

EAST AYRSHIRE COUNCIL

MINUTES OF MEETING OF COUNCIL HELD ON THURSDAY 23 OCTOBER 2003 AT 1000 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Provost Jane Darnbrough and Councillors Jim O'Neill, John McGhee, Stephanie Young, Brian Reeves, Daniel Coffey, Willie Coffey, Douglas Reid, Gordon Cree, John Weir, Drew McIntyre, Isabel Macrae, Iain Linton, Ray Murray, John Knapp, Jim Raymond, Stuart Finlayson, Robert McDill, Eric Jackson, George Smith, Jimmy Kelly, William Menzies, Neil McGhee, William Crawford, Eric Ross, 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; Jackie Donnelly, Head of Social Work; Bill Walkinshaw, Administration Manager; and Julie Armstrong, Assistant Administration Manager.

APOLOGIES: Councillors Maureen McKay, Harry Wilson, John Campbell, Tommy Farrell and Elaine Dinwoodie.

CHAIR: Provost Jane Darnbrough, Chair.

PREVIOUS MINUTES

1. There were submitted (circulated) Minutes of Meeting of Council held on 26 June 2003 which were approved as a correct record (pages 147-159).

1.1 MATTERS ARISING

MEETING ARRANGEMENTS/APPOINTMENTS TO OUTSIDE ORGANISATIONS - RECRUITMENT SUB-COMMITTEE OF THE POLICY AND RESOURCES COMMITTEE (page 154, 03/07)

The Council unanimously agreed in terms of Standing Order 40 to reconsider the Opposition membership of the Recruitment Sub-Committee.

It was agreed that the membership be two Members of the Opposition, the Chief Executive, in consultation with the Leader of the Opposition, to secure names of required Members on each occasion.

COMMITTEE MINUTES

2. 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:-
 - 2.1 **SOUTHERN LOCAL PLANNING COMMITTEE OF 20 JUNE 2003 (pages 139-142).**
 - 2.2 **SPECIAL DEVELOPMENT SERVICES COMMITTEE OF 25 JUNE 2003 (pages 143-146).**

- 2.3 SPECIAL CUMNOCK AREA LOCAL COMMITTEE OF 26 JUNE 2003 (pages 160-169).
- 2.4 CENTRAL LOCAL PLANNING COMMITTEE OF 27 JUNE 2003 (pages 170-174).
- 2.5 EMERGENCY POWERS COMMITTEE OF 2 JULY 2003 (page 175).
- 2.6 SPECIAL NORTHERN AREA LOCAL PLANNING COMMITTEE OF 23 JULY 2003 (pages 176-178).
- 2.7 EMERGENCY POWERS COMMITTEE OF 31 JULY 2003 (pages 179-180).
- 2.8 SPECIAL CENTRAL LOCAL PLANNING COMMITTEE OF 1 AUGUST 2003 (pages 181-184).
- 2.9 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 8 AUGUST 2003 (pages 185-188).
- 2.10 EMERGENCY POWERS COMMITTEE OF 13 AUGUST 2003 (page 189).

MATTER ARISING

(i) BOUNDARY COMMISSION FOR SCOTLAND - 5TH PERIODICAL REVIEW OF PARLIAMENTARY CONSTITUENCIES - SCOTLAND (Item 2, Page 189, 03/07)

The Council noted an update by the Head of Administrative and Legal Services on a letter received on 22 October 2003 from the Boundary Commission confirming that the proposed Parliamentary Constituency, as revised, would be named "Kilmarnock and Loudoun" and not "Kilmarnock, Loudoun and Auchinleck" as suggested by the Council.

- 2.11 SPECIAL NORTHERN AREA LOCAL PLANNING COMMITTEE OF 14 AUGUST 2003 (pages 190-196).
- 2.12 SOUTHERN LOCAL PLANNING COMMITTEE OF 15 AUGUST 2003 (pages 197-204).
- 2.13 CENTRAL LOCAL PLANNING COMMITTEE OF 22 AUGUST 2003 (pages 205-207).
- 2.14 DEVELOPMENT SERVICES COMMITTEE OF 26 AUGUST 2003 (pages 208-216).

MATTER ARISING

(i) REVIEW OF SCHEME OF DELEGATION (Item 2, Page 209, 03/07)

Councillor Ross, seconded by Councillor Smith, moved the Minutes as a correct record and approval of any recommendations contained therein.

Councillor D Coffey, seconded by Councillor Reid, moved as an amendment to retain the status quo in relation to the above item.

On a division by a show of hands the motion was carried by 20 votes to 7.

- 2.15 LOCAL GOVERNMENT LICENSING PANEL OF 28 AUGUST 2003 (pages 217-220).
- 2.16 EMERGENCY POWERS COMMITTEE OF 28 AUGUST 2003 (pages 221-222).
- 2.17 KILMARNOCK CENTRAL LOCAL COMMITTEE OF 2 SEPTEMBER 2003 (pages 223-227).

2.18 HOUSING COMMITTEE OF 3 SEPTEMBER 2003 (pages 228-237).**MATTERS ARISING****(i) AWARDING OF CONTRACTS (Item 2, Page 229, 03/07)**

It was agreed that the Director of Homes and Technical Services submit reports to the Housing Committee on the performance of contractors following completion of contracts.

