

EAST AYRSHIRE COUNCIL

POLICY AND RESOURCES COMMITTEE

**MINUTES OF MEETING HELD ON TUESDAY 23 JANUARY 1996 AT 1000 HRS IN
THE MEETING ROOM, LONDON ROAD CENTRE, KILMARNOCK**

PRESENT: Councillors David Sneller (Chair), Drew McIntyre, Irene Reeves, Douglas Reid, Ronald Brailsford, Robert Stirling, Jane Darnbrough, Jim O'Neill, Kathleen Hall, David Fulton, Kim Nicoll, George Turnbull, Eric Ross, Jim Kelly, Jimmy Boyd and Tommy Farrell.

ATTENDING: David Montgomery, Chief Executive; Des Tierney, Director of Commercial Operations; William Stafford, Director of Community Services; Stephen Chorley, Director of Development Services; John Mulgrew, Director of Education; Gordon Clark, Director of Finance; John Hillis, Director of Housing; James Dickie, Director of Social Work; Barbara Haughan, Director of Support Services; Roddy Wallace, Head of Administration; Tom Wilkie, Head of Contracting and Technical Services; Malcolm Roulston, Head of Information Technology; Douglas Campbell, Head of Public Relations and Marketing; Support Unit (M McManus and A M Carr).

APOLOGIES: Councillors Wilma Doyle, Bob Beattie, Daniel Coffey and Eric Jackson.

CHAIR'S REMARKS

The Chair, expressed his apologies on behalf of the Administration, concerning information which had been leaked to the Kilmarnock Standard regarding the Council's consideration of the future of Mount House, Kilmarnock within a set of options for consultation regarding the determination of the 1996/97 Council budget.

URGENT ITEM

Constitution of the Joint Consultative Committee (Manual Workers and Craft Persons) (330)

1. This item was brought forward by the Chair for consideration within the Personnel section on the agenda on the grounds that the Constitution required to be amended to allow further meetings of the Joint Consultative Committee to proceed.

It was agreed to consider this item along with the other personnel item on the agenda.

SUB-COMMITTEE MINUTES

2.1 There was submitted and approved the undernoted Sub-Committee minutes (all circulated) as shown in the appendices relative to these minutes, viz:-

- (i) Members Services Sub-Committee of 16 November 1995 (Appendix 1);
- (ii) Decentralisation Sub-Committee of 1 December 1995 (Appendix 2);
- (iii) Personnel Sub-Committee of 14 December 1995 (Appendix 3);
- (iv) Members Services Sub-Committee of 18 December 1995 (Appendix 4);
- (v) Personnel Sub-Committee of 16 January 1996 (Appendix 5);
- (vi) Decentralisation Sub-Committee of 18 January 1996 (Appendix 6);

SUPPLEMENTARY ITEM

2.1.1 It was agreed to consider the undernoted item as a supplementary item to the agenda.

INFORMATION AND ADVICE SERVICE - PUBLIC ACCESS OFFICES (453)

Following a remit from the Decentralisation Sub-Committee of the Policy and Resources Committee of 18 January 1996 to consider the provision of local office accommodation within the development of the Council's property strategy, it was agreed:-

- (i) that it be remitted to the Head of Property to identify suitable accommodation within the Council's area;
 - (ii) that the Head of Property be authorised to carry out appropriate consultations in this regard; and
 - (iii) that a report be submitted by the Head of Property to a future meeting of the Finance and Property Sub-Committee of the Policy and Resources Committee identifying suitable accommodation.
- (vii) Finance & Property Sub-Committee of 18 January 1996 (Appendix 7).

**APPOINTMENT OF MEMBERS TO SERVE ON THE
APPEALS SUB-COMMITTEE OF THE POLICY & RESOURCES COMMITTEE**

3. It was agreed to appoint Councillors Boyd and O'Neill to serve as Chairs on Appeals Sub-Committees of the Policy and Resources Committee.

