

**EAST AYRSHIRE COUNCIL****MINUTES OF MEETING HELD ON THURSDAY 19 OCTOBER 2000 AT 1000 HRS  
IN THE MEETING ROOM, COUNCIL HEADQUARTERS,  
LONDON ROAD, KILMARNOCK**

**PRESENT:** Provost Jimmy Boyd and Councillors Brian McNeil, Katie Hall, Ann Hay, Brian Reeves, Daniel Coffey, Willie Coffey, Douglas Reid, Lilian MacLean, John Weir, David Macrae, Harry Wilson, Iain Linton, Alex Walsh, Jane Darnbrough, John Knapp, Jim Raymond, Finlay MacLean, Robert McDill, George Smith, Jimmy Kelly, Tommy Farrell, Julie Faulds, William Menzies, Eric Ross, Elaine Dinwoodie and Jimmy Carmichael.

**ATTENDING:** David Montgomery, Chief Executive; Fiona Lees, Depute Chief Executive/Director of Corporate Resources; Stephen Chorley, Director of Development Services; Alex McPhee, Director of Finance; James Lavery, Director of Homes and Technical Services; Barbara Haughan, Head of Administrative and Legal Services; Douglas Campbell, Head of Corporate Development and Communication; John Crawford, Head of Protective Services; Graham Short, Head of Schools; Bernadette Docherty, Head of Social Work; Bill Walkinshaw, Administration Manager; and Julie Armstrong, Principal Administrative Officer.

**APOLOGIES:** Councillors Stephanie Young, Drew McIntyre, Alan Campbell, Eric Jackson and Robert Taylor.

**CHAIR:** Provost Jimmy Boyd, Chair.

**PROVOST'S REMARKS****1.1 DEATH OF THE RT HON DONALD DEWAR MP, MSP, SCOTLAND'S FIRST MINISTER**

The Provost, before beginning the meeting, referred to the sad and sudden death of Donald Dewar MP, MSP, Scotland's First Minister who died on 11 October 2000.

The Provost intimated that 11 October was indeed a sad day for the whole of Scotland and stated that he did not think that there would be anyone who was not touched or affected by the death of the First Minister, the Rt Hon Donald Dewar MP, MSP.

The Provost stated that he had been privileged to represent the Authority at Donald Dewar's very moving funeral service yesterday.

The Provost advised that, on behalf of the Council, he had written to Ian and Marion, Mr Dewar's son and daughter, expressing the Council's condolences. The Provost also confirmed that he had written to Sir David Steel, the Scottish Parliament's Presiding Officer, the contents of which he intimated to the Council meeting.

The Provost also read the reply which he had received from Sir David Steel.

As a further mark of respect, the Provost asked all present to be upstanding and observe one minute's silence in memory of Scotland's First Minister.

The Council observed one minute's silence.

## **1.2 INTRODUCTION OF CHIEF SUPERINTENDENT DAVID JOHNSTONE, 'U' DIVISION, STRATHCLYDE POLICE**

The Provost welcomed Chief Superintendent David Johnstone, the new Divisional Commander of the 'U' Division of Strathclyde Police. The Provost stated he was looking forward to working with the Chief Superintendent and his Depute Alistair Anderson, who was on holiday at the moment and therefore could not be in attendance today.

Chief Superintendent David Johnstone then provided a brief history of his career to date and stated he was delighted to be appointed in charge of 'U' division and looked forward to building on the good working relationship between Strathclyde Police and the Council.

### **PREVIOUS MINUTES**

2. There were submitted (circulated) Minutes of Meeting of Council held on 29 June 2000 which were approved as a correct record.

### **COMMITTEE MINUTES**

3. There were submitted (circulated) and approved 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 30 JUNE 2000 (pages 1136-1137, 99/02).**

#### **MATTERS ARISING**

##### **(i) CHAIR'S REMARKS (Item 1, Page 1136): NEW COUNCILLOR: LOCAL GOVERNMENT ELECTION: WARD 9: 29 JUNE 2000**

It was agreed that the details of the results of the Local Government Election: East Ayrshire Council Ward 9, held on 29 June 2000, as reported to the Emergency Powers Committee on 23 August 2000 (item 1, page 1172), be shown as an Appendix to this Minute.

- 3.2 **SPECIAL DOON VALLEY LOCAL COMMITTEE OF 30 JUNE 2000 (pages 1138-1139, 99/02).**
- 3.3 **EMERGENCY POWERS COMMITTEE OF 10 JULY 2000 (pages 1140-1141, 99/02).**
- 3.4 **DEVELOPMENT SERVICES COMMITTEE OF 1 AUGUST 2000 (pages 1142-1149, 99/02).**
- 3.5 **NORTHERN AREA LOCAL PLANNING COMMITTEE OF 4 AUGUST 2000 (pages 1150-1154, 99/02).**
- 3.6 **EMERGENCY POWERS COMMITTEE OF 7 AUGUST 2000 (pages 1155-1156, 99/02).**
- 3.7 **SOUTHERN LOCAL PLANNING COMMITTEE OF 11 AUGUST 2000 (pages 1157-1168, 99/02).**
- 3.8 **CENTRAL LOCAL PLANNING COMMITTEE OF 18 AUGUST 2000 (pages 1169-1171, 99/02).**

