

EAST AYRSHIRE COUNCIL**HOUSING COMMITTEE****MINUTES OF MEETING HELD ON WEDNESDAY 28 MARCH 2001 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Jimmy Kelly, Daniel Coffey, Willie Coffey, Lilian MacLean, John Weir, Drew McIntyre, David Macrae, Jane Darnbrough, John Knapp, Jim Raymond, Julie Faulds, William Menzies, Provost Jimmy Boyd and Councillor Jimmy Carmichael.

ATTENDING: David Montgomery, Chief Executive; Alex McPhee, Director of Finance; James Lavery, Director of Homes and Technical Services; John Walker, Head of Building and Works; Chris McAleavey, Head of Homes; Ian Gemmell, Head of Anti Poverty; Campbell Johnston, Design Services Manager; David McLellan, Financial Services Manager; Julie Armstrong, Principal Administrative Officer; Caroline Gordon, Public Relations Assistant; Anna Gallagher, Solicitor/Team Leader; and Stuart Nelson, Administrative Officer.

APOLOGIES: Councillors Ann Hay, Stephanie Young, Douglas Reid, Alan Campbell, George Smith and Tommy Farrell.

CHAIR: Councillor Jimmy Kelly, Chair.

SUB-COMMITTEE MINUTES**1.1 APPEALS SUB-COMMITTEE OF 8 NOVEMBER 2000 AND 30 JANUARY 2001**

There were submitted for approval as a correct record the Minutes of the meeting of the Appeals Sub-Committee of 8 November 2000 and reconvened on 30 January 2001, as contained within Appendix I to these Minutes.

Following representations from Councillor Daniel Coffey, that the Minute was not a correct record since at the meeting of the Sub-Committee he had entered his dissent from the decision of the Sub-Committee and this had not been recorded in the Minute of the meeting, it was agreed to continue consideration of this item to enable a check to be made of the contemporaneous notes of the meeting concerned to confirm, or otherwise the accuracy of the record.

1.2 CAPITAL SUB-COMMITTEE OF 6 MARCH 2001

There were submitted for approval as a correct record and in respect of the recommendations contained therein, the Minutes of the meeting of the Capital Sub-Committee of 6 March 2001.

Councillor Willie Coffey, seconded by Councillor Daniel Coffey moved that the Director of Homes and Technical Services submit a further report to the Sub-Committee to provide a detailed assessment of the technical issues arising from the Pilot Scheme for the upgrading of existing single glazed PVCU windows to double glazed units, and further information on the nature and outcome of consultation with the tenants of those houses involved, to enable consideration to be given to a modest programme of window upgrading being carried out under future capital programmes.

Councillor Kelly, seconded by Councillor Macrae moved as an amendment to approve, both as a correct record and in respect of the recommendations contained therein, the Minutes of the meeting as contained within Appendix II to these Minutes.

On a division by a show of hands, the amendment was carried by 9 votes to 5.

BUDGETARY REPORTS

2.1 HOMES AND TECHNICAL SERVICES - CENTRAL REPAIRS ACCOUNT TO 9 FEBRUARY 2001 (PERIOD 11)

There was submitted and noted a joint report dated 12 March 2001 (circulated) by the Director of Finance and the Director of Homes and Technical Services which advised of the current budgetary control position and the projected out-turn for the year for Homes and Technical Services - Central Repairs Account for the period ended 9 February 2001.

2.2 HOMES AND TECHNICAL SERVICES - PROPERTY TO 9 FEBRUARY 2001 (PERIOD 11)

There was submitted and noted a joint report dated 12 March 2001 (circulated) by the Director of Finance and the Director of Homes and Technical Services which advised of the current budgetary control position and the projected out-turn for the year for Homes and Technical Services - Property for the period ended 9 February 2001.

2.3 HOMES AND TECHNICAL SERVICES - TECHNICAL SERVICES TO 9 FEBRUARY 2001 (PERIOD 11)

There was submitted and noted a joint report dated 12 March 2001 (circulated) by the Director of Finance and the Director of Homes and Technical Services which advised of the current budgetary control position and the projected out-turn for the year for Homes and Technical Services - Technical Services for the period ended 9 February 2001.

2.4 HOUSING REVENUE ACCOUNT TO 9 FEBRUARY 2001 (PERIOD 11)

There was submitted a joint report dated 12 March 2001 (circulated) by the Director of Finance and the Director of Homes and Technical Services which advised of the current budgetary control position of the Housing Revenue Account for the period ended 9 February 2001.