FINANCE

4.1 Draft Estimates 1996/97 - General Services

There was submitted a report dated 16 January 1996 (circulated) by the Director of Finance seeking the approval of the Draft Estimates 1996/97 for General Services which complied with the Secretary of State's anticipated capping level, together with the provisional Council Tax (Band 'D') equivalent level which would allow the Council to embark on a public consultation exercise prior to the declaration of the Council Tax (Band 'D') equivalent on 5 March 1996.

The Chair advised that the Draft Estimates contained within the report were based on the best available information at the time of their preparation and it was considered that, although, changes may be made to the figures, it was felt that these were unlikely to be significant. However, close regard had to be paid to the capping regime which had been set at an increase in expenditure of only 0.8% over the 1995/96 notional budget. He also advised that East Ayrshire Council would be holding a series of public consultation meetings and that it was understood that this was the first occasion that any Council had attempted to involve the public in the budget process. The Chair outlined a timetable of public meetings and further committee meetings leading up to a special meeting of the full Council on 5 March 1996 which would finally determine the budget and set the Council Tax for 1996/97.

Councillor Sneller, seconded by Councillor McIntyre, moved:-

- (i) to approve, as a basis for consultation, the estimates, together with the growth and savings packages as detailed in Appendix 2 of the report;
- (ii) to approve the timetable for public consultation as detailed in Section 1 of the report; and
- (iii) to approve the timetable for Committees and the Council as detailed in Section 2 of the report.

Councillor Nicoll, seconded by Councillor Reid, moved as an amendment that the recommendations contained in the report and outlined above be not approved.

On a division by a show of hands the motion was carried by 12 votes to 4.

4.2 Rent Levels and Harmonisation Strategy

Councillor Brailsford left the meeting at this point.

There was submitted a report dated 19 January 1996 (circulated) by the Director of Housing which reported on the current level of charges in the Housing Revenue Account and which provided a general outline of a strategy for achieving rent harmonisation.

The Director of Housing spoke to the report and it was noted that work was in hand to identify possible savings which might be achievable regarding the cost of the current level of service (CCLS) figures prior to the Special Policy and Resources Committee on 14 February 1996.

Councillor Sneller, seconded by Councillor McIntyre moved:-

- (i) to approve, as a basis for consultation, the information contained within the report on base rent level and lock-up garages charging harmonisation and that options for achieving harmonisation be set over a period of three, four and five years with the recommendation that the period selected be 5 years subject to the views expressed in the public consultation exercise;
- (ii) that in respect of garage site charges a period of harmonisation be set at 2 years subject to the views expressed in the public consultation exercise;
- (iii) that the harmonisation of service charges be the subject of a further report to a future meeting of the Policy and Resources Committee;
- (iv) to approve the timetable for public consultation as detailed in Section 4 of the report; and
- (v) to note that a further report would be submitted to the Special Policy and Resources Committee to be held on 14 February 1996.

Councillor Reid, seconded by Councillor Nicoll, moved as an amendment:-

- (i) to approve, as a basis for consultation, the information contained within the report on base rent level and charging harmonisation;
- (ii) to approve the timetable for public consultation as detailed in Section 4 of the report; and
- (iii) to note that a further report would be submitted to the Special Policy and Resources Committee to be held on 14 February 1996.

On a division by a show of hands the motion was carried by 12 votes to 4.

Councillor Brailsford re-joined the meeting during discussion of the above item.

Councillor Stirling left the meeting at this point.

4.3 Budgetary Control Report for Period to 5 January 1996

There was submitted a report dated 17 January 1996 (circulated) by the Director of Finance advising the Committee of the current budgetary control position for Revenue and Capital Expenditure.

Arising from a query from Councillor Brailsford regarding the Admin/other costs heading within the report it was agreed that the Director of Finance would provide information directly to Councillor Brailsford concerning details of those items covered under the heading 'Miscellaneous'.

It was otherwise agreed that the contents of the report be noted.

4.4 Community Services Committee - Landfill Tax

Following a remit from the Community Services Committee of 21 December 1995 seeking authorisation to include a sum in the revenue budget for 1996/97 to cover estimated additional expenditure incurred as a result of the introduction of the Landfill Tax, and having heard the Director of Community Services, it was agreed to include the sum of £300,000 in the budget for this purpose.

