

EAST AYRSHIRE COUNCIL

**MINUTES OF MEETING HELD ON THURSDAY 13 FEBRUARY 1997
AT 1000 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Provost Robert Stirling, Councillors Gordon McCredie, Irene Reeves, Gordon Cree, Douglas Reid, Wilma Doyle, Ronald Brailsford, Jane Darnbrough, Jim O'Neill, Kathleen Hall, Bob Beattie, John Knapp, Daniel Coffey, David Fulton, David Macrae, Kim Nicoll, George Turnbull, Robert McDill, Eric Ross, Jim Kelly, David Sneller, Jimmy Boyd, George Smith, Jimmy Carmichael, Robert Taylor, John Smith and Eric Jackson.

ATTENDING: David Montgomery, Chief Executive; Fiona Lees, Depute Chief Executive; Stephen Chorley, Director of Development Services; John Hillis, Director of Housing; Douglas Bulloch, Director of Social Work; Barbara Haughan, Director of Support Services; Helen Dick, Depute Director of Finance; Roddy Wallace, Head of Administration; Kate McVey, Head of Legal Services; Bill Walkinshaw, Principal Administrative Officer; Liam Murphy, Trainee Solicitor and Julie Armstrong, Senior Administrative Officer.

APOLOGIES: Councillors Drew McIntyre, Alan Campbell and Tommy Farrell.

CHAIR: Provost Stirling, Chair.

PREVIOUS MINUTES

1. There was submitted (circulated) Minutes of Council held on 19 December 1996.

THE NIMMO CHILDREN'S TRUST (FORMERLY KILBIRNIE CHILDREN'S FIRE DISASTER APPEAL (ITEM 3.2, PAGE 1646))

The Council agreed that the nomination by Councillor McDill of the Local Member, who declined, be recorded in the Minutes

The Minutes were approved as a correct record.

COMMITTEE MINUTES

- 2.1 There were submitted (circulated) and, except the undernoted, approved both as correct records and in respect of recommendations contained therein, the Minutes of the undernoted Committee meetings as follows, viz:-
 - 2.1.2 **DOON VALLEY LOCAL PLANNING COMMITTEE OF 10 DECEMBER 1996 (Pages 1598-1601)**
 - 2.1.1 **DOON VALLEY LOCAL COMMITTEE OF 10 DECEMBER 1996 (Pages 1602-1604)**
 - 2.1.3 **CUMNOCK AREA LOCAL PLANNING COMMITTEE OF 11 DECEMBER 1996 (Pages 1605-1609)**
 - 2.1.4 **CUMNOCK AREA LOCAL COMMITTEE OF 11 DECEMBER 1996 (Pages 1610-1614)** subject to the following:-

Page 1611, Item 4, first paragraph be amended to read "There was submitted and noted a report dated 20 November 1996 (circulated) by the Director of Community Services, advising the Local Committees that the Council had introduced a ban on

the giving of live fish and other animals as prizes or gifts at funfairs; had taken steps to assure the conditions in which performing animals were kept; and had determined that operators with previous convictions for cruelty would not be permitted to stage animal circuses within East Ayrshire".

2.1.5 KILMARNOCK NORTH LOCAL COMMITTEE OF 12 DECEMBER 1996 (Pages 1615-1619) subject to the following:-

Page 1616, Item 3 that the first paragraph be amended to read as shown at Item 2.1.4 above.

2.1.6 KILMARNOCK CENTRAL LOCAL PLANNING COMMITTEE OF 13 DECEMBER 1996 (Pages 1620-1621)

2.1.7 KILMARNOCK CENTRAL LOCAL COMMITTEE OF 13 DECEMBER 1996 (Pages 1622-1625) subject to the following:-

Page 1622, Item 2 that the first paragraph be amended to read as shown at Item 2.1.4 above.

2.1.8 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 17 DECEMBER 1996 (Pages 1626-1628)

2.1.9 NORTHERN AREA LOCAL COMMITTEE OF 17 DECEMBER 1996 (Pages 1629-1633) subject to the following:-

Page 1629, Item 1 that the first paragraph be amended to read as shown at Item 2.1.4 above.

2.1.10 KILMARNOCK SOUTH LOCAL COMMITTEE OF 17 DECEMBER 1996 (Pages 1634-1637) subject to the following:-

Page 1635, Item 5 that the first paragraph be amended to read as shown at Item 2.1.4 above.