Councillor Willie Coffey, seconded by Councillor Daniel Coffey moved that the Director of Homes and Technical Services submit a report to the meeting of the Council to be held on 3 May 2001 showing plans to re-programme Category E repairs and indicating clear timescales for carrying out this work.

Councillor Kelly, seconded by Councillor Macrae moved as an amendment to note the report.

On a division by a show of hands, the amendment was carried by 9 votes to 5.

2.5 GENERAL FUND HOUSING TO 9 FEBRUARY 2001 (PERIOD 11)

There was submitted and noted a joint report dated 12 March 2001 (circulated) by the Director of Finance and the Director of Homes and Technical Services which

advised of the current budgetary control position and the projected out-turn for the year for the General Fund Housing for the period ended 9 February 2001.

EMPTY HOMES INITIATIVE (Item 4, Page 4289, 96/99)

3. There was submitted and noted a report dated 12 March 2001 (circulated) by the Director of Homes and Technical Services which provided an update on progress on the Empty Homes Initiative.

ENERGY ADVICE UNIT: UPDATE REPORT

4. There was submitted a report dated 5 March 2001 (circulated) by the Director of Homes and Technical Services which provided an update on recent developments in the implementation of the Council's response to its obligations under the terms of Homes Energy Conservation Act 1995 (HECA).

It was agreed:-

- (i) to accept, as part of the consortium of Councils comprising South Ayrshire, North Ayrshire, East Ayrshire and Dumfries and Galloway, the funding award of £100,000 from HECAAction in respect of grants for insulation works; and
- (ii) otherwise, to note the terms of the report.

THE SUPPORTING PEOPLE PROGRAMME

5. There was submitted and noted a joint report dated 12 March 2001 (circulated) by the Directors of Homes and Technical Services and of Educational and Social Services on arrangements which were being made for the implementation of the Scottish Executive Initiative: "The Supporting People Programme".

Councillor Weir left the meeting at this point.

MANAGING ABSENCE

6. There was submitted a report dated 7 March 2001 (circulated) by the Director of Homes and Technical Services which provided an analysis of absence within the Department of Homes and Technical Services for the fourth quarter of 2000 and indicated what action the Department was taking in relation to the management of absence.

It was agreed:-

- (i) to note the terms of the report; and
- (ii) to note that the Director of Homes and Technical Services will continue to monitor absence within the Department and respond appropriately.

PERFORMANCE INDICATORS

7. There was submitted a report dated 9 March 2001 (circulated) by the Director of Homes and Technical Services on the performance of the Department of Homes and Technical Services in relation to Statutory Key Performance Indicators for the period 1 April to 30 September 2000.

It was agreed:-

- (i) to note the terms of the report;

- (ii) that a further report on the performance of the Department in relation to the Indicators concerned for the year 1 April 2000 to 31 March 2001 be submitted to a future meeting; and
- (iii) that the Director of Homes and Technical Services would, if possible, provide to Councillor Willie Coffey information on the relative effect of factors influencing the Department's performance in relation to rent collection.

EXCLUSION OF PRESS AND PUBLIC

8. The Committee 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 of the Act.

PROPOSED DISPOSALS OF LAND

9.1 KILMARNOCK: 72 MACNAUGHTON DRIVE

There was submitted a report dated January 2001 (circulated) by the Director of Homes and Technical Services which requested that the Committee agree to the sale of an area of ground extending to approximately 131 square metres located adjacent to 72 MacNaughton Drive, Kilmarnock.

It was agreed:-

- (i) that the area of ground in question be declared surplus to requirements and disposed of to the interested party indicated in the report; and
- (ii) that the Director of Development Services be authorised to negotiate the sale to the interested party concerned.

9.2 KILMARNOCK: 6 WHATRIGGS ROAD

There was submitted a report dated 9 March 2001 (circulated) by the Director of Homes and Technical Services which requested that the Committee agree to the sale of an area of ground extending to approximately 67 square metres located adjacent to 6 Whattriggs Road, Kilmarnock.

It was agreed:-

- (i) that the area of ground in question be declared surplus to requirements and be disposed of to the interested party indicated in the report; and
- (ii) that the Director of Development Services be authorised to negotiate the sale to the interested party concerned.

