

EAST AYRSHIRE COUNCIL**COMMERCIAL OPERATIONS COMMITTEE****MINUTES OF MEETING HELD ON TUESDAY 11 JUNE 1996 AT 1400 HOURS IN
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Jimmy Carmichael, Alan Campbell, John Knapp, John Smith, Tommy Farrell and Eric Jackson.

ATTENDING: David Montgomery, Chief Executive; Des Tierney, Director of Commercial Operations; Bill McKenzie, Senior Depute Director of Commercial Operations; Robin Gourlay and Charles McIvor, Depute Directors of Commercial Operations; Graham Haugh, Depute Director of Personnel Services; Bill Walkinshaw, Principal Administrative Officer; Joan Kendall, Principal Solicitor; Robert Pollock, Operations Manager and Jennifer Morrison, Administrative Officer.

APOLOGIES: Councillors Jim O'Neill, Gordon McCredie, Drew McIntyre, Provost Robert Stirling and Councillor Robert Taylor.

CHAIR: Councillor Jimmy Carmichael, Vice-Chair.

**THE CONTRIBUTION OF THE COMMERCIAL OPERATIONS DEPARTMENT TO
FULFILLING THE SOCIAL, ECONOMIC, ENVIRONMENTAL AND EQUAL
OPPORTUNITIES STRATEGIES OF THE COUNCIL**

1. There was submitted a report dated 24 May 1996 (circulated) by the Director of Commercial Operations providing details of the Department of Commercial Operations initial proposals to implement the social, economic, environmental and equal opportunities strategies of the Council; the strategies having been adopted at the meeting of the Policy and Resources Committee of 21 February 1996.

Agreed to approve the Department of Commercial Operations approach to implementing the Council's social, economic, environmental and equal opportunities strategies.

CCT UNDER THE LOCAL GOVERNMENT PLANNING AND LAND ACT 1980

2. There was submitted a report dated 24 May 1996 (circulated) by the Director of Commercial Operations advising that correspondence dated 13 May 1996 had been received from the Scottish Office advising (1) that the Government was bringing forward the end of the moratorium on CCT services for Roads, Building Repairs and Maintenance activities covered by the Local Government Planning and Land Act 1980, and (2) that tendering under this Act would resume from 1 January 1997 instead of 1 July 1997 as previously proposed.

The Chief Executive reported:

- (i) that COSLA had agreed to seek legal advice on the possibility of obtaining a judicial review of the Secretary of State's decision to end the moratorium on the CCT services on the basis that the proposed action was considered unreasonable;

- (ii) that at a recent meeting with Officials of the Scottish Office, the unitary authorities Chief Executives had raised the unreasonable nature of this change at such a late stage and the manner in which the Council had learned of the change;
- (iii) as COSLA itself could not seek a judicial review, South Lanarkshire Council had now initiated such a review which would act as a test case for the other Authorities; and
- (iv) that the opportunity may exist for other authorities to consider legal action if their circumstances differed significantly from South Lanarkshire and this issue was under investigation by the legal service.

The Principal Solicitor reported that the first Hearing of the judicial review would be on 28 June 1996 with any second Hearing shortly thereafter.

It was agreed:

- (i) to note the course of action taken by COSLA and South Lanarkshire Council on this matter; and
- (ii) otherwise to note the contents of the report.

DEPARTMENTAL INFORMATION TECHNOLOGY

3. There was submitted a report dated 23 May 1996 (circulated) by the Director of Commercial Operations on the implications to the Department of Commercial Operations, following the break-up of the Information Technology Transition Group in September 1996, and requesting approval thereafter for the purchase of a Unix Box Computer and two Printers.

It was agreed:

- (i) to approve the purchase of a Unix Box Computer and two Printers and the installation and programming thereafter of the equipment, in advance of the Information Technology Transition Group break-up in September 1996; and
- (ii) otherwise to note the contents of the report.

