

**EAST AYRSHIRE COUNCIL**  
**COMMUNITY SERVICES COMMITTEE**

**MINUTES OF MEETING HELD ON WEDNESDAY 7 FEBRUARY 2001 AT 1000  
HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors Robert Taylor, Stephanie Young, Brian Reeves, Daniel Coffey, Lilian MacLean, John Weir, Drew McIntyre, David Macrae, Harry Wilson, Iain Linton, Jane Darnbrough, Eric Jackson, Tommy Farrell, Julie Faulds, William Menzies, Eric Ross, Elaine Dinwoodie and Jimmy Carmichael.

**ATTENDING:** David Montgomery, Chief Executive; William Stafford, Director of Community Services; John Griffiths, Head of Leisure Services; John Crawford, Head of Protective Services; Tim Baulk, Financial Services Manager; Julie Armstrong, Principal Administrative Officer; Caroline Gordon, Public Relations Assistant; and Ian Gemmell, Administrative Officer.

**APOLOGIES:** Councillors Ann Hay and Finlay MacLean.

**CHAIR:** Councillor Robert Taylor, Chair.

**DRAFT ESTIMATES 2001/2002 – GENERAL SERVICES**

**1.1 FINANCIAL REPORT (Item 1, Page 1543, 99/02)**

There was submitted for information and noted a report dated 6 February 2001 (circulated under separate cover as item 1 of the Special Policy and Resources Committee of 6 February 2001) by the Director of Finance which advised the Policy and Resources Committee of the position with regard to the General Services Revenue Budget for 2001/2002, and which recommended that the Policy and Resources Committee determine final allocations for each of the Service Committees and which requested those Committees to note and confirm acceptance of the financial allocations for 2001/2002 and align Service Plans with these taking into account the views and comments made during the Council's public consultation exercise.

**1.2 EXCERPT FROM SPECIAL POLICY AND RESOURCES COMMITTEE OF 6 FEBRUARY 2001 (Item 1, Page 1543, 99/02)**

There was submitted for information and noted an excerpt of the Minutes of the Special Policy and Resources Committee of 6 February 2001 (circulated), which requested that the Community Services Committee note and confirm acceptance of the financial allocation for 2001/2002 and to align service delivery plans with these, as determined by the Special Policy and Resources Committee at its meeting on 6 February 2001.

**1.3 REVENUE BUDGET FOR 2001/2002**

There was submitted a report dated 6 February 2001 (circulated) by the Director of Community Services on the final allocations made for 2001/2002 and which proposed arrangements for the formulation of detailed proposals accordingly.

Councillor Taylor seconded by Councillor Carmichael moved:-

- (i) to note the Revenue allocation for 2001/02;
- (ii) to confirm acceptance of the allocation to the Policy and Resources Committee to be held on 14 February 2001; and
- (iii) to request the Director of Community Services, following finalisation of the General Services Revenue Budget by the Council on 15 February, to bring forward:-
  - (a) proposals for the deployment of additional revenue funding levels, taking into account the views and comments expressed during the Council's public consultation exercise;
  - (b) a review of fees and charges as required; and
  - (c) detailed capital programme for 2001/02 proposing utilisation of the allocation made.

Councillor Wilson seconded by Councillor D Coffey moved as an amendment:-

- (i) to note the Revenue allocation for 2001/02;
- (ii) to continue this to the next appropriate Committee; and
- (iii) request the Director of Community Services, following finalisation of the General Services Revenue Budget by the Council on 15 February 2001, to bring forward:-
  - (a) proposals for the deployment of additional revenue funding levels, taking into account the views and comments expressed during the Council's consultation exercise;
  - (b) a review of fees and charges as required; and
  - (c) a detailed capital programme for 2001/2002, proposing utilisation of the allocation made.

On a division by a show of hands the motion was carried by 12 votes to 5.

