

**EAST AYRSHIRE COUNCIL****CORPORATE GOVERNANCE COMMITTEE****MINUTES OF MEETING HELD ON TUESDAY 23 SEPTEMBER 2003 AT 1400 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors John Knapp, Jim O'Neill, Stephanie Young, Brian Reeves, Daniel Coffey, Douglas Reid, Drew McIntyre, Stuart Finlayson, Robert McDill, George Smith, William Crawford, Eric Ross, Elaine Dinwoodie and Jimmy Carmichael.

**ATTENDING:** David Montgomery, Chief Executive; Fiona Lees, Depute Chief Executive/Director of Corporate Resources; Stephen Chorley, Director of Development Services; Alex McPhee, Director of Finance; David Mitchell, Head of Administrative and Legal Services; Robert Paton, Head of Economic Development; Jackie Donnelly, Head of Social Work; George Park, Employee Relations Manager; Mike Padley, Health and Safety Manager; Alan Paterson, Principal Quantity Surveyor, Homes and Technical Services; and Gillian Hamilton, Administrative Officer.

**APOLOGIES:** Councillors Maureen McKay, Gordon Cree, John Weir, Iain Linton, Eric Jackson, Tommy Farrell and William Menzies.

**CHAIR:** Councillor John Knapp, Chair.

**CHAIR'S SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE**

1. There was submitted and approved, both as a correct record and in respect of the recommendations contained therein, the Minutes of the Chair's Sub-Committee of the Corporate Governance Committee of 24 July 2003 (circulated) as contained within Appendix I to these Minutes.

**BUDGETARY CONTROL SUMMARY STATEMENTS****2.1 POLICY AND RESOURCES (CORPORATE RESOURCES)**

There was submitted and noted a joint report dated 1 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources and the Director of Finance which advised of the current budgetary control position and the projected out-turn for the year for the services within the remit of Policy and Resources (Corporate Resources).

**2.2 POLICY AND RESOURCES (CENTRAL SERVICES)**

There was submitted and noted a report dated 2 September 2003 (circulated) by the Director of Finance which advised of the current budgetary control position and the projected out-turn for the year for the services within the remit of Policy and Resources (Central Services).

## **ABSENCE MANAGEMENT REPORTS (QUARTER 2, 2003)**

### **3.1 DEPARTMENT OF CORPORATE RESOURCES AND CHIEF EXECUTIVE'S OFFICE**

There was submitted and noted a report dated 8 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which advised of absence rates for the Department of Corporate Resources and the Chief Executive's Office for the quarterly period ended 30 June 2003.

### **3.2 DEPARTMENT OF FINANCE**

There was submitted and noted a report dated 14 July 2003 (circulated) by the Director of Finance which advised of absence rates for the Department of Finance for the quarterly period ended 27 June 2003.

## **HEALTH AND SAFETY**

### **4.1 UPDATE ON HEALTH AND SAFETY ISSUES**

There was submitted and noted a report dated 16 September 2003 (circulated) by the Head of Personnel which provided an information update on recent and developing health and safety issues.

### **4.2 DEPARTMENTAL HEALTH AND SAFETY PLANS**

#### **4.2.1 Department of Corporate Resources**

There was submitted a report dated September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which reviewed progress against the Department of Corporate Resources 2002/03 Health and Safety Action Plan and recommended a prioritised Departmental Health and Safety Action Plan for the period 2003/04.

It was agreed:-

- (i) to note the action taken by the Department of Corporate Resources in response to its 2002/03 Health and Safety Action Plan;
- (ii) to approve the proposed Plan for the year 2003/04; and
- (iii) otherwise, to note the contents of the report.

#### **4.2.2 Department of Finance**

There was submitted a report dated September 2003 (circulated) by the Director of Finance which reviewed progress against the Department of Finance's Health and Safety Action Plan 2002/03 and identified the recommended Departmental Health and Safety Action Plan for 2003/04.

It was agreed:-

- (i) to note the action taken by the Department of Finance in response to its 2002/03 Health and Safety Action Plan;
- (ii) to approve the proposed Plan for the year 2003/04; and
- (iii) otherwise, to note the contents of the report.

