

EAST AYRSHIRE COUNCIL**MINUTES OF MEETING HELD ON THURSDAY 7 MAY 1998 AT 1000 HRS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Provost Stirling and Councillors McCredie, McIntyre, Reeves, Cree, Reid, Doyle, O'Neill, Hall, Hay, Knapp, Coffey, Macrae, Nicoll, McDill, Ross, Kelly, Boyd, G Smith, Carmichael, Taylor, J Smith, Farrell and Jackson.

ATTENDING: David Montgomery, Chief Executive; 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; Iain McLachlan, Director of Personnel Services; Barbara Haughan, Director of Support Services; William McKenzie, Acting Director of Commercial Operations; Bernadette Docherty, Senior Depute Director of Social Work; Helen Dick, Depute Director of Finance; Roddy Wallace, Head of Administration; Kate McVey, Head of Legal Services; Douglas Campbell, Head of Public Relations and Marketing; Apryl Chalmers, Senior Solicitor; and Bill Walkinshaw, Principal Administrative Officer.

APOLOGIES: Councillors Ronald Brailsford, Jane Darnbrough, Alan Campbell, David Fulton, George Turnbull and David Sneller.

CHAIR: Provost Robert Stirling, Chair.

PROVOST'S REMARKS

The Provost reported that Councillor Brailsford was seriously ill and at present undergoing treatment in hospital and intimated that his thoughts and of those present at the meeting were with Councillor Brailsford and his family at this time.

The Provost also welcomed back Iain McLachlan, Director of Personnel, on his return from absence due to illness.

PREVIOUS MINUTES

1. There were submitted (circulated) Minutes of Meeting of Council held on 26 March 1998 which were approved as a correct record.

1.1 MATTERS ARISING - COUNCIL MEETING - 26 MARCH 1998**1.1.1 SCHEME OF DELEGATION AND RELATED ISSUES (Item 4, Page 3167)**

The Council agreed to approve the Opposition membership of the related Committees/Sub-Committees as detailed within Appendix I of the Minutes of 26 March 1998 (Pages 3170-3175).

COMMITTEE MINUTES

2. There were submitted (circulated) and approved both as correct records and in respect of recommendations contained therein the Minutes of the undernoted Committee meetings as follows, viz:-
 - 2.1 **SPECIAL SOUTHERN LOCAL PLANNING COMMITTEE OF 16 MARCH 1998 (pages 3151-3153).**

- 2.2 SPECIAL KILMARNOCK SOUTH LOCAL COMMITTEE OF 17 MARCH 1998 (page 3154)**
- 2.3 DOON VALLEY LOCAL COMMITTEE OF 18 MARCH 1998 (pages 3155-3156).**
- 2.4 KILMARNOCK CENTRAL LOCAL COMMITTEE OF 24 MARCH 1998 (pages 3157-3158).**
- 2.5 IRVINE VALLEY LOCAL COMMITTEE OF 25 MARCH 1998 (pages 3159-3161).**
- 2.6 EMERGENCY POWERS COMMITTEE OF 26 MARCH 1998 (pages 3162-3163).**
- 2.7 SPECIAL DEVELOPMENT SERVICES COMMITTEE OF 26 MARCH 1998 (pages 3176-3177).**
- 2.8 SPECIAL POLICY AND RESOURCES COMMITTEE OF 27 MARCH (pages 3178-3181).**
- 2.9 SPECIAL COMMUNITY SERVICES COMMITTEE OF 31 MARCH 1998 (pages 3182-3183).**
- 2.10 KILMARNOCK NORTH LOCAL COMMITTEE OF 31 MARCH 1998 (pages 3184-3187).**
- 2.11 CUMNOCK AREA LOCAL COMMITTEE OF 2 APRIL 1998 (pages 3188-3193).**
- 2.12 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 3 APRIL 1998 (pages 3194-3200).**
- 2.13 EMERGENCY POWERS COMMITTEE OF 7 APRIL 1998 (page 3201).**
- 2.14 HOUSING COMMITTEE OF 8 APRIL 1998 (pages 3202-3205).**
- 2.15 IRVINE VALLEY LOCAL COMMITTEE OF 8 APRIL 1998 (pages 3206-3208).**
- 2.16 COMMERCIAL OPERATIONS COMMITTEE OF 9 APRIL 1998 (pages 3209-3212).**
 - (i) IRVINE VALLEY AREA REPAIR TEAM - PROPOSED NEW PREMISES (Item 9, Page 3211)**

