

EAST AYRSHIRE COUNCIL**POLICY AND RESOURCES COMMITTEE****MINUTES OF MEETING HELD ON THURSDAY 2 OCTOBER 2003 AT 1000 HRS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Drew McIntyre, Jim O'Neill, Stephanie Young, Brian Reeves, Daniel Coffey, Willie Coffey, Douglas Reid, Gordon Cree, John Weir, Harry Wilson, Provost Jane Darnbrough and Councillors John Knapp, Stuart Finlayson, Eric Jackson, Jimmy Kelly, William Menzies, Eric Ross, Elaine Dinwoodie 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/Solicitor to the Council; Kay Gilmour, Head of Community Support; John Clayton, Head of Corporate Development and Communication; Jackie Donnelly, Head of Social Work; Julie Haig, Public Relations Officer; and Anne Marie Carr, Senior Administrative Officer.

APOLOGIES: Councillors Maureen McKay, Tommy Farrell and Jimmy Carmichael.

CHAIR: Councillor Drew McIntyre, Chair.

SUB-COMMITTEE MINUTES

1. There were submitted and approved as correct records, and in respect of any recommendations contained therein, the undernoted Sub-Committee Minutes (circulated) as contained within Appendices I-VI of these Minutes, viz:-
 - 1.1 **APPEALS SUB-COMMITTEE OF 17 JUNE AND 12 AUGUST 2003 - APPENDIX I**
 - 1.2 **RECRUITMENT SUB-COMMITTEE OF 13 AUGUST 2003 - APPENDIX II**
 - 1.3 **APPEALS SUB-COMMITTEE OF 19 AUGUST 2003 - APPENDIX III**
 - 1.4 **APPEALS SUB-COMMITTEE OF 20 AUGUST 2003 - APPENDIX IV**
 - 1.5 **RECRUITMENT SUB-COMMITTEE OF 27 AUGUST 2003 - APPENDIX V**
 - 1.6 **MEMBERS' SERVICES AND CIVIC CEREMONIAL SUB-COMMITTEE OF 10 SEPTEMBER 2003 - APPENDIX VI**

BUDGET SCRUTINY GROUP

2. There were submitted and noted the Minutes of the Budget Scrutiny Groups held on 24 June 2003 and 3 September 2003 (both circulated).

BUDGETARY CONTROL STATEMENT - GENERAL FUND SERVICES

3. There was submitted a report dated 2 September 2003 (circulated) by the Director of Finance which advised of the current budgetary control position of the General Services Revenue Account.

It was agreed, arising from a query from Councillor D Coffey regarding the fire at Grange Academy, that the Director of Educational and Social Services, in consultation with Legal Services, provide an update on the progress to date by the Procurator Fiscal's office in respect of this case and respond directly to him.

OUTWITH AREA PLACEMENTS - FINANCIAL IMPLICATIONS

4. There was submitted a report dated 17 September 2003 (circulated) by the Director of Educational and Social Services which sought approval for the re-allocation of resources currently held within contingency to the Education Services budget to fund the costs of outwith area placements.

It was agreed:-

- (i) to reallocate £100,000 held in contingency to the Education Service;
- (ii) that the Council write to the Scottish Executive to highlight the shortfall in funding within the Education Service as a result of the cost of funding Outwith Area Placements; and
- (iii) otherwise, to note the contents of the report.

HOUSING REVENUE ACCOUNT TO 27 JULY 2003 (PERIOD 4)

5. There was submitted and noted a joint report dated 18 August 2003 (circulated) by the Directors of Finance and of Homes and Technical Services which advised of the current budgetary control position of the Housing Revenue Account for the period ended 27 July 2003 (Period 4).

TREASURY MANAGEMENT - ANNUAL REPORT 2002/03

6. There was submitted and noted a report dated 4 August 2003 (circulated) by the Director of Finance which advised of the outturn performance on treasury management for the financial year 2002/03.