AGREEMENT ON THE HARMONISATION OF REFUSE COLLECTION WORKING PRACTICES IN RELATION TO THE KILMARNOCK CLEANSING SERVICE

4. There was submitted a report dated 23 May 1996 (circulated) by the Director of Commercial Operations advising that the purpose of this agreement was to achieve greater productivity in the Cleansing (North) Operations by (a) agreed improvements to existing practices and (b) harmonising elements of the existing bonus payment and surplus disbursement arrangements.

It was agreed:

- (i) to note the substantial improvements to the quality of refuse collection services in the Kilmarnock Area which were anticipated as a result of this agreement;
- (ii) to note the good co-operation between management, trades unions and the cleansing workforce which enabled the agreement to be successfully concluded;
- (iii) to approve that the financial basis of the agreement be contained within existing resources; and

- (iv) that this report be submitted to the meeting of the Policy and Resources Committee on 13 June 1996 for approval of the agreement reached and the relevant personnel issues.

It was further agreed that the Director of Commercial Operations provide Councillor Campbell with the information he had requested in relation to 3.2(d) of the report.

PROPOSED CLEANSING SERVICE COMMERCIAL SKIP SERVICE

5. There was submitted a report dated 23 May 1996 (circulated) by the Director of Commercial Operations requesting the approval to extend the commercial skip hire service operating in the Cumnock and Doon Valley Area to the whole of East Ayrshire.

There was also circulated additional information regarding the legal implications of the proposals and provided details of the relevant provisions of the Environmental Protection Act 1990, regarding the duties of Councils in the collection of waste and facilities for charging.

It was agreed:

- (i) that the Director of Commercial Operations take steps for the cleansing service to actively market and provide a commercial skip service in East Ayrshire optimising to economic advantage the spare capacity it already had within its resources; and
- (ii) otherwise to note the Director of Commercial Operations report and the inclusion therein of the additional information circulated.

HEALTH AND SAFETY

HEALTH AND SAFETY POLICY

- 6.1 There was submitted a report dated 22 May 1996 (circulated) by the Director of Commercial Operations providing details of the Health and Safety Policy proposed for the Department of Commercial Operations.

It was agreed to approve the departmental safety policy and the Department's ongoing commitment to health, safety and welfare through Safety Committees and other forums.

REPORTING OF INJURIES, DISEASES AND DANGEROUS OCCURRENCES

- 6.2 There was submitted a report dated 24 May 1996 (circulated) by the Director of Commercial Operations on the number of incidents/accidents reported in the period 1 - 30 April 1996, and on the number of reports made to the Health and Safety Executive in terms of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.

It was agreed to note the contents of the report and to continue to monitor Health and Safety statistics.

CLEANSING VEHICLE REPLACEMENT PROGRAMME (Item 9, Page 775)

7. There was submitted a report dated 27 May 1996 (circulated) by the Director of Commercial Operations regarding the main considerations and benefits which would

accrue to the Council's Cleansing Service through its vehicle replacement programme.

It was agreed to note the research and progress ongoing in this area of work for the improved efficiency of the Cleansing Service.

SUPPLY OF BEEF PRODUCTS (Item 4.6.3, Page 710)

8. There was submitted a report dated 28 May 1996 (circulated) by the Director of Commercial Operations on the responses from the suppliers of beef and beef products to East Ayrshire Council's Catering Services, confirming that each had taken appropriate steps to seek assurances in order to protect their businesses and customers.

It was agreed:

- (i) to note the assurances given from the suppliers contracted to the Council to provide beef and beef products which were safe and complied with the best advice available; and
- (ii) that the Director of Commercial Operations provide an up-date report to a future meeting if there were any significant developments.

THE ESTABLISHMENT OF THE BUILDING AND WORKS DLO

9. There was submitted a report dated 29 May 1996 (circulated) by the Director of Commercial Operations regarding the urgent requirement for a review of the establishment in the Building and Works DLO, and of proposals to undertake and implement such a review.

It was agreed:

- (i) to approve the undertaking of the review and that powers be delegated to an Ad Hoc Committee of Council Members on the Manual Workers and Craftpersons JCC to authorise implementation; and
- (ii) that a copy of the Director of Commercial Operations report be forwarded to the Policy and Resources Committee for its interest.

The meeting terminated at 1430 hours.