PERSONNEL

5.1 The Local Government (Compensation for Reduction of Remuneration on Reorganisation)(Scotland) Regulations 1995

Councillor Kelly left the meeting at this point.

There was submitted a report dated 15 January 1996 (circulated) by the Director of Personnel advising the Committee on the abovenamed regulations and recommending their adoption for employees of East Ayrshire Council, as appropriate.

Having heard the Chief Executive, it was agreed:-

- (i) to adopt the Local Government (Compensation for Reduction of Remuneration on Reorganisation)(Scotland) Regulations 1995 for application to employees of East Ayrshire Council, as appropriate;
- (ii) that after 1 April 1996 any payments made under the Regulations be met from the employing departments' financial allocations; and
- (iii) to delegate to the Director of Personnel Services in the first instance the applicability of the Regulations to future cases.

5.2 Constitution of Joint Consultative Committee (Manual Workers and Craft Persons)

The Chair advised that a letter had been received from UNISON regarding their acceptance of an amendment to the Constitution of the above JCC proposed by the other Trades Unions involved stipulating that representatives of the Trades Unions at this JCC should be specifically Manual or Craft employees of the Council.

It was agreed that the Constitution of the Joint Consultative Committee (Manual Workers and Craft Persons) be amended to read as follows:

The JCC shall consist of 8 members of the Council (6 from the Administration and 2 from the Opposition) and 10 representatives who must be Manual or Craft employees of the Council, from the Trades Unions representing the Manual Workers and Crafts, Building and Civil Engineering and Engineering Craft Groups (ie 2 AEEU, 2 GMB, 2 TGWU, 2 UCATT and 2 UNISON).

CONTRACTING AND TECHNICAL SERVICES

6.1 Tender Lists: Capital Projects - Excluding Roads

There was submitted an interim report dated 4 January 1996 (circulated) by the Director of Support Services seeking agreement of the Committee on an interim policy for the compilation of tender lists for capital building projects excluding roads which would be the subject of a separate report by the Director of Development Services.

Having heard the Director of Support Services it was agreed:-

- (i) to approve the proposed interim arrangements in respect of the compilation of tender lists for capital projects whereby the three approved tender lists from the existing authorities be retained meantime and used, for example, where a project would have normally been carried out by Kilmarnock and Loudoun District Council, then the approved list of contractors for that Council be used;
- (ii) that the Director of Support Services make the necessary preparations for the compilation of an East Ayrshire Approved List of Contractors, and report back to the Policy and Resources Committee in due course; and
- (iii) that with regard to projects subject to EU Public Procurement Directives, the Director of Support Services be authorised to determine tender lists following advertisement in the Supplement to the Official Journal of the European Communities;

6.2 Contract Acceptances: Capital Projects - Excluding Roads

There was submitted a report dated 4 January 1996 (circulated) by the Director of Support Services which sought the agreement of the Committee on a policy for the issue of contract acceptances in respect of capital building projects, excluding roads, which would be the subject of a separate report by the Director of Development Services, together with arrangements for the receipt and opening of tenders.

Having heard the Director of Support Services it was agreed:-

- (i) that contracts be accepted by the Director of Support Services without further reference to Committee, provided the lowest valid offer after checking did not exceed the estimated cost by more than 10%;
- (ii) that where it was proposed to accept other than the lowest valid offer received, after checking, this should be referred to the appropriate Committee prior to acceptance;
- (iii) that subject to future consideration of delegated powers, tenders should be returned to the Director of Support Services and opened in the presence of any one elected Member, the Director of Support Services or nominee and a representative from Contracting and Technical Services; and
- (iv) that where the accepted contract sum is not exceeded by more than 5%, cost increases as a result of carrying out the works can be agreed without Committee approval.

6.3 Appointment of Consultants - Capital/Revenue Projects - Excluding Roads

There was submitted a report dated 4 January 1996 (circulated) by the Director of Support Services which sought the agreement of the Committee on a policy for the appointment of external consultants in respect of both capital and revenue building projects, excluding roads, which would be the subject of a separate report by the Director of Development Services.