PRUDENTIAL CODE FOR CAPITAL FINANCE IN LOCAL AUTHORITIES

7. There was submitted a report dated 11 September 2003 (circulated) by the Director of Finance which advised of the arrangements for capital finance which had replaced the existing Section 94 consent arrangements from 1 April 2004.

It was agreed:-

- (i) that the Director of Finance bring forward proposals for the various Indicators referred to in the Prudential Code as part of the budget process;
- (ii) that the Director of Development Services present a report detailing proposals for asset management planning and related general services capital investment planning for consideration at the next meeting of the Corporate Governance Committee and the Director of Homes and Technical Services to present a similar report to the Housing Committee in respect of Housing Capital Plans;
- (iii) that the Director of Finance make the necessary arrangements to hold a briefing seminar for Elected Members on the Code; and
- (iv) otherwise, to note the contents of the report.

PETITION BY SAFEWAY PLC - CALLED TO DECLARE 25 JANUARY A NATIONAL HOLIDAY IN SCOTLAND IN CELEBRATION OF ROBERT BURNS

8. There was submitted a report dated 21 August 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which invited consideration of a Petition by Safeway Plc, lodged with the Scottish Parliament, which called for 25 January to be declared a national holiday in Scotland in celebration of Robert Burns.

Councillor Ross joined the meeting at this point.

Councillor McIntyre, seconded by Councillor Reeves, moved not to support the Petition by Safeway PLC to the Scottish Parliament calling for 25 January to be declared a national holiday in Scotland in celebration of Robert Burns.

Councillor Reid, seconded by Councillor Wilson, moved as an amendment to support the principle behind the Petition.

On a division by a show of hands the motion was carried by 13 votes to 5.

DRAFT LOCAL GOVERNANCE (SCOTLAND) BILL

9. There was submitted a report dated 15 September 2003 (circulated) by the Chief Executive which (i) advised the Committee of a Scottish Executive consultative exercise in respect of the Local Governance (Scotland) Bill; (ii) advised the Committee of action taken by Officers to comply with the consultation deadlines; and (iii) submitted for consideration, the Council's response to specific proposals contained in the Bill.

Councillor McIntyre, seconded by Councillor Reeves, moved

- (i) to approve the comments contained within the paper at paragraph 8 of the report as the Council's response to the Scottish Executive's consultation exercise; and
- (ii) that the Chief Executive advise the Scottish Executive accordingly.

Councillor Reid, seconded by Councillor D Coffey, moved as an amendment:

- (i) to support the CoSLA minority view in terms of the proposals for STV within Local Government;
- (ii) to note the proposals for electronic counting/voting at this stage; and
- (iii) not to support any changes to Local Authority boundaries within this context.

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

SERVICES FOR LOOKED AFTER AND ACCOMMODATED YOUNG PEOPLE

10. There was submitted a report dated 15 September 2003 (circulated) by the Director of Educational and Social Services which sought approval for a proposed Best Value Review on Services for Looked After and Accommodated Young People.

It was agreed:-

- (i) that a Member/Officer Working Group be established to undertake a Best Value Review for Services for Looked After and Accommodated Young People, with the membership of the Working Group being remitted to Council; and
- (ii) otherwise, to note the contents of the report.

**EXTERNAL FUNDING LOCAL AUTHORITY
COMPARATIVE ANALYSIS (Item 7, Page 127, 03/07)**

11. There was submitted a report dated 11 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which provided information on Lottery Distribution Board funding made to the East Ayrshire area for the period 1 April 1995 (the first financial year of National Lottery Funding) to 31 March 2003 and which provided a comparative analysis against other Scottish Local Authorities for the same period.

It was agreed:-

- (i) to remit to the Depute Chief Executive/Director of Corporate Resources to provide a further report on external funding and Local Authority comparisons in June 2004, showing the 2003/04 position; and
- (ii) otherwise, to note the contents of the report.