- 3.9 EMERGENCY POWERS COMMITTEE OF 23 AUGUST 2000 (pages 1172-1176, 99/02).
- 3.10 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 1 SEPTEMBER 2000 (pages 1177-1182, 99/02).
- 3.11 DEVELOPMENT SERVICES COMMITTEE OF 5 SEPTEMBER 2000 (pages 1183-1187, 99/02).
- 3.12 KILMARNOCK CENTRAL LOCAL COMMITTEE OF 5 SEPTEMBER 2000 (pages 1188-1191, 99/02).
- 3.13 NORTHERN AREA LOCAL COMMITTEE OF 6 SEPTEMBER 2000 (pages 1192-1197, 99/02).
- 3.14 SOUTHERN LOCAL PLANNING COMMITTEE OF 8 SEPTEMBER 2000 (pages 1198-1205, 99/02).
- 3.15 DOON VALLEY LOCAL COMMITTEE OF 12 SEPTEMBER 2000 (pages 1206-1209, 99/02).
- 3.16 HOUSING COMMITTEE OF 13 SEPTEMBER 2000 (pages 1210-1223, 99/01).

#### **MATTERS ARISING**

##### **(i) REVIEW OF THE REPAIRS SERVICE: RESULTS (Item 5, Page 1212)**

It was noted that the Director of Homes and Technical Services would (i) provide Councillor W Coffey with information on progress towards providing reports on repairs on a Ward by Ward basis by Friday 27 October; and (ii) provide Councillor Reid with figures on short and long term voids by Monday 23 October 2000.

- 3.17 KILMARNOCK SOUTH LOCAL COMMITTEE OF 13 SEPTEMBER 2000 (pages 1224-1227, 99/02).
- 3.18 SOCIAL WORK COMMITTEE OF 14 SEPTEMBER 2000 (pages 1228-1231, 99/02).
- 3.19 CENTRAL LOCAL PLANNING COMMITTEE OF 14 SEPTEMBER 2000 (pages 1232-1233, 99/02).
- 3.20 CUMNOCK AREA LOCAL COMMITTEE OF 14 SEPTEMBER 2000 (pages 1234-1238, 99/02).
- 3.21 EDUCATION COMMITTEE OF 19 SEPTEMBER 2000 (pages 1239-1251, 99/02).
- 3.22 KILMARNOCK NORTH LOCAL COMMITTEE OF 19 SEPTEMBER 2000 (pages 1252-1257, 99/02).
- 3.23 COMMUNITY SERVICES COMMITTEE OF 21 SEPTEMBER 2000 (pages 1258-1273, 99/02).

#### **MATTERS ARISING**

##### **(i) SURPLUS PROPERTY - TOURHILL LIBRARY, KILMARNOCK (Item 7, Page 1259)**

Councillor W Coffey, seconded by Councillor McDill, moved in terms of Standing Order 51 to reconsider this matter.

Councillor Kelly, seconded by Councillor Farrell, moved as an amendment not to reconsider the matter,

On a division by a show of hands the motion was defeated by 14 votes to 13 and failed to receive the requisite two-thirds of the Members voting.

**3.24 IRVINE VALLEY LOCAL COMMITTEE OF 21 SEPTEMBER 2000 pages 1274-1278, 99/02).**

**3.25 DEVELOPMENT SERVICES COMMITTEE OF 26 SEPTEMBER 2000 (pages 1279-1283, 99/02).**

**MATTERS ARISING**

**(i) M77 PROGRESS UPDATE (Item 3, Page 1280)**

It was noted that East Renfrewshire Council had now agreed to recommend that a condition be incorporated into any planning consent that the opening to traffic of the Glasgow South Orbital link shall be no earlier than the completion of the M77. On that basis, therefore, it would not be the Council's intention to participate at the Public Inquiry. A full report would be submitted to the next Development Services Committee.

**3.26 EMERGENCY POWERS COMMITTEE OF 28 SEPTEMBER 2000 (page 1284, 99/02).**

**3.27 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 29 SEPTEMBER 2000 (pages 1285-1287, 99/02).**

**3.28 POLICY AND RESOURCES COMMITTEE OF 5 OCTOBER 2000 (pages 1288-1309, 99/02).**

**MATTERS ARISING**

**(i) CHRISTMAS LIGHTS 2000 (Item 14, Page 1291)**

Having noted an amendment to the Minute that this item had been a recommendation to Council, the recommendation contained in the Minutes was approved.

**(ii) REVIEW OF POLITICAL LEADERSHIP STRUCTURES (Item 18, Page 1293)**

It was noted that the Member/Officer Working Group on Political Leadership Structures would now meet with Alastair McNish, Chair of the Leadership Advisory Panel on 23 November 2000 to present the outcome of consideration in respect of the review of decision making within the Council.