### **SUB-COMMITTEE MINUTES**

2. There were submitted and approved, both as a correct record and in respect of the recommendations contained therein, the undernoted Sub-Committee Minutes (circulated):-

#### **2.1 LICENSING SUB-COMMITTEE OF 24 JANUARY 2001 (APPENDIX 1)**

##### **BUDGETARY CONTROL SUMMARY STATEMENT – COMMUNITY SERVICES TO 15 DECEMBER 2000 (PERIOD 9)**

3. There was submitted and noted a joint report dated 22 January 2001 (circulated) by the Director of Finance and the Director of Community Services on the current budgetary control position and the projected out-turn for the year for the Community Services Department for the period ended 15 December 2000 (Period 9).

##### **REPORT ON NON-STATUTORY PERFORMANCE INDICATORS**

4. There was submitted and noted a report dated 15 January 2001 (circulated) by the Director of Community Services on the quarterly outcome of Non-Statutory Performance Indicators within the Department of Community Services.

**ABSENCE MANAGEMENT REPORT – QUARTER 4 (2 OCTOBER-31  
DECEMBER 2000)**

5. There was submitted and noted a report dated 16 January 2001 (circulated) by the Director of Community Services on absence rates and absence management for the Department of Community Services for the period 2 October-31 December 2000.

**BELLSBANK ADVENTURE PLAYGROUND**

6. There was submitted and noted a report dated 17 October 2000 (circulated) by the Director of Community Services which provided, in line with “Following the Public Pound” guidance an update on progress being made at Bellsbank Adventure Playground.

**THEATRE LOTTERY BID – SOUND SYSTEM**

7. There was submitted and noted a report dated 15 January 2001 (circulated) by the Director of Community Services on the successful Lottery application relating to the installation of a new sound system within the Palace Theatre, Kilmarnock.

Councillor Weir joined the meeting at this point.

**ESTABLISHMENT OF A PARTNERSHIP TO DEVELOP LEISURE FACILITIES  
WITHIN SCOTT ELLIS PLAYING FIELD, KILMARNOCK, IN THE CONTEXT OF  
THE SCOTTISH FOOTBALL PARTNERSHIP**

**8.1 Declaration of Interest**

Councillor Coffey declared a non-pecuniary interest in this item.

**8.2 Consideration of Item**

There was submitted a report dated 12 January 2001 (circulated) by the Director of Community Services which sought approval in principle to enter into discussions with Kilmarnock Football Club regarding the establishment of a partnership to develop leisure facilities, principally within the Scott Ellis Playing Fields, Kilmarnock, in the context of the Scottish Football Partnership.

It was agreed:-

- (i) to approve in principle the proposals contained in the report;
- (ii) that the Director of Community Services enter into discussions with Kilmarnock Football Club in connection with the proposed development and explore the costs involved and the nature of the partnership; and
- (iii) that the Director of Community Services report to a future meeting on the outcome of the proposed discussions.

**NEW CUMNOCK SWIMMING POOL**

**9.1 Declaration of Interest**

Councillor Carmichael declared a non-pecuniary interest in this item.

## 9.2 **Consideration of Item**

There was submitted a report dated 18 December 2000 (circulated) by the Director of Community Services which sought approval for the lease of the New Cumnock Swimming Pool buildings to the New Cumnock Environmental Regeneration Volunteers (NERV), and a funding support package for 2001.

It was agreed:-

- (i) that the Director of Development Services conclude an appropriate lease agreement with NERV for the premises at New Cumnock Swimming Pool;
- (ii) to approve in principle a grant of £23,000 to NERV as revenue support towards the operation of the New Cumnock Swimming Pool in 2001 in accordance with the business plan previously submitted to the Council and subject to confirmation of the Council's Budget for 2001/2002; and
- (iii) otherwise, to note the contents of the report.

### **GALLEON LEISURE CENTRE – MARKET TESTING AND PROGRESS REPORT**

10. There was submitted and noted a report dated 16 January 2001 (circulated) by the Director of Community Services on the outcome of a market testing exercise for the Galleon Leisure Centre and which provided a progress report for the current financial year.

