

EAST AYRSHIRE COUNCIL**MINUTES OF MEETING HELD ON THURSDAY 6 MARCH 2003 AT 1000 HRS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Provost Jimmy Boyd and Councillors Brian McNeil, Ann Hay, Stephanie Young, Brian Reeves, Daniel Coffey, Willie Coffey, Douglas Reid, Lilian MacLean, John Weir, Drew McIntyre, Isabel Macrae, Harry Wilson, Iain Linton, Alex Walsh, Alan Campbell, John Knapp, Jim Raymond, Finlay MacLean, Robert McDill, Eric Jackson, George Smith, Jimmy Kelly, Tommy Farrell, William Menzies, Elaine Dinwoodie, Elaine Stewart and Jimmy Carmichael.

ATTENDING: David Montgomery, Chief Executive; Fiona Lees, Depute Chief Executive/Director of Corporate Resources; William Stafford, Director of Community Services; Stephen Chorley, Director of Development Services; John Mulgrew, Director of Educational and Social Services; Alex McPhee, Director of Finance; James Lavery, Director of Homes and Technical Services; David Mitchell, Head of Administrative and Legal Services; John Clayton, Head of Corporate Development and Communication; Stephen Moore, Head of Social Work; Bill Walkinshaw, Administration Manager; Julie Armstrong, Assistant Administration Manager; and Anne Marie Carr, Senior Administrative Officer.

APOLOGIES: Depute Provost Jane Darnbrough and Councillors Katie Hall, Julie Faulds and Eric Ross.

CHAIR: Provost Jimmy Boyd, Chair.

PROVOST'S REMARKS

1. The Provost welcomed Cheryl Ledgerwood to the meeting.

The Provost stated that Cheryl, who lived in Hurlford, was currently studying an HNC in Administration and Information Management at James Watt College.

He further stated that Cheryl was interested in the workings of the Council's Administration Department and was at the meeting to find out how a meeting of the Council was conducted.

PREVIOUS MINUTES

2. There were submitted (both circulated) Minutes of Meeting of Council held on 12 December 2002 and Minutes of Special Meeting of Council held on 13 February 2003 which were both approved as correct records.

COMMITTEE MINUTES

3. There were submitted (circulated) and approved, both as correct records and in respect of the recommendations contained therein, the Minutes of the undernoted Committee meetings, viz:-
 - 3.1 **CENTRAL LOCAL PLANNING COMMITTEE OF 6 DECEMBER 2002 (pages 2955-2959).**
 - 3.2 **DEVELOPMENT SERVICES COMMITTEE OF 17 DECEMBER 2002 (pages 2964-2971).**

MATTERS ARISING**(i) ON-STREET PARKING - KILMARNOCK TOWN CENTRE (Item 10, Page 2976, 99/03)**

A motion by Councillor Linton, seconded by Councillor L MacLean, to reconsider in terms of Standing Order 40 the town centre on-street parking proposals in the light of a recent town centre planning application with associated traffic implications failed to receive the requisite two-thirds of the Members voting, the motion being defeated by 15 votes to 13.

- 3.3 DEVELOPMENT SERVICES COMMITTEE (SITTING AS A PLANNING COMMITTEE) OF 17 DECEMBER 2002 (pages 2972-2973).**
- 3.4 EMERGENCY POWERS COMMITTEE OF 18 DECEMBER 2002 (pages 2974-2976).**
- 3.5 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 20 DECEMBER 2002 (pages 2977-2978).**
- 3.6 DEVELOPMENT SERVICES COMMITTEE OF 15 JANUARY 2003 (pages 2979-2983).**
- 3.7 SPECIAL HOUSING COMMITTEE OF 16 JANUARY 2003 (pages 2984-2985).**
- 3.8 SPECIAL POLICY AND RESOURCES COMMITTEE OF 16 JANUARY 2003 (page 2986).**
- 3.9 SOUTHERN LOCAL PLANNING COMMITTEE OF 17 JANUARY 2003 (pages 2987-2988).**
- 3.10 EMERGENCY POWERS COMMITTEE OF 20 JANUARY 2003 (page 2989).**
- 3.11 KILMARNOCK CENTRAL LOCAL COMMITTEE OF 21 JANUARY 2003 (pages 2990-2995).**

MATTERS ARISING**(i) CONTROL OF GULLS (Item 11, Page 2993, 99/03)**

Council agreed that the proposal to consider the development of a focus group to investigate measures to address the issue of gulls in the local area be remitted to the Director of Community Services for further consideration and the preparation of a report to the Community Services Committee accordingly.

