree to the permanent closure of the male toilets at West Donnington Street, Darvel;
- (iii) to declare the facility surplus to requirements and to remit to the Executive Director of Neighbourhood Services to advise the Executive Director of Development and Property Services in accordance with agreed procedures; and
- (iv) otherwise, to note the contents of the report.

On a division by a show of hands, the amendment was carried by 10 votes to 5.

**MAJOR GRANTS TO VOLUNTARY ORGANISATIONS - NEW CUMNOCK ENVIRONMENTAL REGENERATION VOLUNTEERS**

**13.1 Declaration of Interest**

Councillor Carmichael declared a non-pecuniary interest in this item and vacated the Chair in favour of Councillor Raymond for this item only.

**13.2 Consideration of Item**

There was submitted a report dated 4 August 2004 (circulated) by the Executive Director of Neighbourhood Services which sought approval for the level of grant provided to the New Cumnock Environmental Regeneration Volunteers (NERV) for 2004/05.

It was agreed:-

- (i) to approve a grant of £20,000 from the Grants to Voluntary Organisations budget to the New Cumnock Environmental Regeneration Volunteers for 2004/2005; and
- (ii) otherwise, to note the contents of the report.

**MAJOR GRANTS TO VOLUNTARY ORGANISATIONS - BELLSBANK  
ADVENTURE PLAYGROUND**

**14.1 Declaration of Interest**

Councillor Stewart declared a direct pecuniary interest in this item.

**14.2 Consideration of Item**

There was submitted a report dated 4 August 2004 (circulated) by the Executive Director of Neighbourhood Services which sought approval for the level of grant provided to Bellsbank Adventure Playground.

It was agreed:-

- (i) to approve a grant of £10,000 from the Grants to Voluntary Organisations budget to Bellsbank Adventure Playground for 2004/2005 and 2005/2006; and
- (ii) otherwise, to note the contents of the report.

**PRE-SALE OF BURIAL LAIRS**

- 15.** There was submitted a report dated 12 August 2004 (circulated) by the Executive Director of Neighbourhood Services which sought approval of Members to stop the pre-sale of burial lairs in the cemeteries of East Ayrshire.

Councillor Carmichael, seconded by Councillor Raymond, moved:-

- (i) to recommend that Council cease the policy of pre-sales of lairs in cemeteries in East Ayrshire; and
- (ii) otherwise, to note the contents of the report.

C

C

Councillor D Coffey, seconded by Councillor Wilson, moved as an amendment not to cease the policy of pre-sales of lairs in cemeteries in East Ayrshire and that the present policy remain in place.

On a division by a show of hands, the motion was carried by 9 votes to 6.

**CUMNOCK AND DISTRICT LEISURE GROUP - SERVICE LEVEL AGREEMENT  
AND PROGRESS REPORT (Item 14, Page 808, 03/07)**

- 16.** There was submitted a report dated 6 August 2004 (circulated) by the Executive Director of Neighbourhood Services which advised of a Service Level Agreement with the Cumnock and District Leisure Group and which provided a progress report on the Cumnock Pool Project.

It was agreed:-

- (i) to note that a Service Level Agreement had now been implemented with the Cumnock and District Leisure Group; and
- (ii) otherwise, to note the contents of the report.

**DUNLOP AND LUGTON PARK ASSOCIATION - PROJECT UPDATE  
(Item 19.1, Pages 280 & 281, 03/07)**

- 17.** There was submitted a report dated 6 August 2004 (circulated) by the Executive Director of Neighbourhood Services which provided an update on the Project to

transfer responsibility for the management of Dunlop Park to the Dunlop and Lugton Park Association.

It was agreed:-

- (i) to note the changes to the Dunlop and Lugton Park Association's project;
- (ii) to note the actions taken to amend both the Lease and the Service Level Agreement required to underpin the Project; and
- (iii) otherwise, to note the contents of the report.

#### **AWARDING OF CONTRACTS**

18. There was submitted and noted a report dated 11 August 2004 (circulated) by the Acting Executive Director of Corporate Support which provided, for information, details of tenders which had been accepted, as follows:-

<u>CONTRACT</u>	<u>SUCCESSFUL CONTRACTOR</u>	<u>AMOUNT</u>
Proposed Extension to Material Recovery Facility, Western Road, Kilmarnock	Barr Limited, Paisley	£251,440.88
Service for the Composting and Disposal of Organic Garden Waste	Barr Limited, Cumnock	Schedule of Rates Basis
River Ayr Walkway, George Woodland	James Shankland, Cumnock	£46,929.10

#### **NEWMILNS CEMETERY - SURPLUS GROUND**

19. There was submitted a report dated 6 August 2004 (circulated) by the Executive Director of Neighbourhood Services which invited the Committee to declare land at Newmilns Cemetery, Dalwhatswood Road, Newmilns, surplus to requirements.

It was agreed:-

- (i) to declare the land at Newmilns Cemetery, as shown in Appendix I to the report, surplus to requirements;
- (ii) to remit to the Executive Director of Neighbourhood Services to advise the Department of Development and Property Services in accordance with agreed procedures; and
- (iii) otherwise, to note the contents of the report.

#### **5 GLAISNOCK ROAD, CUMNOCK - SURPLUS GROUND**

20. There was submitted a report dated 6 August 2004 (circulated) by the Executive Director of Neighbourhood Services which invited the Committee to declare land at 5 Glaisnock Road, Cumnock, surplus to requirements.

It was agreed:-

- (i) to declare the back site at 5 Glaisnock Road, Cumnock, as shown in Appendix I to the report, surplus to requirements;
- (ii) to remit to the Executive Director of Neighbourhood Services to advise the Department of Development and Property Services in accordance with agreed procedures; and
- (iii) otherwise, to note the contents of the report.

#### **MURRAY PARK, CUMNOCK - TRANSFER TO COUNCIL OWNERSHIP**

- 21.** There was submitted a report dated 19 August 2004 (circulated) by the Executive Director of Neighbourhood Services which advised on progress with the transfer of ownership of Murray Park, Cumnock, to the Council from the Agnes and Annie Murray Trust.

It was agreed:-

- (i) to approve the transfer of ownership of Murray Park, Cumnock, to the Council from the Agnes and Annie Murray Trust; and
- (ii) otherwise, to note the contents of the report.

#### **ANNANHILL NURSERY**

- 22.** There was submitted a report dated 6 August 2004 (circulated) by the Executive Director of Neighbourhood Services which sought approval for the sale of greenhouses at Annanhill Nursery following closure of the Nursery.

It was agreed:-

- (i) to approve the sale of greenhouses and polytunnels from Annanhill Nursery;
- (ii) to remit to the Executive Director of Neighbourhood Services to undertake the necessary site safety work at the Nursery site; and
- (iii) otherwise, to note the contents of the report.

The meeting terminated at 1047 hours.