### **PROGRESS OF KEY SPORTS PARTNERSHIP POSTS**

11. There was submitted a report dated 12 December 2000 (circulated) by the Director of Community Services which provided an outline of progress associated with four key partnership posts which were part funded by East Ayrshire Council, viz:- Ayrshire Girls and Women's Football Development Officer, Ayrshire Curling Development Officer and Scottish Football Association Community Officer.

It was agreed:-

- (i) to note the progress associated with the partnership posts; and
- (ii) that the Director of Community Services provide further updates in relation to these posts, including details of the uptake of the services of the Officers concerned by schools, the number of children involved, etc.

### **ARRANGEMENT OF OPERATIONAL LEASE FOR MOBILE HEALTHY LIVING CENTRE VEHICLE (Item 10, Page 1395, 99/02)**

12. There was submitted a report dated 18 December 2000 (circulated) by the Director of Community Services which sought approval to secure an appropriate operating lease for the mobile healthy living centre vehicle.

It was agreed:

- (i) that the Director of Finance secure an appropriate operating lease over four years in respect of the mobile healthy living centre vehicle; and
- (ii) otherwise, to note the report.

### **COUNTRYSIDE ACCESS UNIT**

13. There was submitted a report dated 4 December 2000 (circulated) by the Director of Community Services which sought approval for the establishment of a Countryside Access Unit, comprising two Countryside Access Officers and an additional Countryside Ranger post, subject to financial support from Scottish Natural Heritage being approved.

It was agreed:-

- (i) to approve in principle the establishment of a Countryside Access Unit;
- (ii) to note the application for funding to Scottish Natural Heritage outlined in the report;
- (iii) that the Director of Community Services provide regular progress reports on the performance of this project;
- (iv) to refer the matter to the Personnel and Property Sub-Committee of the Policy and Resources Committee in respect of their interest; and
- (v) otherwise, to note the contents of the report.

### **CRAFTS DEVELOPMENT**

14. There was submitted and noted a report dated 5 January 2001 (circulated) by the Director of Community Services which provided an update on progress made in delivering the objectives of the Ayrshire and Arran Craft Development Project, a group led by East Ayrshire Council.

### **REPLACEMENT OF VEHICLES AND EQUIPMENT**

15. There was submitted a report dated 4 January 2001 (circulated) by the Director of Community Services which sought approval for the lease of the various vehicles/equipment within the Dean Castle Country Park, Parks DSO and Library, Registration and Information Services and to declare vehicles surplus to requirements.

It was agreed:-

- (i) to approve the acquisition of replacement vehicles and equipment as described in the report;
- (ii) that the Director of Finance secure the appropriate operating leases; and
- (iii) otherwise, to note the contents of the report.

### **DISPOSAL OF LAND – WOODROAD PARK, CUMNOCK**

16. There was submitted a report dated 23 January 2001 (circulated) by the Director of Community Services which invited the Committee to declare an area of ground at Woodroad Park, Cumnock, as surplus to the Community Services Department's requirements.

Councillor Wilson seconded by Councillor Coffey moved that the Committee continue consideration of this matter pending the submission of further detailed information on the matter.

Councillor Taylor seconded by Councillor Carmichael moved as an amendment:-

- (i) to declare approximately 371 square metres of land at Woodroad Park, Cumnock, as surplus to the requirements of the Community Services Department;
- (ii) that the Director of Community Services advise the Director of Development Services accordingly; and
- (iii) otherwise to note the report.

On a division by a show of hands the amendment was carried by 12 votes to 6.

### **NATIONAL WASTE STRATEGY: PROGRESS REPORT**

- 17.** There was submitted and noted a joint report dated 12 January 2001 (circulated) by the Director of Community Services and the Director of Development Services on a number of meetings which had taken place concerning the progression of the National Waste Strategy.

### **1999/2000 AUDIT – BENCHMARKING REFUSE COLLECTION**

- 18.** There was submitted a report dated 10 November 2000 (circulated) by the Director of Community Services which advised of the Council's performance as part of a Scotland-wide exercise and which invited the Committee to confirm and approve a number of measures to be incorporated in an action plan to deal with matters highlighted by Audit Scotland.