### **TRAINING AND DEVELOPMENT (Item 13, Page 2834, 99/03)**

5. There was submitted a report dated 16 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which informed of progress and current priorities of the restructured training and development function and sought approval of the draft Training and Development Policy and the supporting Training and Development Plan.

It was agreed:-

- C** (i) to recommend to Council approval of the revised Training and Development Policy; **C**
- (ii) to approve the supporting Action Plan; and
- (iii) otherwise, to note the terms of the report.

The Chair introduced Matt Blackwood of Kilmarnock Academy who was in attendance as an observer as part of his work experience within Administrative and Legal Services.

### **ASBESTOS POLICY (Item 17, Page 2657, 99/03)**

6. There was submitted a report dated September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which advised of the administrative changes made to the Council's Asbestos Policy to achieve compliance with legislative requirements.

It was agreed:-

- C** (i) to recommend to Council approval of the changes to the Council Policy on Asbestos detailed in the report, and **C**
- (ii) otherwise, to note the contents of the report.

### **STATISTICAL INFORMATION ON REVENUE COLLECTION**

7. There was submitted and noted a report dated 2 September 2003 (circulated) by the Director of Finance which provided an update on the position of the Council with regard to billing and collection of local taxes as at 24 August 2003 (Period 5).

### **DEPARTMENT OF FINANCE - SCOTTISH WATER CONTRACT**

8. There was submitted a report dated 2 September 2003 (circulated) by the Director of Finance which sought approval for a contract with Scottish Water to collect water services charges.

It was agreed:-

- (i) to approve the signing of the contract with Scottish Water for the collection of water services charges; and
- (ii) otherwise, to note the contents of the report.

### **JOINT STAFFING WATCH RETURN - JUNE 2003**

9. There was submitted and noted a report dated 5 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which advised of the Joint

Staffing Watch statistics submitted to CoSLA in respect of the June 2003 reporting period.

### **STATUTORY PERFORMANCE INDICATORS FOR 2002/03**

10. There was submitted a joint report dated 8 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources and the Director of Finance which informed of the Council's performance in 2002/03 against the Council-wide and Financial Statutory Performance Indicators.

It was agreed:-

- (i) to note the performance of the Council in 2002/03 against the Council-wide and Finance Statutory Performance Indicators detailed in the Appendix to the report;
- (ii) to note the intention to revise the arrangements for the circulation of Statutory Performance Information; and
- (iii) otherwise, to note the contents of the report.

### **DISABILITY DISCRIMINATION ACT AND COUNCIL PROPERTIES**

11. There was submitted a report dated 11 September 2003 (circulated) by the Director of Development Services which informed of action being undertaken to demonstrate the Council's commitment to compliance with the property access requirements of the Disability Discrimination Act which will come into force in October 2004.

It was agreed:-

- (i) to endorse the policy and programmes set out in the report to demonstrate commitment to upgrading access to East Ayrshire Council's properties in terms of the requirements of the Disability Discrimination Act 1995; and
- (ii) otherwise, to note the contents of the report.

### **SURPLUS PROPERTY - SKILLS TRAINING UNIT, GLAISNOCK STREET, CUMNOCK (FORMER CUMNOCK CLEANSING DEPOT)**

12. There was submitted a report dated 9 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which requested the Committee to declare surplus to requirements the property in Glaisnock Street, Cumnock.

It was agreed:-

- (i) to declare the property in question surplus to requirements;
- (ii) to refer the matter to the Director of Development Services in accordance with the Council's agreed procedures; and
- (iii) otherwise, to note the contents of the report.