Having heard the Director of Support Services it was agreed:-

- (i) that appointment of external consultants, where necessary, be delegated to the Director of Support Services and that where the estimated fee for providing the required service was in excess of £5000, competitive quotes should be obtained although in any event, the Director of Support Services should always seek to obtain value for money in securing a service for the Council;
- (ii) that pending the preparation of a list of consultants, it would be necessary in the interim period to appoint consultants for various projects, on the basis that they had a proven record and were capable of responding within agreed timescales; and

- (iii) that appointment of consultants be monitored and be the subject of an annual report to the Policy and Resources Committee, indicating the use thereof in the previous year.

6.4 Building Maintenance of Existing Strathclyde Regional Council Properties

There was submitted an interim report dated 4 January 1996 (circulated) by the Director of Support Services which sought the agreement of the Committee on the proposed interim contractual arrangements for the maintenance of existing Strathclyde Regional Council properties.

Having heard the Director of Support Services it was agreed:-

- (i) to approve the proposed interim arrangements in that with regard to the 15 contracts which are with external contractors and expire on 30 June 1996 that these be rationalised into 8 contracts and offers invited for a 1 year period from 1 July 1996 to 30 June 1997 as detailed in Appendix B of the report in respect of building maintenance of existing Strathclyde Regional Council properties; and
- (ii) that the Director of Support Services be authorised to determine tender lists following press advertisement, invite offers and issue contract acceptances.

LOCAL GOVERNMENT ACCESS TO INFORMATION ACT 1985 - FEES FOR INSPECTION OF REPORTS ETC

- 7. There was submitted a report dated 5 January 1996 (circulated) by the Director of Support Services which proposed to review existing charges made for access to information under the above Act and to consider what charges, if any, should be made by East Ayrshire Council.

It was agreed:-

- (i) that given the Council's commitment to access, that no standing charge be levied for inspection of reports and documents under the Act;
- (ii) that photocopying charges be recovered at cost;

- (iii) that the above arrangement be reviewed annually, depending upon the demand for such access; and
- (iv) that it be remitted to the Director of Support Services to make the necessary arrangements.

PROPERTY ENQUIRY CERTIFICATES

8. There was submitted a report dated 12 December 1995 (circulated) by the Director of Support Services which provided an over-view of the current operation of the system of processing Property Enquiry Certificates by the District and Regional Councils and which made recommendations regarding the service to be offered from 1 April 1996.

Councillor Ross left the meeting at this point.

The Director of Support Services reported that the proposed fee for Property Enquiry Certificates included an element to allow for any fee which might be levied by the West of Scotland Water Authority, however where this proved to be insufficient then the fee would require to be reviewed by the Committee.

Having heard the Director of Support Services it was agreed:-

- (i) that from 1 April 1996 East Ayrshire Council provide a Property Enquiry service giving information currently provided by the existing District Councils, together with information relative to roads and footpaths;
- (ii) that the fee charged be £125, inclusive of an element for the West of Scotland Water Authority, and that the fee be reviewed annually by this Committee;
- (iii) that an appropriate Quality of Service Charter be prepared;
- (iv) that it be determined in early course what action the West of Scotland Water Authority proposed to take relative to Property Enquiry Certificates;
- (v) that depending on the possible charge which may be levied by the Water Authority in respect of Property Enquiry Certificates, a further report be submitted to a future Policy and Resources Committee;
- (vi) that the Head of Administration be responsible for providing Property Certificates; and
- (vii) that it be remitted to the Head of Administration to take the necessary action in respect of the foregoing;

9. There was submitted a report dated 5 January 1996 (circulated) by the Director of Support Services which updated Members on the progress made in respect of East Ayrshire Council Children's Panel Advisory Committee.

The Chair advised that the Secretary of State had now confirmed appointments to the Children's Panel Advisory Committee and that arrangements had been made to meet the Chair of East Ayrshire's Children's Panel Advisory Committee.

It was agreed:-

- (i) to note the progress to date in respect of establishing an East Ayrshire Children's Panel Advisory Committee; and
- (ii) to approve the appointment of the Head of Administration as the Clerk to the East Ayrshire Children's Panel Advisory Committee.