It was agreed:-

- (i) to confirm that the current collection policy for domestic waste would be one wheeled bin plus up to six bags/bundles/items of household waste left at a collection point to be designated by the Council on a day to be specified by the Council;
- (ii) to note that the Director of Community Services in so far as practicable would establish and maintain a separate trading account for the commercial refuse collection service to ensure that the appropriate costs are recovered;
- (iii) to note that as part of the Council's corporate commitment to introduce activity-based costing, the cost of providing individual refuse collection services would be assessed in so far as practicable;
- (iv) to confirm meantime that special uplifts would continue to be provided for the collection of household waste free of charge;
- (v) to confirm that assisted pull-outs would be given to any household where there was no able-bodied adult in residence and, where appropriate, medical certification would be provided by the householder;
- (vi) to note that in future all sickness/absenteeism reports to Community Services Committee would highlight separately the performances of loaders and drivers;
- (vii) to note that the bonus scheme would be reviewed as part of the Council's implementation of single status and job evaluation;
- (viii) to note that the introduction of kerb-side household waste recycling schemes in Fenwick and Mauchline suggested that waste recycling performances of approximately 10% were achievable;

- C
- (ix) to recommend to Council acceptance of the above recommendations; and
  - (x) otherwise, to note the contents of the report.
- C

### **CIVIL REGISTRATION IN THE 21<sup>ST</sup> CENTURY – RESPONSE PAPER**

19. There was a report dated 10 January 2001 (circulated) by the Director of Community Services which requested the Committee to approve a response to a consultation paper from the Registrar General of Births, Deaths and Marriages for Scotland entitled “Civil Registration in the 21<sup>st</sup> Century”.

It was agreed:-

- (i) in relation to question 14 of the consultation paper, to continue the practice in relation to the advertisement of Marriages on a local registration office notice board; and
- (ii) otherwise to agree the proposed response outlined in the Appendix to the Director’s report.

Councillor Reeves left the meeting at this point.

### **STORAGE AND SALE OF FIREWORKS**

20. There was submitted a report dated 12 January 2001 (circulated) by the Director of Community Services on the legal background and issues relating to the storage and sale of fireworks.

It was agreed:-

- (i) to take cognisance of the efforts expended by Community Services staff to implement the statutory and voluntary controls on the storage and sale of fireworks; and
- (ii) otherwise, to note the report.

### **CEMETERY SAFETY**

21. There was submitted a report dated 10 January 2001 (circulated) by the Director of Community Services which sought approval for the introduction of memorial safety inspections throughout East Ayrshire Council’s cemeteries and churchyards.

It was agreed:-

- (i) that the Director of Community Services implement a memorial survey/inspection programme in all East Ayrshire cemeteries and churchyards; and
- (ii) that the Director of Community Services submit further reports to this Committee in respect of a programme of inspection and resource implications.

Councillor Weir left the meeting at this point.

### **AWARDING OF CONTRACTS**

22. There was submitted and noted a report dated 23 January 2001 (circulated) by the Depute Chief Executive/Director of Corporate Resources which provided for

information, details of the lowest satisfactory tenders which had been accepted in respect of contracts as follows:-

<b>CONTRACT</b>	<b>SUCCESSFUL CONTRACTOR</b>	<b>AMOUNT</b>
Proposed CCTV System, Western Road Depot, Western Road, Kilmarnock	VWS Ltd, Coatbridge	£31,715.15
Installation of Sound System, Palace Theatre, Kilmarnock	Northern Light, Edinburgh	£78,437.23
Supply and Delivery of Mobile Healthy Living Centre	Lex Commercials, Glasgow	£76,250.00

### **EXCLUSION OF PRESS AND PUBLIC**

23. It was resolved that under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the Press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 6 of Schedule 7A to the Act.

#### **LEISURE MANAGEMENT DSO – BUSINESS PLAN 2001/2002**

24. There was submitted a report dated 16 January 2001 (circulated) by the Director of Community Services which sought approval of the Leisure Management DSO Business Plan for 2001/2002.

