

EAST AYRSHIRE COUNCIL**CUMNOCK AREA AND DOON VALLEY LOCAL COMMITTEES****MINUTES OF SPECIAL JOINT MEETING HELD ON TUESDAY 20 NOVEMBER 2001 AT 1500 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors William Menzies, Eric Jackson, George Smith, Jimmy Kelly, Tommy Farrell, Julie Faulds, Provost Jimmy Boyd and Councillors Eric Ross, Elaine Dinwoodie and Jimmy Carmichael; and Community Representatives: William Crawford, Ronnie Hamilton, Kevin Dorman, William Lees, John McBean, Margaret Campbell and John Weir; and Substitute Community Representatives: James Hastie and William Barr.

ATTENDING: David Montgomery, Chief Executive; William Stafford, Director of Community Services; David Mitchell, Solicitor to the Council; Bill Walkinshaw, Administration Manager; Paul Todd, Principal Officer (Environmental Health and Waste Management); and Stuart Nelson, Administrative Officer.

CHAIR: Councillor Menzies was unanimously appointed Chair and took the Chair.

DISPOSAL OF ASH AT GARLAFF LANDFILL SITE: DECISION BY SCOTTISH EXECUTIVE

1. There was submitted copy of a letter dated 15 November 2001 from Councillor McIntyre, Leader of the Council, to all Elected Members and a copy of East Ayrshire Council's Press Release (both circulated).

In this connection, the Director of Community Services outlined the background to the proposal; confirmed that the Scottish Executive had now issued a Direction under Section 57 of the Environmental Protection Act 1990, in terms of reserve power held by the Executive, specifying that the waste should be disposed of at Garlaff Landfill Site, Cumnock; and advised of arrangements which had been made for additional safeguards to be put in place in the light of representations by the Council, such that the waste would be placed in sealed bags prior to transportation to Garlaff and that the disposal operation would be monitored by the Department of Community Services. The Solicitor to the Council, in turn, advised that Queen's Counsel's Opinion had been obtained which indicated that it was considered that there were no grounds for a successful legal challenge against the decision of the Scottish Executive.

The Chair then advised of the terms of a letter sent by the Leader of the Council to the Scottish Executive in the light of the issue of the Direction setting out the Council's opposition to the proposal and urging that the Direction be recalled.

During a full and detailed discussion Members expressed extreme concern at the possible risk associated with the waste material, at the lack of public consultation and at the proposed importing of the material into the local area rather than being contained within the original infected area; and took the view that appropriate representations should be made to the relevant Ministers.

Accordingly, it was agreed (i) that the Council seek an urgent meeting between the Acting First Minister and the Minister for the Environment and Rural Development

and a delegation from East Ayrshire, comprising the Leader of the Council, the Chairs of the Cumnock Area and Doon Valley Local Committees and appropriate Community Representatives in order to discuss the issues of concern in relation to the proposal; and (ii) that the Chief Executive, as soon as possible, write to the Scottish Executive requesting that arrangements be made for such a meeting to take place and indicating the view of the Joint Meeting.

The meeting terminated at 1544 hours.

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