Following a reference to an enquiry by Councillor Nicoll made at the Committee meeting, the Chief Executive reported that the Director of Development Services would, on a regular basis, be taking an overview of potential economic development needs within East Ayrshire as a whole and would be submitting reports to the Development Services Committee on proposals to meet priority needs in relation to resources becoming available.
- 2.17 SOUTHERN LOCAL PLANNING COMMITTEE OF 9 APRIL 1998 (pages 3213-3218).**
- 2.18 DEVELOPMENT SERVICES COMMITTEE OF 14 APRIL 1998 (pages 3219-3224).**
 - (i) STRATEGIC ROADS - UPDATE (Item 5, Page 3222)**

It was agreed that appropriate Local Members be included in the Council's forthcoming discussions with Scottish Office Minister Henry McLeish in relation to further investment in the improvement of strategic access to Ayrshire including the A/M77, A71 and A70.
- 2.19 KILMARNOCK CENTRAL LOCAL COMMITTEE OF 14 APRIL 1998 (pages 3225-3228).**
- 2.20 COMMUNITY SERVICES COMMITTEE OF 15 APRIL 1998 (pages 3229-3238).**

2.20.1 REMIT FROM COMMITTEE - ACCIDENT PREVENTION - COMMUNITY SAFETY (Item 3, Page 3229)

(i) It was agreed that the following Councillors serve on the Community Safety Forum (the Chair and Vice-Chair of Community Services being ex officio appointments): Councillors Cree, Darnbrough, Campbell, Coffey, Fulton, Boyd, G Smith, Carmichael and J Smith.

2.21 EDUCATION COMMITTEE OF 16 APRIL 1998 (pages 3239-3262).

(i) HIGHER SCHOOL AND FURTHER EDUCATION BURSARIES (Item 15, Page 3245)

Councillor Farrell, seconded by Councillor Taylor, moved the Minutes as a correct record and the approval of the recommendations contained therein.

Councillor Coffey, seconded by Councillor Hay, moved as an amendment that the absence threshold detailed in the present policy be maintained at 20%.

On a division by a show of hands, the motion was carried by 17 votes 7.

2.22 NORTHERN AREA LOCAL COMMITTEE OF 16 APRIL 1998 (pages 3263-3268).

2.23 SPECIAL KILMARNOCK SOUTH LOCAL COMMITTEE OF 16 APRIL 1998 (pages 3269-3272).

2.24 SPECIAL NORTHERN AREA LOCAL PLANNING COMMITTEE OF 17 APRIL 1998 (pages 3273-3275).

2.25 SOCIAL WORK COMMITTEE OF 21 APRIL 1998 (pages 3276-3291).

2.26 DOON VALLEY LOCAL COMMITTEE OF 21 APRIL 1998 (pages 3292-3294).

2.27 POLICY AND RESOURCES COMMITTEE OF 23 APRIL 1998 (page 3295-3316).

(i) WORKING TOGETHER FOR A HEALTHIER SCOTLAND - A CONSULTATION DOCUMENT - GOVERNMENT GREEN PAPER (Item 9, Page 3298)

It was agreed that a report focusing on the issues of the transportation and storage of nuclear materials would be submitted to a future meeting of the Policy and Resources Committee.

2.28 CENTRAL LOCAL PLANNING COMMITTEE OF 24 APRIL 1998 (pages 3317-3321).

APPOINTMENT OF VICE-CHAIR OF THE NORTHERN AREA LOCAL COMMITTEE

3. There was submitted a report dated 28 April 1998 (circulated) by the Director of Support Services which invited Council to consider the appointment, on an interim basis, of the Vice-Chair of the Northern Area Local Committee.

The Council having unanimously agreed to suspend Standing Order 1.2 agreed that Councillor Hall be appointed Vice-Chair of the Northern Area Local Committee and that the duration of this appointment be until the meeting of the Council on 18 June 1998.

EAST AYRSHIRE ACCIDENT PREVENTION COMMITTEE

4. There were submitted and noted Minutes of Meeting held on 18 March 1998 (circulated).

CHANGE OF TIME OF PERSONNEL AND PROPERTY SUB-COMMITTEE OF 19 MAY 1998

5. The Council, having unanimously agreed under Standing Order 51 to consider this matter, agreed to reschedule the time of the Personnel and Property Sub-Committee of 19 May 1998 from 1000 hrs to 0900 hrs in order to accommodate a visit by the Commission on Local Government and the Scottish Parliament to East Ayrshire Council.

SCHEME OF DELEGATION - SOCIAL WORK DEPARTMENT OFFICER DELEGATION (Item 4, Page 3167)

6. There was submitted a report dated 24 April 1998 (circulated) by the Director of Support Services which presented to Council the submission from the Social Work Department in relation to Officer delegation under the review of the Scheme of Delegation for consideration and approval.