It was agreed to approve the Leisure Management DSO Business Plan for 2001/2002 as submitted.

#### **GROUNDS MAINTENANCE DSO – BUSINESS PLAN 2001/2001**

25. There was submitted a report dated 15 January 2001 (circulated) by the Director of Community Services which sought approval for the Grounds Maintenance DSO Business Plan for 2001/2002.

It was agreed to approve the Grounds Maintenance DSO Business Plan for 2001/2002 as submitted.

#### **CLEANSING DSO – BUSINESS PLAN 2001/2002**

26. There was submitted a report dated 19 January 2001 (circulated) by the Director of Community Services which sought approval of the Cleansing DSO Business Plan for 2001/2002.

It was agreed to approve the Cleansing DSO Business Plan for 2001/2002 as submitted.

#### **BUDGETARY CONTROL SUMMARY STATEMENT – GROUNDS MAINTENANCE AND LEISURE MANAGEMENT TO 15 DECEMBER 2000 (PERIOD 9)**

27. There was submitted and noted a joint report dated 22 January 2001 (circulated) by the Director of Finance and the Director of Community Services on the current budgetary control position and the projected out-turn for the year for Grounds Maintenance and Leisure Management for the period ended 15 December 2000 (Period 9).

**BUDGETARY CONTROL SUMMARY STATEMENT – REFUSE COLLECTION  
AND STREET CLEANSING TO 15 DECEMBER 2000 (PERIOD 9)**

- 28.** There was submitted and noted a joint report dated 22 January 2001 (circulated) by the Director of Finance and the Director of Community 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 15 December 2000 (Period 9).

The meeting terminated at 1125 hours.

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**APPENDIX 1**

**EAST AYRSHIRE COUNCIL**

**LICENSING SUB-COMMITTEE OF THE COMMUNITY SERVICES COMMITTEE**

**MINUTES OF MEETING HELD ON WEDNESDAY 24 JANUARY 2001 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Jimmy Carmichael (Chair), Ann Hay, Lilian MacLean, Julie Faulds, John Weir, David Macrae, Harry Wilson, William Menzies and Robert Taylor.

**ATTENDING:** John F Crawford, Head of Protective Services; David Mitchell, Legal Manager; Julie Armstrong, Principal Administrative Officer; Alison Smith, Principal Officer, Licensing and Community Safety; and Ian Gemmell, Administrative Officer.

**APOLOGIES:** Councillors Brian Reeves and Tommy Farrell.

**CHAIR:** Councillor Jimmy Carmichael, Chair.

**HEARING: CONSIDERATION OF SUSPENSION OF TAXI DRIVER'S LICENCE NO EA/TD 417 - ANDREW MURRAY, 30 BURNTON PLACE, NEW CUMNOCK  
(Item 6, Page 1398, 99/02)**

1. There was submitted a report dated 8 December 2000 (circulated) by the Director of Community Services which invited the Sub-Committee to consider by way of a Hearing, the suspension of Taxi Driver's Licence No EA/TD 417.

No Hearing took place as the licensee was not present or represented.

It was agreed to suspend the licence for the unexpired portion of its duration.

**EXCLUSION OF PRESS AND PUBLIC**

2. It was resolved that under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the Press and public be excluded from the meeting during the Hearing relating to the following item of business.

Councillor Weir joined the meeting at this point.

**HEARING PROCEDURE**

3. The Administrative Officer outlined the agreed Hearing Procedure.

**CONSIDERATION OF APPLICATION**

4. **HEARING: APPLICATION FOR GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE: DEREK GIBSON, 1 DALVENNAN AVENUE, PATNA (Item 3.1, Page 1397, 99/02)**

There was submitted a report dated 8 December 2000 (circulated) by the Director of Community Services which invited the Sub-Committee to consider by way of a Hearing, an application for the grant of a Private Hire Car Driver's Licence.

There was also re-submitted a report dated 10 October 2000 by the Director of Community Services, a letter of representation dated 27 September 2000 from

Strathclyde Police, and a letter dated 23 October 2000 from the applicant in support of his application (all circulated).