2.1.11 IRVINE VALLEY LOCAL COMMITTEE OF 18 DECEMBER 1996 (Pages 1638-1642)

2.1.12 SPECIAL POLICY AND RESOURCES COMMITTEE OF 7 JANUARY 1997 (Pages 1654-1656)

2.1.13 SOCIAL WORK COMMITTEE OF 9 JANUARY 1997 (Pages 1657-1665)

2.1.14 HOUSING COMMITTEE OF 15 JANUARY 1997 (Pages 1666-1670)

2.1.15 EDUCATION COMMITTEE OF 16 JANUARY 1997 (Pages 1671-1680)

2.1.16 COMMUNITY SERVICES COMMITTEE OF 22 JANUARY 1997 (Pages 1681-1694)

2.1.17 SPECIAL POLICY AND RESOURCES COMMITTEE OF 23 JANUARY 1997 (Pages 1695-1697)

2.1.18 DEVELOPMENT SERVICES COMMITTEE OF 23 JANUARY 1997 (Pages 1698-1715)

2.1.19 SPECIAL DEVELOPMENT SERVICES COMMITTEE OF 27 JANUARY 1997 (Pages 1716-1721)

2.1.20 COMMERCIAL OPERATIONS COMMITTEE OF 28 JANUARY 1997 (Pages 1722-1724)

2.1.21 POLICY AND RESOURCES COMMITTEE OF 30 JANUARY 1997 (Pages 1725-1753)

2.1.22 SPECIAL HOUSING COMMITTEE OF 11 FEBRUARY 1997 (Pages 1754-1755)

2.1.23 SPECIAL POLICY AND RESOURCES COMMITTEE OF 11 FEBRUARY 1997 (Pages 1756-1757)

2.2 SPECIAL POLICY AND RESOURCES COMMITTEE OF 23 JANUARY 1997

2.2.1 MATTERS ARISING

GENERAL SERVICES DRAFT ESTIMATES 1997/98 - PUBLIC CONSULTATION (Item 1.1, Page 1695)

Councillor Coffey seconded by Councillor Brailsford moved re-consideration in terms of Standing Order 51 of the decision not to extend a similar invitation to Mr George Robertson MP, Shadow Secretary of State as to that which had been extended to Mr Michael Forsyth MP, Secretary of State for Scotland with regard to meeting Council representatives to discuss the effects on East Ayrshire of the recent Local Government finance settlement for 1997/98.

Provost Stirling, seconded by Councillor Boyd, moved as an amendment not to reconsider the item.

On a division by a show of hands the motion was defeated by 7 votes to 20 and failed to achieve the requisite two-thirds majority of Members voting.

2.3 DEVELOPMENT SERVICES COMMITTEE OF 23 JANUARY 1997

2.3.1 MATTERS ARISING

LISTING OF PROPERTY, KILMARNOCK (Item 20, Page 1714)

Having noted that the property in question was Mount House, Kilmarnock and that Historic Scotland had now listed the building, it was agreed:-

- (i) that the Head of Property submit a report to the next meeting of the Finance and Property Sub-Committee of the Policy and Resources Committee on 4 March 1997 on the measures adopted for the protection and security of the property and treatment of the contents of the premises; and
- (ii) that the Director of Development Services ensure photographic evidence of features referred to in the listing was completed as soon as possible and provide Councillor Beattie with details of the category listing of the building.

2.4 SPECIAL DEVELOPMENT SERVICES COMMITTEE OF 27 JANUARY 1997

2.4.1 MATTERS ARISING

PLANNING APPLICATION NO 96/0386/FL - ELTIMATE LIMITED (Item 1, Page 1716)

Councillor Coffey, seconded by Councillor Brailsford, moved to reconsider in terms of Standing Order 51, the decision of the Special Development Services Committee in respect of the above numbered planning application.

Councillor Sneller, seconded by Councillor O'Neill, moved not to reconsider the item.

On a division by a show of hands the motion was defeated by 7 votes to 20 and failed to achieve the requisite two-thirds majority of Members voting.

EAST AYRSHIRE ACCIDENT PREVENTION COMMITTEE

3. There were submitted and noted Minutes of Meeting held on 17 December 1996 as shown in Appendix I to this Minute.

DRAFT MEETINGS CALENDAR FOR 1 APRIL 1997 TO 31 MARCH 1998

4. There was submitted a report dated 28 January 1997 (circulated) by the Director of Support Services requesting consideration of a draft Meetings List.