**PROPOSAL FOR THE DISSOLUTION OF NHS TRUSTS AND ESTABLISHMENT
OF AN INTEGRATED HEALTH CARE SYSTEM WITHIN NHS AYRSHIRE AND
ARRAN AND THE SCOTTISH EXECUTIVE'S CONSULTATION PAPER ON
GUIDANCE FOR COMMUNITY HEALTH PARTNERSHIPS**

12. There was submitted a report dated 8 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which presented the Council's proposed response to NHS Ayrshire and Arran's proposals for the dissolution of NHS Trusts and the establishment of an integrated health care system within NHS Ayrshire and Arran and which provided Members with an overview of the Officers' response to the Scottish Executive's consultation paper on Guidance for Community Health Partnerships.

It was agreed:-

- (i) to approve the Council's response to NHS Ayrshire and Arran's proposals for the dissolution of Trusts and the establishment of an integrated health care system within NHS Ayrshire and Arran as set out in Appendix 1 of the report;
- (ii) to approve the Council's response to the Scottish Executive's consultation on draft Guidance for Community Health Partnerships as set out in Appendix 2 of the report;
- (iii) to remit to the Depute Chief Executive/Director of Corporate Resources to submit the response to NHS Ayrshire and Arran; and
- (iv) otherwise, to note the contents of the report.

**BETTER NEIGHBOURHOOD SERVICES FUND -
SHORTLEES NEIGHBOURHOOD CENTRE INITIATIVE**

13. There was submitted a report dated 3 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which advised of the outcome of local consultation regarding the proposed Neighbourhood Services Facility in Shortlees and which sought approval to align the £1.04m allocated for this development with the proposed PPP Initiative to replace Shortlees Primary School, Nursery School and Community Centre.

Councillor McIntyre, seconded by Councillor Reeves, moved:-

- (i) to approve the alignment of the £1.04m of Better Neighbourhood Services Fund for Shortlees Neighbourhood Facility with the proposed PPP Initiative to replace Shortlees Primary School, Nursery and Community Centre;
- (ii) to transfer the lead responsibility to the Director of Educational and Social Services; and
- (iii) otherwise, to note the contents of the report.

Councillor D Coffey, seconded by Councillor Reid, moved as an amendment:

- (i) not to realign the £1.04m of Better Neighbourhood Services Funding for Shortlees Neighbourhood Facility with the proposed PPP initiative in Shortlees;
- (ii) to transfer the lead responsibility for the project to the Director of Educational and Social Services;
- (iii) whilst they were in favour of the provision of a new primary school in Shortlees, to note their Group's continued opposition to the funding of the new building through the PPP initiative; and
- (iv) otherwise, to note the contents of the report.

On a division by a show of hands, the motion was carried by 13 votes to 5.

EAST AYRSHIRE COALFIELD AREA SOCIAL INCLUSION PARTNERSHIP - ANNUAL REPORT 2002/03

14. There was submitted and noted a report dated 10 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which presented the published edition of East Ayrshire Coalfield Area Social Inclusion Partnership's Annual report for 2002/03.

EAST AYRSHIRE NORTH SOCIAL INCLUSION INITIATIVE - ANNUAL REPORT 2002/03

15. There was submitted and noted a report dated 10 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which presented the 2002/03 Annual Report of the East Ayrshire North Social Inclusion Initiative.

BETTER NEIGHBOURHOOD SERVICES FUND - ANNUAL REPORT 2003

16. There was submitted a report dated 15 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which presented a summary of the Better Neighbourhood Services Fund (BNSF) Annual Report 2003.

It was agreed:-

- (i) to endorse, subject to minor textual changes, the Annual Report, 2003 for the Better Neighbourhood Services Fund for submission to the Scottish Executive;
- (ii) that the Depute Chief Executive/Director of Corporate Resources make the necessary arrangements to provide an update briefing for Local Members in relation to the Better Neighbourhood Services Fund;
- (iii) to note that further analysis would be conducted in respect of the varying levels of dissatisfaction detailed in paragraph 3.4 of the report; and
- (iv) otherwise, to note the contents of the report.