### **AWARDING OF CONTRACTS**

13. There was submitted and noted a report dated 7 August 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which provided, for information, details of tenders which had been accepted as follows:-

<u>CONTRACT</u>	<u>SUCCESSFUL CONTRACTOR</u>	<u>AMOUNT</u>
Software Upgrade for ISDX Telephone Switches	London Road Site - Digital Communication Systems Ltd	£12,870.00
	Civic Centre Site - HQT Ltd., Ripon	£8,050.00
	Greenholm Street Site - HQT Ltd., Ripon	£7,600.00
Supply of Photographic Services	John Keachie, Stevenston	
	Iain Brown, Prestwick	
	Redpoint Photography, Mossblown	
	Roger Clark, Cumnock	Schedule of Rates
Supply and Delivery of one additional people carrier	Arnold Clark Automobiles, Glasgow	£16,242.76
Desktop Management Tools	Computer Associates PLC., Edinburgh	£88,865.11 per annum

**MINUTES OF CENTRAL JOINT CONSULTATIVE COMMITTEE (LOCAL GOVERNMENT EMPLOYEES AND CRAFTPERSONS)**

14. There was submitted and noted the Minutes of the Central JCC (Local Government Employees and Craftpersons) meeting held on 18 June 2003 (circulated) as detailed in Appendix II to these Minutes.

**EXCLUSION OF PRESS AND PUBLIC**

15. 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 the Paragraph(s) of Schedule 7A of the Act as shown against each item.

**AGE RETIRAL - LOCAL GOVERNMENT EMPLOYEES AND CRAFTPERSONS (PARAS 1 & 11)**

16. There was submitted a report dated 16 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which recommended changes to the Council's current policy on age retirement for Local Government Employees and Craftpersons, subject to consultation with Trade Unions.

It was agreed:-

C

- (i) to recommend to Council the approval of the amendment to the current policy on age retiral detailed in Paragraph 3.1 of the report, subject to Trade Union consultation; and
- (ii) otherwise, to note the contents of the report.

C

### **INTRODUCTION OF THREE BIN AND KERBSIDE BOX COLLECTION SYSTEM (PARA 1)**

17. There was submitted a joint report dated 5 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources and the Director of Community Services which sought approval for the temporary appointment for a period of 2 years of a Marketing and Implementation Officer within the Environmental Health and Waste Management Section of the Department of Community Services.

It was agreed:-

- (i) to approve the staffing proposal contained in the report; and
- (ii) otherwise, to note the contents of the report.

### **RESEARCH AND INTELLIGENCE IN THE EDUCATION SERVICE (PARAS 1 & 11)**

18. There was submitted a joint report dated 16 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources and the Director of Educational and Social Services which sought approval for amendments to the staffing structure within the Department of Educational and Social Services, subject to consultation with Trade Unions.

It was agreed:-

- (i) to approve the staffing proposals detailed in Paragraph 3.1 of the report, subject to consultation with Trade Unions; and
- (ii) otherwise, to note the contents of the report.

### **COMMUNITY LEARNING AND DEVELOPMENT (PARAS 1 & 11)**

19. There was submitted a joint report dated 16 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources and the Director of Educational and Social Services which sought approval for an amendment to the staffing structure within the Community Learning and Development Section of the Department of Educational and Social Services, subject to consultation with Trade Unions.

It was agreed:-

- (i) to approve the staffing proposal contained in the report, subject to consultation with Trade Unions; and
- (ii) otherwise, to note the contents of the report.

### **DAY SUPPORT SERVICE FOR OLDER PEOPLE (PARA 1)**

20. There was submitted a joint report dated 16 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources and the Director of Educational and Social Services which sought approval for amendments to the

staffing structure within the Older Peoples Section within the Department of Educational and Social Services.

It was agreed:-

- (i) to approve the staffing proposals contained in the report; and
- (ii) otherwise, to note the contents of the report.

**FAST TRACK SCHEME FOR GRADUATE TRAINEE SOCIAL WORKERS (PARA 1)**

21. There was submitted a joint report dated 5 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources and the Director of Educational and Social Services which advised of the Council's participation in the National Fast Track Scheme for Graduate Trainee Social Workers.

It was agreed:-

- (i) to approve the staffing proposals contained in Paragraph 3 of the report; and
- (ii) otherwise, to note the contents of the report.

**DEPARTMENT OF HOMES AND TECHNICAL SERVICES - TECHNICAL SERVICES SECTION (PARA 1)**

22. There was submitted a joint report dated 16 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources and the Director of Homes and Technical Services which sought approval for amendments to the staffing structure of the Technical Services Section within the Department of Homes and Technical Services.

