

EAST AYRSHIRE COUNCIL

Minutes of the meeting held on Tuesday 18 April 1995 at 2pm in the Council Chambers, Civic Centre, Kilmarnock

PRESENT: Councillors Robert Beattie, James Boyd, Ronald Brailsford, Alan Campbell, James Carmichael, Daniel Coffey, William Cree, Williamina Doyle, Thomas Farrell, David Fulton, Kathleen Hall, Eric Jackson, James Kelly, John Knapp, Gordon McCredie, Robert McDill, Andrew McIntyre, David Macrae, James O'Neill, Irene Reeves, Douglas Reid, Eric Ross, George Smith, John Smith, David Sneller, Robert Stirling, Robert Taylor, George Turnbull.

ATTENDING: M C Reed (Interim Clerk); A Fairbairn and J Armstrong.

1. NOTICE CALLING MEETING

The Notice calling the meeting was submitted and noted.

2. INTERIM CHAIRMAN

Reference was made to section 5(1), Schedule 2 of the Local Government etc (Scotland) Act 1994 which indicated that the Returning Officer appointed by the Secretary of State, whom failing such Councillor as might be selected by the meeting should preside at the meeting until the election of the Convener.

Thereon, the Returning Officer, Neil McIntosh, Chief Executive, Strathclyde Regional Council, assumed the Chair in the interim and outlined the Agenda for the meeting.

3. CONVENING OF MEETING AND STANDING ORDERS

There was submitted and noted the East Ayrshire Council Designation 1995 (issued) dated 22 March 1995, under which the Secretary of State, in exercise of the powers conferred on him by paragraphs 4(2) and 5(3) of Schedule 2 to the Local Government etc (Scotland) Act 1994 and all other powers enabling him in that behalf, had determined that

- (a) for the purposes of paragraph 4(2) of Schedule 2 to the said Act, the first meeting of the East Ayrshire Council should be convened by Dr Malcolm Christopher Reed; and
- (b) for the purposes of paragraph 5(3) of Schedule 2 to the Act, that the standing orders for the regulation of the proceedings and business of Strathclyde Regional Council should apply at the first meeting of the East Ayrshire Council.

4. COUNCIL ELECTIONS - 6 APRIL 1995

There was submitted a return (issued) by the Returning Officer of Members elected at the Local Government Elections held on 6 April 1995 (see Appendix I).

5. SEDERUNT AND APOLOGIES

Dr Reed confirmed that all members had subscribed the necessary Declaration of

Office and then took the Sederunt, apologies being submitted on behalf of Councillors Jane Darnbrough and Kim Nicoll.

6. ELECTION OF CONVENER OF THE COUNCIL

The Council then proceeded, in terms of Section 4(4) of the Local Government etc (Scotland) Act 1994 and Paragraph 7 of Schedule 2 to the said Act, to consider the appointment of the Convener of the Council, to serve until the first meeting of the Council held on or after 1 April 1996. Councillor Sneller, seconded by Councillor McIntyre, moved the appointment of Councillor Stirling, following which an amendment was proposed by Councillor McDill that the post of Convener alternate between Councillor Ross and Councillor Coffey; Councillor Ross having declined nomination, Councillor McDill, seconded by Councillor McCredie, then moved by way of amendment the appointment of Councillor Coffey, whereupon, there having voted 7 for the amendment and 21 for the motion, Councillor Stirling was elected Convener.

Mr McIntosh then vacated the Chair to Councillor Stirling who, having assumed the Chair, followed with a statement of acceptance (Appendix II).

7. ELECTION OF DEPUTE CONVENER OF THE COUNCIL

The Council then proceeded to consider the appointment of Depute Convener of the Council, likewise to serve until the first meeting of the Council on or after 1 April 1996. Councillor Sneller, seconded by Councillor Farrell, moved the appointment of Councillor Boyd, following which Councillor Campbell, seconded by Councillor Hall, moved by way of amendment the appointment of Councillor Nicoll, whereupon, there having voted 7 for the amendment and 21 for the motion, Councillor Boyd was elected Depute Convener of the Council.

8. ELECTION OF LEADER/DEPUTE LEADER OF THE COUNCIL

(a) ELECTION OF LEADER

The Council then considered the appointment of Leader of the Council when Councillor Farrell, seconded by Councillor McIntyre, moved Councillor Sneller, following which Councillor McDill, seconded by Councillor Reid, moved Councillor Coffey, whereupon, there having voted 7 for the amendment and 21 for the motion, Councillor Sneller was elected Leader of the Council.