**(iii) SUPPORT FOR THE COSTS OF DEVELOPING PUBLIC PRIVATE PARTNERSHIP PROJECTS FOR SCHOOL BUILDINGS (Item 23, Page 1295)**

Councillor Farrell, seconded by Councillor Kelly, moved the Minutes as a correct record.

Councillor Reid, seconded by Councillor Wilson, moved as an amendment that the amendment should have read "..... to reject, in principle, the development of .....".

On a division by a show of hands the motion was carried by 14 votes to 13.

**3.29 EMERGENCY POWERS COMMITTEE OF 5 OCTOBER 2000 (page 1310, 99/02).**

**3.30 SOUTHERN LOCAL PLANNING COMMITTEE OF 6 OCTOBER 2000 (pages 1311-1317, 99/02).**

### **NATIONAL GAELIC RESOURCE CENTRE**

4. There was submitted a report dated 29 September 2000 (circulated) by the Director of Educational and Social Services which sought approval for an East Ayrshire nomination to the Board of the National Gaelic Resource Centre.

It was agreed:

- (i) to East Ayrshire's participation in the National Gaelic Resource Centre;
- (ii) that the Chair of the Education Committee be nominated to the Board of Directors of the National Gaelic Resource Centre; and
- (iii) otherwise to note the contents of the report.

### **YIPWORLD.COM**

5. There was submitted a report dated 10 October 2000 (circulated) by the Depute Chief Executive/Director of Corporate Resources which sought three nominations from the Council to the Board of Yipworld.Com.

It was agreed to continue consideration of this request in order to approach the Chairperson of the Board of Yipworld.Com to request that the Council membership to the Board be increased to four.

### **21<sup>ST</sup> CENTURY GOVERNMENT**

6. There was submitted a report dated 9 October 2000 (circulated) by the Chief Executive which requested the nomination of an Elected Member and an officer of the Council to act as advocates for the progression towards 21<sup>st</sup> Century Government.

Councillor Farrell, seconded by Councillor Kelly, moved to nominate Councillor Farrell, Chair of the Education Committee (and Councillor John Knapp, Vice-Chair of the Education Committee as substitute) as senior Elected Member to act as the Member advocate for 21<sup>st</sup> Century Government.

Councillor Reid, seconded by Councillor Linton, moved as an amendment to nominate Councillor W Coffey (and an Administration Member as substitute) as Senior Elected Member to act as the Member advocate for 21<sup>st</sup> Century Government.

On a division by a show of hands the motion was carried by 14 votes to 12.

The Council further agreed that the Depute Chief Executive be appointed as Senior Official to act as advocate for 21<sup>st</sup> Century Government.

### **NOTICES OF MOTION**

The Council considered the following formal Motions proper notice having been given of them in terms of Standing Order 17.

#### **7.1 MOTION BY COUNCILLOR WILSON REGARDING TOURISM**

Councillor Wilson, seconded by Councillor Faulds moved:- "This Council must actively pursue the Government's proposal for Local Authorities to adopt a more positive approach toward the investment in and the reinstatement of a progressive tourism infrastructure and to openly encourage and invest in entrepreneurial development".

Councillor Ross, seconded by Councillor Smith, moved as an amendment:- “This Council welcomes the Government’s commitment to supporting the promotion of tourism which represents a major economic opportunity for East Ayrshire; notes the significant acceleration in tourism related developments within East Ayrshire over the last five years and the role of the Council in supporting these developments; and agrees to continue to pursue all opportunities to secure its economic development objectives within the resources available and scope of its functions within the Scottish Government system”.

On a division by a show of hands the amendment was carried by 14 votes to 13.

## **17.2 MOTION BY COUNCILLOR F MACLEAN REGARDING SQA**

Councillor F MacLean, seconded by Councillor L MacLean, moved:- “In view of the damage and distress caused to students, parents and staff in East Ayrshire schools and colleges as a result of the SQA fiasco, the continuing prevarication by Sam Galbraith, the Scottish Minister responsible, the non-disclosure of information and advice from civil servants to Ministers, and the misleading of the Scottish Parliament as to the extent of his powers of intervention into the operations of the SQA, this Council calls for the resignation of Sam Galbraith”.

Councillor Farrell, seconded by Councillor Knapp, moved as an amendment:- “East Ayrshire notes the swift and effective action taken by the Chair of Education to draw to the attention of the SQA the concerns of the staff and students in East Ayrshire over the management of this year’s examinations. Council looks forward to the lessons to be learned from various investigations into the recent failures of the SQA which are currently under way, and looks forward to working with the Minister and the new management of the SQA, and the Scottish Executive Education Department to ensure that there is no repeat of these failures for the 2001 and subsequent diets of examinations. Further, East Ayrshire congratulates and thanks its staff for the extraordinary efforts they have made to ensure that all pupils receive their correct results”.

On a division by a show of hands the amendment was carried by 14 votes to 12.

The meeting terminated at 1126 hrs.

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