

EAST AYRSHIRE COUNCIL**MINUTES OF MEETING HELD ON THURSDAY 13 DECEMBER 2001 AT
1000 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Provost Jimmy Boyd and Councillors Brian McNeil, Brian Reeves, Daniel Coffey, Willie Coffey, Douglas Reid, Lilian MacLean, John Weir, Drew McIntyre, David Macrae, Harry Wilson, Iain Linton, Alex Walsh, Jane Darnbrough, John Knapp, Jim Raymond, Finlay MacLean, Robert McDill, Eric Jackson, George Smith, Jimmy Kelly, Tommy Farrell, Julie Faulds, William Menzies, Eric Ross, Robert Taylor 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; Stephen Moore, Head of Social Work; Bill Walkinshaw, Administration Manager; Jim Richmond, Police Liaison Officer; Caroline Gordon, Public Relations Assistant; Robin Baker, Treasury Services Manager; and Julie Armstrong, Principal Administrative Officer.

APOLOGIES: Councillors Ann Hay, Stephanie Young, Alan Campbell and Elaine Dinwoodie.

CHAIR: Provost Jimmy Boyd, Chair.

PRESENTATION BY CHIEF CONSTABLE, STRATHCLYDE POLICE

1. The Provost welcomed William Rae, Chief Constable, Colin McKerracher, Deputy Chief Constable and David Johnstone, Divisional Commander, 'U' Division, Strathclyde Police to the meeting.

The Chief Constable then gave a presentation of the key issues which would require to be addressed and his vision for Strathclyde Police during his five year term in office.

Following questions from Members, the Provost then thanked the Chief Constable and his team for coming along to address the meeting.

PREVIOUS MINUTES

2. There were submitted (circulated) Minutes of Meeting of Council held on 25 October 2001 which were approved as a correct record.

COMMITTEE MINUTES

3. There were submitted (circulated) for approval as correct records and approval of any recommendations contained therein the Minutes of the undernoted Committee meetings, viz:-
 - 3.1 **EMERGENCY POWERS COMMITTEE OF 16 OCTOBER 2001 (page 2125).**
 - 3.2 **EMERGENCY POWERS COMMITTEE OF 23 OCTOBER 2001 (pages 2126-2127).**

- 3.3 DEVELOPMENT SERVICES COMMITTEE OF 23 OCTOBER 2001 (pages 2128-2134).**
- 3.4 DEVELOPMENT SERVICES COMMITTEE (SITTING AS A PLANNING COMMITTEE) OF 23 OCTOBER 2001 (pages 2135-2142).**
- 3.5 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 26 OCTOBER 2001 (pages 2149-2161).**
- 3.6 KILMARNOCK CENTRAL LOCAL COMMITTEE OF 30 OCTOBER 2001 (pages 2162-2165).**
- 3.7 LOCAL GOVERNMENT LICENSING PANEL OF 31 OCTOBER 2001 (pages 2166-2169).**
- 3.8 NORTHERN AREA LOCAL COMMITTEE OF 31 OCTOBER 2001 (pages 2170-2173).**
- 3.9 SOUTHERN LOCAL PLANNING COMMITTEE OF 2 NOVEMBER 2001 (pages 2174-2177).**
- 3.10 DOON VALLEY LOCAL COMMITTEE OF 5 NOVEMBER 2001 (pages 2178-2180).**
- 3.11 HOUSING COMMITTEE OF 7 NOVEMBER 2001 (pages 2181-2186).**
- 3.12 KILMARNOCK SOUTH LOCAL COMMITTEE OF 7 NOVEMBER 2001 (pages 2187-2189).**
- 3.13 SOCIAL WORK COMMITTEE OF 8 NOVEMBER 2001 (pages 2190-2194).**
- 3.14 CUMNOCK AREA LOCAL COMMITTEE OF 8 NOVEMBER 2001 (pages 2195-2197).**
- 3.15 CENTRAL LOCAL PLANNING COMMITTEE OF 9 NOVEMBER 2001 (pages 2198-2203).**
- 3.16 EDUCATION COMMITTEE OF 13 NOVEMBER 2001 (pages 2204-2215).**
- 3.17 EMERGENCY POWERS COMMITTEE OF 13 NOVEMBER 2001 (pages 2216-2217).**
- 3.17.1 NOMINATIONS TO CoSLA EXECUTIVE GROUPS (Item 1, Page 2216)**