CONDUCT OF LOCAL GOVERNMENT IN SCOTLAND TASK FORCE REPORT

10. There was submitted a report dated 18 January 1996 (circulated) by the Chief Executive advising the Committee of the report produced by the Task Force set up by the Secretary of State in conjunction with the Convention of Scottish Local Authorities on which the Secretary of State had recently invited comment and highlighting a number of areas where the Council might wish to respond.

Having heard the Chief Executive, it was agreed to endorse the comments made by the Convention of Scottish Local Authorities as the basis of a submission from this Council together with the request that the seven principles of public life, articulated by the Nolan Commission, which had been already publicly endorsed by the Council, be incorporated within any future guidance to be issued on the conduct of Local Government in Scotland.

Councillor Nicoll left the meeting at this point and Councillor Ross re-joined the meeting at this point.

STRATHCLYDE COMMUNITY RELATIONS COUNCIL

11. There was submitted a report dated 15 January 1996 (circulated) by the Chief Executive advising the Committee of an invitation which had been received from Strathclyde Community Relations Council asking East Ayrshire Council to join and make a financial contribution towards the activities of the Community Relations Council.

Having heard the Chief Executive, it was agreed that, for a period of one year in the first instance, the Council affiliate to the West of Scotland Community Relations Council with effect from 1 April 1996, paying an affiliation fee of £3500.

**POSITIVE PARTNERSHIP - A STATEMENT OF PRINCIPLES BETWEEN
THE VOLUNTARY SECTOR AND THE NEW COUNCILS**

12. There was submitted a report dated 10 January 1996 (circulated) by the Chief Executive advising the Committee of the statement which had been produced by the Convention of Scottish Local Authorities and the Scottish Council of Voluntary Organisations and recommending that the Council endorse the principles and become a partner to this agreement.

Having heard the Chief Executive it was agreed to endorse the statement of principles prepared by the Convention of Scottish Local Authorities and the Scottish Council of Voluntary Organisations.

KIRKIN' OF THE COUNCIL

13. There was submitted a report dated 15 January 1996 (circulated) by the Chief Executive advising the Committee of invitations which had been received from local Churches that they be asked to conduct a ceremony to mark the Kirkin' of the Council and proposing possible arrangements.

Having heard the Chief Executive it was agreed:-

- (i) that on this occasion, to mark the inauguration of East Ayrshire Council, Kirkin' ceremonies be held within each of the former District Council boundaries in the towns of Cumnock and Kilmarnock;
- (ii) that a similar ceremony be held to mark the beginning of each Council year;
- (iii) that arrangements for services should, in the first instance, follow the religious denominations represented on the Council's Education Committee; and
- (iv) that all services be ecumenical in nature and minority faiths be invited to be represented.

STRATEGIC POLICY DEVELOPMENT: MEMBER/OFFICER GROUPS

14. There was submitted a report dated 16 January 1996 (circulated) by the Chief Executive advising the Committee of the progress made by the Member/Officer Groups and recommending that the Committee agree to hold a special meeting at which reports from the Groups might be considered.

It was agreed:-

- (i) to note the contents of the report;
- (ii) to note the progress of the four Member/Officer Groups established to develop and propose key strategies on priority aspects of the Council's work; and
- (iii) that a special meeting of the Committee be convened on 21 February 1996 to which reports from all four of the Member/Officer Groups would be submitted for consideration.

**SCOTTISH LOCAL GOVERNMENT INFORMATION UNIT:
PROPOSED MEMBERSHIP**

- 15.** There was submitted a report dated 15 January 1996 (circulated) by the Director of Support Services informing Members about the Scottish Local Government Information Unit with a view to considering membership of a new Joint Committee of Scottish Local Authorities which would include a financial contribution.