It was agreed:-

- (i) to approve the staffing proposals contained in Paragraph 4 of the report; and
- (ii) otherwise, to note the contents of the report.

**PROPOSED LEASE OF OFFICE ACCOMMODATION AT COLLEGE WYND, KILMARNOCK (PARA 9)**

23. There was submitted a report dated 3 September 2003 (circulated) by the Director of Development Services which sought approval to proceed with a lease of office accommodation at College Wynd, Kilmarnock.

It was agreed:-

- (i) to authorise the Solicitor to the Council to enter into a lease with the owner of the property at College Wynd, Kilmarnock, subject to the conditions contained within Paragraph 6 of the report; and
- (ii) otherwise, to note the contents of the report.

**PROPOSED DISPOSAL OF LAND ADJOINING MOORFIELD INDUSTRIAL ESTATE, KILMARNOCK (PARA 9)**

24. There was submitted a report dated 8 September 2003 (circulated) by the Director of Development Services which sought approval to dispose of an area of land extending

to 2.96 hectares (7.31 acres) or thereby adjoining Moorfield Industrial Estate, Kilmarnock.

It was agreed:-

- (i) to dispose of the area of land adjoining Moorfield Industrial Estate, Kilmarnock, detailed in Paragraph 4 of the report, and that the matter be referred to the Solicitor to the Council to conclude the proposed transaction, subject to the renunciation of the existing agricultural lease; and
- (ii) otherwise, to note the contents of the report.

#### **RENT REVIEW AT 43-49 JOHN FINNIE STREET, KILMARNOCK (PARA 9)**

- 25.** There was submitted a report dated 1 September 2003 (circulated) by the Director of Development Services which advised of the rent review for office premises at 43-49 John Finnie Street, Kilmarnock.

It was agreed:-

- (i) to approve the increase in rental as detailed in Section 6 of the report;
- (ii) to authorise the Solicitor to the Council to conclude the transaction on behalf of the Council; and
- (iii) otherwise, to note the contents of the report.

#### **DISPOSAL OF UNIT 5A BONNYTON INDUSTRIAL ESTATE, MUNRO PLACE, KILMARNOCK (PARA 9)**

- 26.** There was submitted a report dated 9 September 2003 (circulated) by the Director of Development Services which sought approval to conclude the disposal of the Council's interests in Unit 5A, Bonnyton Industrial Estate, Munro Place, Kilmarnock.

It was agreed:-

- (i) to approve the terms and conditions of the proposed disposal of Unit 5A, Bonnyton Industrial Estate, Munro Place, Kilmarnock, as outlined in Paragraph 6 of the report;
- (ii) to authorise the Solicitor to the Council to conclude matters on behalf of the Council; and
- (iii) otherwise, to note the contents of the report.

All Directors and Heads of Service left the meeting at this point.

#### **CHIEF OFFICERS' SALARIES (PARAS 1 & 11) (Item 23, Page 103, 03/07)**

- 27.** There was submitted a report dated 15 September 2003 (circulated) by the Chief Executive which reported back on the findings of an external review of the Council's Chief Officers' salary levels, gradings, conditions of service and related organisational structure and made recommendations accordingly.

Councillor McIntyre, seconded by Councillor Knapp, moved:-

- (i) approval of the Chief Officers' salary and gradings changes, together with the introduction of an appraisal scheme which would monitor performance effective from 1 October 2003;

- C (ii) to recommend to Council approval of the new Departmental structure as detailed in the report effective from 1 April 2004; C
- (iii) that further reports be submitted in due course on the proposed internal support staff structures in new Departments and the management reviews at Principal Officer level identified within the report; and
- (iv) that all of the above be subject to consultation with the Trade Unions as provided for within the report, which was otherwise noted.

Councillor Reid, seconded by Councillor Coffey, moved as an amendment that:-

- (i) the proposals contained in the report be supported in principle; and
- (ii) that determination of the report be deferred pending the outcome of consultation with the Trade Unions.

On a division by a show of hands, the motion was carried by 10 votes to 4.

The meeting terminated at 1455 hours.