BUDGETARY CONTROL REPORT - BUILDING AND WORKS TO 9 FEBRUARY 2001 (PERIOD 11)

10. There was submitted and noted a joint report dated 12 March 2001 (circulated) by the Director of Finance and the Director of Homes and Technical Services on the current budgetary control position of the Building and Works DLO for the period ended 9 February 2001.

BUILDING AND WORKS BUSINESS PLAN

11. There was submitted a report dated 21 March 2001 (circulated) by the Director of Homes and Technical Services which recommended approval of the Business Plan for the Building and Works Division for the year 2001/2002.

It was agreed:-

- (i) to the Trades Unions' request that the following be added to the Mission Statement shown at Section 2 of the Plan: "As a model employer, Building and Works will provide a good working environment for all employees"; and
- (ii) to otherwise approve the Business Plan for the Building and Works DLO for 2001/2002, as attached to the report; and

The meeting terminated at 1103 hours.

EAST AYRSHIRE COUNCIL

APPEALS SUB-COMMITTEE OF THE HOUSING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 8 NOVEMBER 2000 AT 1400 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors David Macrae, Daniel Coffey, Willie Coffey, Provost Jimmy Boyd and Councillor Jimmy Carmichael.

ATTENDING: David Mitchell, Legal Manager; and Stuart Nelson, Administrative Officer.

CHAIR: David Macrae, Chair.

EXCLUSION OF PRESS AND PUBLIC

1. The Sub-Committee 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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 2 of Schedule 7A of the Act.

HOUSE LETTING: APPEAL NO 1/00

2.1 SUBMISSIONS

There were submitted copies of (a) the Appeals Hearing Procedure; (b) productions to be relied upon by the parties; and (c) lists of witnesses to be called by the parties.

2.2 PRELIMINARY MATTERS

The appellant's representative requested that the Hearing be adjourned to a later date and set out the reasons for the request. The Sub-Committee then heard representations by the representative of the Director of Homes and Technical Services on the request for the adjournment.

2.3 ADJOURNMENT/RECONVENTION

The Sub-Committee adjourned at 1405 hours to take legal advice and reconvened at 1417 hours with the same Members, Officers and parties present and in attendance.

2.4 ADJOURNMENT/RECONVENTION

The Sub-Committee agreed to accede to the request by the appellant's representative and to adjourn the meeting at 1420 hours. The Sub-Committee reconvened on Tuesday 30 January 2001 at 1400 hours in the Meeting Room, Council Headquarters, London Road Kilmarnock with the same Members, Officers and parties present and in attendance except for Councillor Willie Coffey who had intimated an apology for absence.

2.5 SUBMISSIONS

There were again submitted copies of (a) the Appeals Hearing Procedure; (b) the productions to be relied upon by the parties; and (c) the lists of witnesses to be called by the parties, together with supplementary productions to be relied upon by the representative of the Director of Homes and Technical Services.

2.6 APPEALS HEARING PROCEDURE

At the request of the Chair, the Legal Manager outlined the procedure to be adopted at the Hearing.

2.7 REPRESENTATIONS ON BEHALF OF THE APPLICANT

The Sub-Committee heard (i) representations by the appellant's representative; and (ii) evidence from the appellant and then the first of the witnesses for the appellant, all in accordance with the Hearing Procedure.

2.8 ADJOURNMENT/RECONVENTION

The Sub-Committee adjourned at 1545 hours and reconvened at 1552 hours with the same Members, Officers and parties present and in attendance.

2.9 CONTINUATION OF REPRESENTATIONS ON BEHALF OF APPELLANT

The Sub-Committee heard evidence from a further two witnesses for the appellant, all in accordance with the Appeals Hearing Procedure.

2.10 REPRESENTATIONS ON BEHALF OF THE DIRECTOR OF HOMES AND TECHNICAL SERVICES

The Sub-Committee heard (a) representations by the representative of the Director of Homes and Technical Services; and (b) evidence from two witnesses for the Director of Homes and Technical Services, all in accordance with the Appeals Hearing Procedure.

2.11 ADJOURNMENT/RECONVENTION

The Sub-Committee adjourned at 1723 hours and reconvened at 1730 hours with the same Members, Officers and parties present and in attendance.