- 3.12 NORTHERN AREA LOCAL COMMITTEE OF 22 JANUARY 2003 (pages 2996-3000).**
- 3.13 LOCAL GOVERNMENT LICENSING PANEL OF 23 JANUARY 2003 (pages 3001-3004).**
- 3.14 CENTRAL LOCAL PLANNING COMMITTEE OF 23 JANUARY 2003 (pages 3005-3007).**
- 3.15 DOON VALLEY LOCAL COMMITTEE OF 28 JANUARY 2003 (pages 3008-3011).**
- 3.16 HOUSING COMMITTEE OF 29 JANUARY 2003 (pages 3012-3017).**
- 3.17 KILMARNOCK SOUTH LOCAL COMMITTEE OF 29 JANUARY 2003 (pages 3018-3021).**
- 3.18 SOCIAL WORK COMMITTEE OF 30 JANUARY 2003 (pages 3022-3025).**

REMIT FROM COMMITTEE - THE JOINT FUTURE AGENDA: A PARTNERSHIP APPROACH (Item 6, Page 3023, 99/03)

The Council agreed that the Group consist of three Members from the Administration and one Member from the Opposition, Members being the Chair of the Social Work Committee, the Vice-Chair of the Social Work Committee, the Chair of the Housing Committee and Councillor Weir.

- 3.19 CUMNOCK AREA LOCAL COMMITTEE OF 30 JANUARY 2003 (pages 3026-3031).**
- 3.20 SPECIAL POLICY AND RESOURCES COMMITTEE OF 31 JANUARY 2003 (pages 3032-3035).**
- 3.21 EDUCATION COMMITTEE OF 4 FEBRUARY 2003 (pages 3036-3042).**
- 3.22 SPECIAL SOCIAL WORK COMMITTEE OF 4 FEBRUARY 2003 (pages 3043-3044).**
- 3.23 KILMARNOCK NORTH LOCAL COMMITTEE OF 4 FEBRUARY 2003 (pages 3045-3049).**
- 3.24 SPECIAL DEVELOPMENT SERVICES COMMITTEE OF 5 FEBRUARY 2003 (pages 3050-3051).**
- 3.25 COMMUNITY SERVICES COMMITTEE OF 5 FEBRUARY 2003 (pages 3052-3058).**
- 3.26 SPECIAL HOUSING COMMITTEE OF 5 FEBRUARY 2003 (pages 3059-3060).**
- 3.27 IRVINE VALLEY LOCAL COMMITTEE OF 5 FEBRUARY 2003 (pages 3061-3065).**
- 3.28 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 7 FEBRUARY 2003 (pages 3066-3069).**
- 3.29 DEVELOPMENT SERVICES COMMITTEE (SITTING AS A PLANNING COMMITTEE) OF 11 FEBRUARY 2003 (pages 3070-3071).**
- 3.30 SPECIAL DEVELOPMENT SERVICES COMMITTEE OF 11 FEBRUARY 2003 (pages 3072-3073).**
- 3.31 SPECIAL POLICY AND RESOURCES COMMITTEE OF 12 FEBRUARY 2003 (3074-3076).**
- 3.32 SPECIAL EDUCATION COMMITTEE OF 12 FEBRUARY 2003 (pages 3077-3081).**

MATTERS ARISING

(i) RESULTS OF THE CONSULTATION ON THE PROPOSAL TO PROVIDE A NEW BUILD ON THE PRESENT SITE OF ST JOSEPH'S ACADEMY INCORPORATING RATIONALISATION OF THE TWIN CAMPUS OF ST JOSEPH'S ACADEMY IN KILMARNOCK AND CUMNOCK/INCORPORATING A NEW BUILD DENOMINATIONAL PRIMARY SCHOOL INVOLVING THE AMALGAMATION OF ST COLUMBA'S AND ST MATTHEW'S PRIMARY SCHOOLS/INCLUDING NEW BUILD FOR PRE-SCHOOL PROVISION AND ENHANCED COMMUNITY LEARNING FACILITIES (Item 3, Page 3079)

Councillor F MacLean, seconded by Councillor Linton, moved that the Council reconsider this matter in terms of Standing Order 40.