A motion by Councillor Reid, seconded by Councillor Wilson, to reconsider in terms of Standing Order 40 the nominations to CoSLA failed to receive the requisite two-thirds of the Members voting (11).

- 3.18 KILMARNOCK NORTH LOCAL COMMITTEE OF 13 NOVEMBER 2001 (pages 2218-2221).**
- 3.19 COMMUNITY SERVICES COMMITTEE OF 14 NOVEMBER 2001 (pages 2222-2228).**

3.19.1 PLAY PARK PROVISION (Item 15, Page 2226)

Councillor Taylor, seconded by Councillor Carmichael moved the Minutes as a correct record.

Councillor Wilson, seconded by Councillor Daniel Coffey, moved as an amendment that the motion shown at paragraph 3 should read as follows: "that the £20,000 to be made available for the proposed showpiece play park be made available instead for

the benefit of as many play parks as possible by way of addressing safety concerns and reinstating equipment.

On a division by a show of hands, the motion was carried by 16 votes to 10.

- 3.20 IRVINE VALLEY LOCAL COMMITTEE OF 14 NOVEMBER 2001 (pages 2229-2232).**
- 3.21 SPECIAL JOINT MEETING OF CUMNOCK AREA AND DOON VALLEY LOCAL COMMITTEES OF 20 NOVEMBER 2001 (pages 2233-2234).**
- 3.22 EMERGENCY POWERS COMMITTEE OF 22 NOVEMBER 2001 (pages 2235-2237).**
- 3.23 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 23 NOVEMBER 2001 (pages 2238-2243).**
- 3.24 POLICY AND RESOURCES COMMITTEE OF 29 NOVEMBER 2001 (pages 2244-2259).**

REMITTS FROM COMMITTEE -

(a) CORPORATE SUB-COMMITTEE OF 20 NOVEMBER 2001 (Item 4, Page 2257)

There was submitted and noted a report dated 5 December 2001 (circulated) by the Depute Chief Executive/Director of Corporate Resources which advised of the details of a correction to joint staffing watch statistics submitted to CoSLA in respect of the September 2001 reporting period.

(b) ESTABLISHMENT OF SCRUTINY AND BEST VALUE REVIEW GROUPS (Item 9, Page 2246)

It was agreed to nominate the following Members to each of the undernoted Scrutiny and Best Value Review Groups:-

- (i) Information Technology Service Review Group - Councillors Young, W Coffey, McIntyre, Wilson, Linton, Walsh, Knapp, Jackson and Carmichael;
- (ii) Roads Procurement Function Review Group - Councillors Young, D Coffey, Reid, L MacLean, McIntyre, Knapp, Jackson, Smith and Carmichael.

- 3.25 SOUTHERN LOCAL PLANNING COMMITTEE OF 30 NOVEMBER 2001 (pages 2260-2266).**

PUBLIC PRIVATE PARTNERSHIP PROJECT

4.1 MOTION BY COUNCILLOR FINLAY MACLEAN

Councillor Finlay MacLean, seconded by Councillor Lilian MacLean, moved:- "This Council will not support the use of a Public Private Partnership Project to replace or renovate any of our schools".

Councillor Farrell, seconded by Councillor Knapp, moved as an amendment:- "That we support the use of PPP to fund the way forward to achieve superior accommodation for our schools".