(ii) HOUSING ALLOCATIONS POLICY AND PROCEDURES (Item 9, Page 231, 03/07)

It was agreed that the Director of Homes and Technical Services ensure that prior to tenants accepting Council housing that there be a clear statement in writing between the Council and the tenant in regard to any agreed repairs to be carried out.

2.19 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 5 SEPTEMBER 2003 (pages 238-239).**2.20 DOON VALLEY LOCAL COMMITTEE OF 9 SEPTEMBER 2003 (pages 240-243).****2.21 KILMARNOCK SOUTH LOCAL COMMITTEE OF 10 SEPTEMBER 2003 (pages 244-246).****2.22 SOCIAL WORK COMMITTEE OF 11 SEPTEMBER 2003 (pages 247-252).****2.23 CUMNOCK AREA LOCAL COMMITTEE OF 11 SEPTEMBER 2003 (pages 253-256).****2.24 SOUTHERN LOCAL PLANNING COMMITTEE OF 12 SEPTEMBER 2003 (pages 257-261).****2.25 EDUCATION COMMITTEE OF 16 SEPTEMBER 2003 (pages 262-269).****2.26 KILMARNOCK NORTH LOCAL COMMITTEE OF 16 SEPTEMBER 2003 (pages 270-274).****2.27 COMMUNITY SERVICES COMMITTEE OF 17 SEPTEMBER 2003 (pages 275-283).****REMIT FROM COMMITTEE - INTRODUCTION OF THREE BIN AND KERB SIDE BOX COLLECTION SYSTEM (Item 17, Page 280, 03/07)**

It was agreed to appoint five Members to the Working Group (four Members from the Administration and one from the Opposition) Members being Councillors Carmichael (Chair), Cree, Finlayson, N McGhee and Linton.

2.28 IRVINE VALLEY LOCAL COMMITTEE OF 17 SEPTEMBER 2003 (pages 284-291).**2.29 NORTHERN AREA LOCAL COMMITTEE OF 17 SEPTEMBER 2003 (pages 292-296).****2.30 CENTRAL LOCAL PLANNING COMMITTEE OF 18 SEPTEMBER 2003 (pages 297-301).****2.31 CORPORATE GOVERNANCE COMMITTEE OF 23 SEPTEMBER 2003 (pages 302-315).**

MATTER ARISING**(i) DEPARTMENT OF FINANCE - SCOTTISH WATER CONTRACT (Item 8, Page 304, 03/07)**

On matters raised in respect of the Council's concerns regarding compliance with European legislative provisions, value for money issues and issues surrounding the collection of the Water Charge, it was agreed that Councillor Knapp write to the Minister of Finance and Public Service, Minister for Environment and Rural Development and the President of CoSLA expressing these concerns.

2.32 POLICY AND RESOURCES COMMITTEE OF 2 OCTOBER 2003 (pages 316-332).**MATTER ARISING****(i) INTEGRATING SOCIAL INCLUSION PARTNERSHIPS AND THE COMMUNITY PLANNING PARTNERSHIPS (Item 18, Page 321, 03/07)**

It was agreed that further presentations be given to a future round of Local Committees on the Community Plan.

2.33 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 3 OCTOBER 2003 (pages 333-335).**DRAFT EAST AYRSHIRE COUNCIL MEETINGS CALENDAR FOR JANUARY TO DECEMBER 2004**

3. There was submitted a report dated 26 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which submitted for consideration of Council a draft East Ayrshire Council Meetings Calendar for January to December 2004.

It was agreed:

- (i) to approve the Meetings Calendar enclosed with the report; and
- (ii) otherwise to note the contents of the report.

COMPLAINTS REVIEW SUB-COMMITTEE OF THE SOCIAL WORK COMMITTEE (page 4, Item 2862, 99/03)

4. There was submitted a report dated 3 October 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which advised of revised guidance provided by the Scottish Executive on the composition of Social Work Complaints Review Sub-Committees and sought to determine the Council's position in terms of the future composition of the East Ayrshire Social Work Complaints Review Sub-Committee.

It was agreed:

- (i) in view of the positive perception by the public and potential complainers, and in support of the continued joint working arrangement with North and South Ayrshire Councils, that the members of East Ayrshire Council's Social Work Complaints Review Sub-Committee continue to be drawn from the Joint Ayrshire Panel of trained independent persons; and
- (ii) otherwise to note the contents of the report.

BEST VALUE REVIEW OF SERVICES FOR LOOKED AFTER AND ACCOMMODATED CHILDREN AND YOUNG PEOPLE (Item 10, Page 318, 03/07)

5. There was submitted a report dated 15 October 2003 (circulated) by the Director of Educational and Social Services which sought approval for a Member/Officer Group to be formed to carry out a Best Value Review of Services for Looked After and Accommodated Children and Young People.

It was agreed

- (i) to nominate seven Members to the Member/Officer Group, five Members from the Administration and two Members from the Opposition, Members being Councillors Jackson (Chair), Murray, O'Neill, Macrae, Menzies, Linton and Weir;
- (ii) that the Group present a report to the Policy and Resources Committee when complete; and
- (iii) otherwise to note the contents of the report.

The meeting terminated at 1037 hrs.