It was agreed to approve the Social Work Department's Officer Scheme of Delegation and to authorise the Director of Support Services to incorporate amendments and make the necessary arrangements to publish the complete Scheme of Delegation.

REVIEW OF COMMUNITY COUNCIL SCHEME (Item 7, Page 3118)

7. There was submitted a report dated 5 May 1998 (circulated) by the Director of Support Services on the outcome of the first of two periods of formal public consultation on the review of the East Ayrshire Council Community Council Scheme, 1997 and which presented for consideration proposed amendments to the Scheme in the light of operational experience and the consultation exercise.

Maps detailing the proposals were displayed in the Meeting Room.

The Principal Administrative Officer reported that the Council had received that morning, comments from Fenwick Community Council opposing the proposals in relation to the northern and north western boundaries of Moscow and Waterside Community Council as detailed on the displayed Maps 1 and 3, lines A and B.

The Principal Administrative Officer also reported that Officers had considered the submissions and recommended that Moscow and Waterside Community Council's proposed northern boundary extension to the A77 be extended only as far as the A719 and that the centre of the A719 form a new boundary between Moscow and Waterside and Fenwick Community Council areas. This amendment would provide for both Community Councils' strategic interest in the A719 and A77.

The Principal Administrative Officer further reported that a request had been received from Bonnyton and Woodstock Community Council to revert to their original name of Bonnyton Community Council and recommended approval of the request.

It was agreed:

- (i) to approve for the purposes of a further period of consultation the amendments to East Ayrshire Council Community Council Scheme 1997 as recommended by Officers above and as otherwise contained within the report

and plans displayed at the meeting, and that all consultees be advised accordingly;

- (ii) to remit to the Director of Support Services to undertake the necessary statutory public notification in terms of Section 53(3) of the Local Government (Scotland) Act 1973, inviting final comments upon the proposed amendments; and
- (iii) to remit to the Director of Support Services to submit a further report on the outcome of the final period of consultation on the proposed amendments.

DRAFT ANNUAL REPORT AND ACCOUNTS 1996/97 (Item 4, Page 3073)

- 8. There was submitted and noted a report dated 23 April 1998 (circulated) by the Director of Finance which informed Members of the Capital Accounting adjustments to be made to the Annual Report 1996/97 previously submitted to Council on 5 March 1998.

FINANCIAL REGULATIONS

- 9. There was submitted a report dated 22 April 1998 (circulated) by the Director of Finance which presented to Council a draft review of the Financial Regulations for consideration and approval.

It was agreed:

- (i) to approve the Financial Regulations and to authorise the Director of Finance to implement arrangements and to make the necessary arrangements to distribute the Regulations;
- (ii) to note that the Financial Regulations governing contracts currently in force would remain in force until the Council approved the separate Standing Orders on Contracts; and
- (iii) otherwise to note the contents of the report.

KILMARNOCK AND LOUDOUN DISTRICT COUNCIL ANNUAL ACCOUNTS 1995/96

- 10. There was submitted a report dated 22 April 1998 (circulated) by the Director of Finance which presented to Council the audited Accounts 1995/96 for the former Kilmarnock and Loudoun District Council.

It was agreed:

- (i) to note the Annual Accounts 1995/96 for the former Kilmarnock and Loudoun District Council;
- (ii) that all Directors ensure that issues raised by the Auditor be addressed as soon as possible;
- (iii) that a charge of £5 per copy for the purchase of the Annual Report be levied; and
- (iv) otherwise to note the contents of the report.

EXCLUSION OF PRESS AND PUBLIC

11. Council 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 6 of Schedule 7A of the Act.

KILMARNOCK LEISURE CENTRE TRUST

12.1 Declaration of Interest

Provost Stirling and Councillor McCredie declared an interest in this item in terms of paragraph 12(b) of the National Code of Local Government Conduct.

The Chief Executive and Director of Community Services, as ex officio Trustees of the Trust declared a non-pecuniary interest in this item.

12.2 Consideration of Item

There was submitted a report dated 28 April 1998 (circulated) by the Director of Community Services on a request from the Trustees of the Kilmarnock Leisure Centre Trust for the Council to act as guarantor in relation to a loan.

It was agreed that the Council accede to the request by the Kilmarnock Leisure Centre Trust to act as guarantor for a loan of £180,000 from the Royal Bank of Scotland to modify and extend the existing Fitness Suite.

The meeting terminated at 1037 hrs.