On a request by Councillor Linton that a roll call vote be taken and there being at least one third of the Members in agreement (13), in accordance with Standing Order 36.2, the vote was taken by calling the roll as follows, viz:-

For the motion - Councillors McNeil, Hay, Young, D Coffey, W Coffey, Reid, L MacLean, Weir, Wilson, Linton, Campbell, F MacLean and McDill.

Against the motion - Provost Boyd and Councillors Reeves, McIntyre, Macrae, Walsh, Knapp, Raymond, Jackson, Smith, Kelly, Farrell, Menzies, Dinwoodie, Stewart and Carmichael.

The motion to reconsider the item was defeated by 15 votes to 13.

3.33 SOUTHERN LOCAL PLANNING COMMITTEE OF 14 FEBRUARY 2003 (pages 3095-3099).

3.34 POLICY AND RESOURCES COMMITTEE OF 20 FEBRUARY 2003 (pages 3100-3124).

3.35 CENTRAL LOCAL PLANNING COMMITTEE OF 21 FEBRUARY 2003 (pages 3125-3126)

MOTION BY COUNCILLOR ERIC JACKSON

4. Councillor Jackson, seconded by Councillor McIntyre, moved:

"East Ayrshire Council notes the concerns raised by individuals and organisations that relate to the implications of war with Iraq and endorses the right to express opinion in a peaceful manner.

Agrees that any pre-emptive strike without United Nations mandate carries serious risks to peace and stability both at home and internationally and supports and urges the Government in Westminster to continue to take a leading role internationally in finding a peaceful solution in ensuring that Iraq complies with United Nations Security Council Resolution 1441.

Notes that responsibility for policy on this matter lies with Her Majesty's Government at Westminster and extends the Council's full support to our Armed Forces if, as a consequence of further material breach of Iraq's obligations to comply, military action should prove necessary."

4.1 ADJOURNMENT/RECONVENTION

The Council adjourned at 1110 hrs and reconvened at 1120 hrs with the same Members and Officers present and in attendance.

4.2 CONSIDERATION OF ITEM

Provost Boyd, seconded by Councillor Farrell moved as an amendment:

"East Ayrshire Council notes the concerns raised by individuals and organisations that relate to the implications of war with Iraq and endorses the right to express opinion in a peaceful manner.

Agrees that any pre-emptive strike without specific United Nations mandate carries serious risks to peace and stability both at home and internationally and supports and urges the Government in Westminster to continue to take a leading role

internationally in finding a peaceful solution in ensuring that Iraq complies with United Nations Security Council Resolution 1441.

Notes that responsibility for policy on this matter lies with Her Majesty's Government at Westminster and extends the Council's full support to our Armed Forces if, as a consequence of further material breach of Iraq's obligations to comply, military action should prove necessary."

On a division by a show of hands the amendment was unanimously carried.

MOTION BY COUNCILLOR JOHN WEIR

5. Following the decision of Council under item 4, the motion by Councillor Weir as specified in the Agenda was, in terms of Standing Order 7.2, considered as withdrawn.

PROVOST'S REMARKS

6. The Provost reported that a number of Council employees serving in the Territorial Army had already been called up to serve in connection with the Iraq crisis. The provost explained that some of these employees were already in the Gulf area whilst others were on standby in Germany or this country.

The Provost wished all affected employees well and hoped and prayed for their safe return in the not too distant future. The Provost also expressed, on behalf of the Council, the council's best wishes to their families and loved ones.

The Provost intimated that our thoughts are with them all.

The meeting terminated at 1125 hrs.