**ACCOUNTS COMMISSION FOR SCOTLAND AND CONSULTATION ON THE
2003 DIRECTION AND AMENDMENTS TO THE 2001 AND 2002 DIRECTIONS**

17. There was submitted a report dated 15 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which advised of amendments to the 2001 and 2002 Directions issued by the Accounts Commission and of the receipt of their consultation paper on the 2003 Direction and which requested approval of the Officers' response to the consultation document.

Councillor Ross left the meeting at this point.

It was agreed:-

- (i) to approve the response on the 2003 Direction, as appended to the report, as the Council's response to the Accounts Commission's consultation;
- (ii) to note the change in the requirement for the publication of Statutory Performance information and that arrangements be made to highlight in "Headlines" the saving to the Council of £9,000 arising from this change;
- (iii) to approve the proposed approach for the distribution of Statutory Performance information within East Ayrshire as outlined in Section 6 of the report;
- (iv) to take on board comments from Councillor O'Neill regarding the constant revision to Statutory PIs by the Accounts Commission and the implications for assessing Councils' performance and specifically, the logic on how information is reported to the public with reference to Statutory Performance Indicator 5 detailed at paragraph 2.10 of the report; and
- (v) otherwise, to note the contents of the report.

**INTEGRATING SOCIAL INCLUSION PARTNERSHIPS AND THE
COMMUNITY PLANNING PARTNERSHIPS**

18. There was submitted a report dated 15 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which advised of the current arrangements in place regarding Community Scotland's Framework for Integrating Social Inclusion Partnerships (SIPs) and Community Planning Partnerships (CPPs).

It was agreed:-

- (i) to remit to the Depute Chief Executive/Director of Corporate Resources to present a paper to the Policy and Resources Committee early next year with proposals for a Statement of Readiness;
- (ii) that the Depute Chief Executive/Director of Corporate Resources make appropriate arrangements for a briefing seminar for Elected Members regarding Community Scotland's Framework for Integrating Social Inclusion Partnerships (SIPs) and Community Planning Partnerships (CPPs) and
- (iii) otherwise, to note the contents of the report.

**EAST AYRSHIRE MULTI-AGENCY FORUM FOR YOUNG PEOPLE
(Item 16, Page 3104, 99/03)**

19. There was submitted a report dated 25 July 2003 (circulated) by the Director of Educational and Social Services which advised of the outcome of the Multi-Agency

Forum for Young People which was held on Thursday 20 June 2003 and which requested the Committee to note how issues would be progressed.

Councillor Ross rejoined the meeting at this point.

It was agreed:-

- (i) to endorse the action contained in the report; and
- (ii) otherwise, to note the contents of the report.

EXCLUSION OF PRESS AND PUBLIC

20. 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.

EAST AYRSHIRE'S PANEL OF SAFEGUARDERS (PARA 6)

21. There was submitted a report dated 12 September 2003 (circulated) by the Depute Chief Executive/Director of Corporate Resources which requested the Committee to consider the appointment of a further Safeguarder to the Council's Panel of Safeguarders in the light of a review of the operational needs of the Panel.

It was agreed:-

- (i) to appoint the applicant detailed within Appendix I of the report as a Safeguarder until 31 December 2004;
- (ii) that it be remitted to the Depute Chief Executive/Director of Corporate Resources to make the necessary arrangements for appointment; and
- (iii) to note that the Depute Chief Executive/Director of Corporate Resources would continue to review the need for any further appointments and training of Safeguarders in the light of operational requirements.

BEST VALUE SERVICE REVIEW OF OLDER PEOPLE'S RESIDENTIAL SERVICES (PARAS 1 AND 9)

22. There was submitted a report dated 15 September 2003 (circulated) by the Director of Educational and Social Services which advised of the outcome of the Best Value Service Review of Older People's Residential Homes operated by the Council and which sought approval for the resource implications.

It was agreed:-

- (i) to endorse the findings, in principle, of the Best Value Service Review Group as contained within the report;
- (ii) that further detailed work be done in respect of the costings to inform consideration of the matter in the Council's annual budget setting processes; and
- (iii) otherwise, to note the contents of the report.

The meeting terminated at 1125 hrs.