On a request by Councillor Finlay MacLean that a roll call vote be taken and there being at least one-third of the Members in agreement (11), in accordance with Standing Order 36.2, the vote was taken by calling the roll as follows, viz:-

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

For the amendment - Provost Boyd and Councillors Reeves, McIntyre, Macrae, Walsh, Darnbrough, Knapp, Raymond, Jackson, Smith, Kelly, Farrell, Menzies, Ross, Taylor and Carmichael.

The amendment was therefore carried by 16 votes to 11.

4.2 EXCERPT OF MINUTE OF MEETING OF SPECIAL EDUCATION COMMITTEE OF 11 DECEMBER 2001

There was submitted (circulated) and approved (i) as a correct record; and (ii) the recommendations contained therein, the excerpt of the Minute of the Special Education Committee of 11 December 2001.

Councillor Raymond left the meeting at this point.

APPOINTMENT TO OUTSIDE ORGANISATION - KILMARNOCK AND LOUDOUN CRIME PREVENTION PANEL

5. It was agreed, following a request from the SNP Group, that Councillor Daniel Coffey replace Councillor Harry Wilson on the above Panel.

AMENDMENT TO MEMBERSHIP OF SOCIAL WORK COMMITTEE

6. It was agreed, following a request from the Labour Group, that Councillor John Knapp replace Councillor Jim Raymond on the Social Work Committee.

PROPOSED RESIGNATION OF THE CHAIR OF THE COMMUNITY SERVICES COMMITTEE FROM THE KILMARNOCK LEISURE CENTRE TRUST

7. There was submitted a report dated 29 November 2001 (circulated) by the Head of Administrative and Legal Services which asked Council to consider whether to agree that the Chair of the Community Services Committee should resign from his post as ex officio Trustee of the Kilmarnock Leisure Centre Trust.

Councillor Farrell, seconded by Councillor McIntyre, moved:

- (i) that the resignation of the Chair of the Community Services Committee be effected for the reasons stated in paragraph 3.1 of the report;
- (ii) that future appointees to the Chair of the Community Services Committee should decline to accept the office of ex officio Trustee of the Kilmarnock Leisure Centre Trust; and
- (iii) to recommend to the Trust to appoint Councillor Knapp as a further Member of the Council as Trustee; and
- (iv) that the Head of Administrative and Legal Services advise the Trust of the decision.

Councillor Reid, seconded by Councillor Wilson, moved as an amendment the above with the exception of (iii) in that it be recommended to the Trust to appoint Councillor Linton as a further Member of the Council as Trustee.

On a division by a show of hands the motion was carried by 15 votes to 10.

MOTION BY COUNCILLOR JOHN WEIR

7. Councillor Weir, seconded by Councillor D Coffey moved:- “This Council fully supports the Scottish Bus Group Pensioners in their campaign to stop monies being removed from their Pension Funds. This Council also demands the Scottish Executive make the payments in full to the Scottish Pensioners, and also calls on the Executive to explain the delay in making these payments.”

Councillor Ross, seconded by Councillor Smith, moved as an amendment:- “That in achieving parity with English Pension Scheme, the Scottish Executive and Ministers have gone beyond their legal remit and achieved a greater payment award for Scottish Bus Group Pensioners, a very substantial payment of £118m, and that we support the Executive’s position that the Trustees have the Pension Scheme wound up before January to allow payments to be made in early 2002 to pensioners, deferred pensioners and transferees.

On a request by Councillor Weir that a roll call vote be taken and there being at least one third of the Members in agreement (11), in accordance with Standing Order 36.2 the vote was taken by calling the roll as follows:-

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

For the amendment - Provost Boyd and Councillors Reeves, McIntyre, Macrae, Walsh, Darnbrough, Knapp, Jackson, Smith, Kelly, Farrell, Menzies, Ross, Taylor and Carmichael.

The amendment was therefore carried by 15 votes to 11.

The meeting terminated at 1234 hrs.

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