It was reported that Strathclyde Fire Board had now proposed alternative dates for their meetings as follows:- Thursdays 12 June, 14 August, 9 October and 11 December 1997.

Councillor Sneller, seconded by Councillor O'Neill, moved (i) to approve the draft Meetings Calendar as shown as an enclosure to the report including the above amendments; (ii) that following completion of the Council's review of the Scheme of Delegation for planning applications the Director of Support Services be authorised to insert in the meetings calendar following consultation with the appropriate Chairs, dates of Local Planning Committees; (iii) to remit to the Director of Support Services to implement any transitional arrangements in consultation with the appropriate Chairs; and (iv) that the Commercial Operations Committee scheduled to be held on Tuesday 11 March 1997 at 1400 hours be held on Wednesday 12 March 1997 at 1000 hours.

Councillor McCredie, seconded by Councillor Nicoll, moved as an amendment (i) to approve the draft Meetings Calendar as shown as an enclosure to the report including the amendments by Strathclyde Fire Board with the exception that Council Meetings and Service Committee Meetings be held at 1600 hours to encourage public attendance; (ii) that following completion of the Council's review of the Scheme of Delegation for planning applications the Director of Support Services be authorised to insert in the meetings calendar following consultation with the appropriate Chairs, dates of Local Planning Committees; (iii) to remit to the Director of Support Services to implement any transitional arrangements in consultation with the appropriate Chairs; and (iv) that the Commercial Operations Committee scheduled to be held on Tuesday 11 March 1997 at 1400 hours be held on Wednesday 12 March 1997 at 1000 hours.

On a division by a show of hands, the motion was carried by 20 votes to 7.

**WHITE COLLAR CCT - ORGANISATIONAL ARRANGEMENTS FOR
TENDERING AND TENDER APPROVAL**

5. There was submitted a report dated 24 January 1997 (circulated) by the Director of Support Services seeking approval of the composition for the Ad Hoc Contracting Sub-Committee of the Policy and Resources Committee in respect of contract and tender approval relative to "White Collar" CCT contracts.

It was agreed:-

- (i) in respect of all "White Collar" CCT contracts, the composition of the Ad Hoc Contracting Sub-Committee of the Policy and Resources Committee be the Chair and Vice-Chair of the Policy and Resources Committee, two other members of the administration, opposition member -1, quorum - 3, names to be submitted to the Chief Executive; and
- (ii) that the Scheme of Delegation be amended accordingly and the Director of Support Services issue the appropriate addendum.

BANKING ARRANGEMENTS (Item 6, Page 1646)

6. It was unanimously agreed in terms of Standing Order 51 to reconsider this item.
- There was submitted a report dated 24 January 1997 (circulated) by the Director of Finance requesting the Council to amend the resolution made in favour of the Clydesdale Bank in order to provide further clarification of the Council's intention.

It was agreed to make the amended resolution as shown in Appendix II to this Minute.

APPOINTMENTS TO CoSLA PARTNER ORGANISATIONS

7. There was submitted a report dated 4 February 1997 (circulated) by the Director of Support Services informing Members of the practice operated by CoSLA in appointing Member Councillors as CoSLA representatives in partner organisations, and to propose that a record of such appointments be included within East Ayrshire Council's list of appointments to outside bodies.

It was agreed:-

- (i) to note the practice of CoSLA in nominating CoSLA members of East Ayrshire Council to represent CoSLA and Local Government interests on CoSLA partner organisations;
- (ii) that a list of CoSLA Member nominations and partner organisations be circulated to all Members on receipt of such information from CoSLA; and
- (iii) that a record of CoSLA Member nominations to partner organisations be recorded within the approved list of Members appointments to outside organisations as and when intimated.

**BYE-LAWS PROHIBITING THE CONSUMPTION OF ALCOHOLIC LIQUOR IN
DESIGNATED PLACES (Item 14, Page 1729)**

8. There was submitted a report dated 10 February 1997 (circulated) by the Director of Support Services seeking Council's approval of the above Bye-law and to authorise its authentication and the attendant publication and inspection procedures.

It was agreed:-

- (i) to authenticate the bye-law in terms of Section 202(3) of the Local Government (Scotland) Act 1973; and
- (ii) that the Director of Support Services take forward the statutory procedure for confirmation.

The meeting terminated at 1045 hrs.