2.12 CONTINUATION OF REPRESENTATION ON BEHALF OF THE DIRECTOR OF HOMES AND TECHNICAL SERVICES

The Sub-Committee heard evidence from the Director of Homes and Technical Services, all in accordance with the Appeals Hearing Procedure.

2.13 SUMMING-UP

The appellant's representative and the representative of the Director of Homes and Technical Services, in turn, summed-up their respective cases.

2.14 WITHDRAWAL OF PARTIES

Both parties concerned withdrew from the meeting and the Sub-Committee deliberated in private.

2.15 CONSIDERATION AND DETERMINATION OF APPEAL

Having considered the relevant papers submitted, the representations made at the meeting and evidence given by the witnesses, on behalf of both parties, it was agreed:-

- (a) that the appeal was not upheld; and
- (b) that the Director of Homes and Technical Services liaise with the appellant and offer all appropriate advice and assistance in order to enable him to consider how to proceed in respect of his housing circumstances.

2.16 RECALL OF PARTIES

Both parties were recalled and the Chair advised of the decision of the Sub-Committee.

The meeting terminated at 1845 hours.

AGENDA

EAST AYRSHIRE COUNCIL

HOUSING CAPITAL SUB-COMMITTEE OF THE HOUSING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 6 MARCH 2001 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors Jimmy Kelly, Willie Coffey, Douglas Reid, Lilian MacLean, Drew McIntyre, John Knapp, Tommy Farrell, Julie Faulds and Provost Boyd.

ATTENDING: David Montgomery, Chief Executive; James Lavery, Director of Homes and Technical Services; Chris McAleavey, Head of Homes; Bill Walkinshaw, Administration Manager; Campbell Johnston, Design Services Manager; David McLellan, Financial Services Manager; and Stuart Nelson, Administrative Officer.

APOLOGIES: Councillors John Weir and David Macrae.

CHAIR: Councillor Jimmy Kelly, Chair.

FINAL MEASUREMENTS ON CONTRACTS

1. There was submitted and noted a report (circulated) by the Director of Homes and Technical Services on final measurements for various works undertaken in recent years, as shown in Annexation I to these Minutes.

HOUSING CAPITAL PROGRAMME 2000/2001

2.1 AWARDING OF CONTRACTS

There was submitted and noted a report dated 15 February 2001 (circulated) by the Depute Chief Executive/Director of Corporate Resources which provided, for information, details of tenders which had been accepted, as shown in Annexation II to these Minutes.

2.2 CAPITAL RECEIPTS

There was submitted a report dated 15 February 2001 (circulated) by the Solicitor to the Council which provided an update on the position with regard to the estimated Housing Capital Receipts for the current financial year.

It was agreed to note the content of the report, which amongst other things indicated:-

- (i) that as at 9 February 2001, Capital Receipts in respect of house sales amounted to £6,389,117 in respect of 492 transactions settled up to that date; and
- (ii) that for the whole of the financial year, Capital Receipts in respect of house sales were now estimated at £7,600,000 and that other useable Capital Receipts were estimated at £68,169.

2.3 MONITORING STATEMENT

There was submitted a report (circulated) by the Director of Homes and Technical Services which advised of the financial and physical progress of the Housing Capital Programme 2000/2001.

It was agreed:-

- (i) that monitoring statements submitted to future meetings should (a) clearly indicate the phasing arrangements for the carrying out of works under the Housing Capital Programme, including the identification of phases which it is anticipated may be carried out in future financial years; and (b) provide information on the type of, and progress with, works being carried out under the heading of "Planned Capital Repairs"; and
- (ii) otherwise, to note the terms of the report.

PILOT CONTRACT TO UPGRADE EXISTING PVCU SINGLE GLAZED WINDOWS TO DOUBLE GLAZED UNITS

3. There was submitted a report (circulated) by the Director of Homes and Technical Services on the results of the Pilot Scheme for the upgrading of existing single glazed PVCu windows to double glazed windows and provided information to assist in the formulation of future Housing Capital Programmes.

Councillor Kelly, seconded by Councillor McIntyre moved to recommend that no programme of upgrading single glazed units to double glazed units be identified within the Capital Programme.

Councillor W Coffey, seconded by Councillor Reid moved as an amendment that the Director of Homes and Technical Services submit a further report to this Sub-Committee to provide a detailed assessment of the technical issues arising from the Pilot Scheme and further information on the nature and outcome of consultation with the tenants of those houses involved, in order to enable consideration to be given to a modest programme of window upgrading being carried out under future capital programmes.