It was agreed, in principle,:-

- (i) that East Ayrshire Council become a member of the new Joint Committee;
- (ii) to make a financial contribution for 1996/97 at a total cost of £2,728;
- (iii) that the decisions at (i) and (ii) be approved subject to there being no legal impediments in the Minute of Agreement and to adequate budgetary provision being available; and
- (iv) that, given the current budget constraints, a further report be submitted to a future meeting of the Policy and Resources Committee providing a complete list detailing all organisations who had invited East Ayrshire Council to affiliate in order that a final decision may be made.

NATIONAL ASSOCIATION OF COUNCILLORS

- 16.** There was submitted a report dated 16 January 1996 (circulated) by the Chief Executive advising the Committee of an invitation which had been received from the National Association of Councillors requesting that East Ayrshire Council consider becoming a corporate member of the Association and recommending accordingly.

It was agreed, in principle,:-

- (i) that East Ayrshire Council become a corporate member of the National Association of Councillors; and
- (ii) that, given the current budget constraints, a further report be submitted to a future meeting of the Policy and Resources Committee providing a complete list detailing all organisations who had invited East Ayrshire Council to affiliate in order that a final decision may be made.

INFORMATION TECHNOLOGY

17. The Chair, on behalf of the Committee, welcomed Malcolm Roulston, Head of Information Technology to his first meeting of the Policy and Resources Committee.

17.1 Strategy for Implementation, Development and Management of Information Technology Within East Ayrshire Council

There was submitted a report dated 15 January 1996 (circulated) by the Director of Support Services proposing an initial strategy to be adopted for the implementation, development and management of Information Technology within East Ayrshire Council and seeking adoption of the proposed IT strategy as Council policy, thus enabling the development of implementation plans.

Having heard the Head of Information Technology it was agreed:-

- (i) that the draft Information Technology strategy detailed in the report be adopted by the Council; and
- (ii) that the Working Group on Information Technology examine the information technology requirements of elected Members and report accordingly.

17.2 Capital Programme 1996/97 - Variation to Non-Housing Capital Expenditure Consent 1995/96 - Planned Expenditure

There was submitted a report dated 15 January 1996 (circulated) by the Director of Support Services providing an update on expenditure proposals in relation to capital consent indicating the items of capital expenditure which would be set against the increase in the level of consent of £117. 5K for non-housing capital expenditure in respect of IT requirements, as notified by the Scottish Office Letter of Consent dated 5 December 1995.

Having heard the Head of Information Technology and the Director of Support Services it was agreed:-

- (i) to note the contents of the report; and

- (ii) should additional capital consent monies be secured for the Council's Information Technology requirements, that it be remitted to appropriate officers in consultation with the Chair and Vice-Chair to prepare expenditure proposals and to make the necessary arrangements to commit fully any allocation received by East Ayrshire Council for Information Technology.

Councillor Nicoll re-joined the meeting at this point.

SUPPLEMENTARY ITEM

18. It was agreed that the undernoted item be considered as a supplementary item of business.

18.1 Trading by Local Authorities - Letter from the Department of the Environment to the Association of Metropolitan Authorities

There was submitted a report which was remitted by the Commercial Operations Committee of 11 January 1996 to consider recent correspondence which may affect the Council's ability to trade.

Having heard the Chair, it was agreed that it be remitted to the Director of Commercial Operations to prepare a further report for consideration by the Commercial Operations Committee in the light of the best advice which had become available outlining the implications and opportunities, if any, for East Ayrshire Council.

Councillor Fulton left the meeting at this point.

EXCLUSION OF PRESS AND PUBLIC

19. The Committee resolved "that under Section 50A(4) of the Local Government (Scotland) Act 1973 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 1 of Schedule 7A of the Act".

LOCAL GOVERNMENT (COMPENSATION FOR REDUCTION OF REMUNERATION ON REORGANISATION) (SCOTLAND) REGULATIONS 1995 - APPLICATION TO EMPLOYEES OF EAST AYRSHIRE COUNCIL

21. There was submitted a report dated 16 January 1996 (circulated) by the Director of Personnel Services seeking approval for the application of the above Regulations to relevant officers of East Ayrshire Council

It was agreed that, as the officers detailed in the appendix to the report, met the criteria of the "detriment regulations", to approve the application of the regulations and payments to their circumstances as detailed in the report.