The Sub-Committee heard Superintendent Alistair McKie, representing Strathclyde Police, in explanation of the Police representations, and the applicant, who spoke to the matters raised, all in accordance with the agreed Hearing procedure.

The applicant and the Police representatives then left the meeting to enable the Sub-Committee to take and consider legal advice on the matter.

Parties were re-admitted along with the Press and public.

#### **4.1 Decision**

It was agreed to refuse the application.

Councillor Macrae left the meeting at this point.

### **SURVEY OF LOCAL AUTHORITIES IN SCOTLAND ON THE USE OF IDENTIFICATION PLATES ON PRIVATE HIRE CARS**

5. There was submitted and noted a report dated 8 January 2001 (circulated) by the Director of Community Services which advised the Sub-Committee of the outcome of a survey carried out by Midlothian Council.

### **REVIEW OF REGULATION OF ADVERTISING ON (OR IN) TAXIS AND PRIVATE HIRE CARS**

6. There was submitted an amended report dated 2 November 2000 (circulated) by the Director of Community Services which invited the Sub-Committee to review the regulation of advertising on (or in) Taxis and Private Hire Cars.

It was agreed:-

- (i) to adopt the rules for advertising on taxis and private hire vehicles, as amended by the Sub-Committee, and detailed in Appendix I to these Minutes;
- (ii) to note that the Head of Protective Services would seek an amendment to the Scheme of Delegation to provide that the Licensing Sub-Committee would consider and determine any application for permission where a contentious design was proposed; and
- (iii) otherwise, to note the contents of the report.

Councillor Faulds left the meeting at this point.

### **CONSIDERATION OF SUSPENSION OF TAXI DRIVERS LICENCES**

7. There was submitted a report dated 16 January 2001 (circulated) by the Director of Community Services which advised the Sub-Committee of a number of licensed taxi drivers in breach of Condition 19 attached to their respective licences, viz:-

- (i) Mark Wilson, 2 Herdston Place, Cumnock (EA/TD 467);
- (ii) Thomas McCulloch, 62 Turnberry Drive, Kilmarnock (EA/TD 453);
- (iii) John Gordon, 13 Nith Place, Kilmarnock (EA/TD 120);
- (iv) Alexander Duncan, 12 Somerville Street, Catrine (EA/TD 428);
- (v) Gordon Copeland, 23 Glen Avenue, Logan (EA/TD 469);

- (vi) John Carruthers, 1 Keir Hardie Crescent, Galston (EA/TD 423);
- (vii) Robert Davidson, 57 Annandale Crescent, Crosshouse (EA/TD 465); and
- (viii) Graham Davidson, 12 Russell Court, Kilmarnock (EA/TD 454).

It was agreed to continue consideration of this matter to a future meeting, which would take the form of a Hearing, at which the licensees and relevant parties would be invited to appear or to be represented, and to speak to the matters raised.

The meeting terminated at 1045 hours.

**APPENDIX I**

**REGULATION OF ADVERTISING ON TAXIS AND PRIVATE HIRE VEHICLES**

- 1.1 Advertising the name and telephone number of the proprietor shall only be permitted on the front and rear windscreens of the vehicle, outwith the windscreen wiper pattern area and to the satisfaction of the Council's examiner.
- 1.2 Lettering will not exceed 75mm in height.
- 1.3 The advertising shall be contained in one line unless smaller lettering is used but the combined height of any lines of lettering and background shall not exceed 75mm in height.
- 1.4 The use of the rear if the taxi roof sign for advertising a company name or telephone number shall continue to be permitted.
- 2.1 As far as "full livery" commercial advertising is concerned only applications from the operators from new or nearly new, purpose built taxis or vehicles capable of carrying a disabled passenger in their wheelchair will be entertained.
- 2.2 Each individual design must be submitted for approval by the Licensing Authority.
- 2.3 In the event of the vehicle being involved in an accident, it must be removed from service until reinstated to the original design approved by the Licensing Authority.
- 2.4 The Council reserves the right to refuse approval of any design.

January 2001

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