On a division by a show of hands, the motion was carried by 5 votes to 4.

It was also noted that the Director of Homes and Technical Services would take into account the alternative courses of action where available for dealing with the problem of condensation in houses.

HOUSING CAPITAL ALLOCATION AND CAPITAL PROGRAMME 2001/2002

4. There was submitted a report (circulated) by the Director of Homes and Technical Services on the proposed Housing Capital Programme (HRA) for 2001/2002.

Councillor Kelly, seconded by Provost Boyd moved:-

- (i) to note the terms of the report;
- (ii) to recommend approval of the proposals for the 2001/2002 Capital Programme as detailed in the report; and
- (iii) to refer this recommendation to the Housing Committee for approval.

Councillor W Coffey, seconded by Councillor Reid moved as an amendment to note the terms of the report as the proposals would be discussed at the Housing Committee.

On a division by a show of hands, the motion was carried by 5 votes to 4.

The meeting terminated at 1102 hours.

ANNEXATION I

CONTRACT	AMOUNT OF FINAL MEASUREMENT
Alterations to Crosshouse Primary School, Crosshouse	£48,893.99
Replacement of Roof Decking on Art Department, St Joseph's Academy, Kilmarnock	£84,363.21
Re-roofing to Main Block at Kilmarnock Academy	£45,891.92
Re-roofing of High Level Roof to Main Block at Loudoun Academy	£94,918.20
Re-roofing of Low Level Roof to Main Block at Loudoun Academy	£40,515.52
Re-roofing at Art Department, St Joseph's Academy, Kilmarnock	£21,774.14

ANNEXATION II

HOUSING CAPITAL PROGRAMME

CONTRACT	SUCCESSFUL CONTRACTOR	AMOUNT (EXCLUDING FEES)
Demolition of Former Housing Stock at Meiklewood Road, Etrick Crescent and Western Road, Kilmarnock	J B Black Construction Services, Maybole	£83,883.45
Replacement of Kitchen Fitments to 128 Houses, 2000/2001 Programme, Phase 2	CFM Building Services Ltd, Carluke	£165,011.39
Replacement of Kitchen Fitments to 132 Houses, 2000/2001 Programme, Phase 4	Anderson and Innes, Kilmarnock	£240,861.78
Modernisation and Asbestos Removal to 24 Houses 2000/2001 Programme	John Moulds (Kilmarnock) Ltd, Kilmarnock	£169,587.44
Removal of Asbestos Insulated Storage Tanks, etc, 2000/2001 Programme, Phase 1	Angus (Asbestos Removal) Ltd, Johnstone	£59,040.21
Removal of Asbestos Insulated Storage Tanks, etc, 2000/2001 Programme, Phase 2	Angus (Asbestos Removal) Ltd, Johnstone	£48,194.91
Removal of Asbestos Insulated Storage Tanks, etc, 2000/2001 Programme, Phase 3	Carymar Construction Services, Kirkintilloch	£23,257.08
Reinstatement of Fire Damage at 11 Cameron Drive, Auchinleck	James Wilson & Son (Auchmillan) Ltd, Mauchline	£20,441.23
Removal of Cavity Insulation and Sundry Works at Fulton Lane, Kilmarnock	Construction Technical & Commercial Facilities, Lugton	£26,242.62
Replacement of Lead Water Services to 187 Houses 2000/2001 Programme	Fullwood Holdings Ltd, Bellshill	£112,911.03
Re-roofing of Block 1, 3 and 4 Bellsland Place, Kilmarnock 2000/2001 Programme, Phase 7	Southwest Roofing Services Ltd, Dumfries	£101,153.47

Re-roofing to 50 Houses 2000/2001 Programme, Phase 6	Southwest Roofing Services Ltd, Dumfries	£168,225.72
Installation of Audio Door Entry System to 120 Houses 2000/2001 Programme	John McCaig & Sons Ltd, Ayr	£76,447.51
Electrical Re-wiring to 130 Houses 2000/2001 Programme, Phase 4	John McCaig & Sons Ltd, Ayr	£111,309.24
Banking Hall - Civic Centre North - Refurbishment	Fullwood Holdings Ltd, Lugton	£109,271.66
Provision of Water Testing (Legionella) Service Contract	Rentokil Hygiene, East Kilbride	£70,546.00

AGENDA