Councillor Sneller then addressed the Council (Appendix III) following which it was agreed to:

- (i) prepare a Press release outlining the salient points of the speech; and
- (ii) write to the Secretary of State for Scotland seeking the removal of financial restrictions from local government and reconsideration of the unrealistic timescale for the introduction of CCT to the new Councils.

(b) ELECTION OF DEPUTE LEADER

The Council then considered the appointment of Depute Leader of the Council when Councillor Farrell, seconded by Councillor Sneller, proposed Councillor McIntyre, following which Councillor Campbell, seconded by Councillor Hall, proposed Councillor Nicoll, whereupon, there having voted 7 for the amendment and 21 for the motion, Councillor McIntyre was appointed Depute Leader of the Council.

9. APPOINTMENT OF INTERIM CLERK

The Council then considered the appointment of Interim Clerk, which post which had been held since 22 March 1995 by Dr Malcolm Reed, Assistant Chief Executive, Strathclyde Regional Council, in terms of his designation by the Secretary of State.

Councillor Sneller, seconded by Councillor Farrell, moved the appointment of Dr Malcolm Reed as Interim Clerk for the period until the appointee as Head of Paid Service took up office, and the Council agreed accordingly.

10. INTERIM FINANCIAL ARRANGEMENTS

(a) SCOTTISH OFFICE FINANCE DIVISION CIRCULAR 15/1994

There was submitted a letter (issued) by The Scottish Office Local Government Finance Group dated April 1995 reporting the arrangements which Ministers had agreed for the distribution of grant totalling £36,000,000 (Finance Circular No 15/1994 of 13 December 1994 refers) to the Shadow Council, and intimating:

- (i) distribution of grant - which was the average of three options - resulting in an award to the East Ayrshire Council of £1,039,000 disaggregated on a percentage basis over 12 months as follows:

(A)	<u>April</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>August</u>	<u>Sept- March</u>
	£41,560	£51,950	£62,340	£72,730	£83,120	£103,900 per month

- (ii) payment arrangements; and
 (iii) a Scottish Office contact for enquiries.

Having heard Dr Reed in explanation and in answer to Members' questions, it was agreed to note the terms of the Circular.

(b) APPOINTMENT OF INTERIM OFFICER

The Council then approved a motion put by Councillor Sneller, seconded by Councillor Farrell, that Mr Chris Johnston, Assistant Director of Finance, Kilmarnock and Loudoun District Council, be appointed as Interim Finance Officer of the East Ayrshire Council, to be responsible to the Interim Clerk and the East Ayrshire Council for the administration of its financial affairs in accordance with its standing orders and financial regulations, and with powers to act as Proper Officer of the Council in terms of Section 95 of the Local Government (Scotland) Act 1973.

(c) AUTHORITY TO OPEN A BANK ACCOUNT

The Interim Clerk then requested authority to open an interim bank account for the East Ayrshire Council with the Royal Bank of Scotland, John Finnie Street, Kilmarnock with three approved signatories, that of the Interim Clerk, Convener and Leader of the Council, with the Head of Paid Service replacing the Interim Clerk as signatory upon taking up post.

Having heard Dr Reed in explanation and in answer to Members' questions when Councillor Coffey asked if other banks had been considered and when he was advised that the Royal Bank of Scotland was used by Kilmarnock and Loudoun District Council and that as those arrangements were already in place it would be convenient for the East Ayrshire Council to use that bank for an interim period following which alternatives could be assessed, the necessary approval was given.

(d) INTERIM FINANCIAL REGULATIONS

Discussion then took place regarding the interim financial regulations when it was agreed to adopt those used by Kilmarnock and Loudoun District Council.

(e) INTERIM INSURANCE ARRANGEMENTS

Having heard Dr Reed outline the present conditions in relation to Members' insurance, it was agreed to note the arrangements subject to further consideration by the Executive Committee of the terms and conditions contained within the existing policy.

(f) MEMBERS' ALLOWANCES ETC

There was submitted and approved a report (docketed) detailing a scheme of arrangements for members' allowances, expenses and approved duties in terms of the Local Authorities Etc (Allowances) (Scotland) Regulations 1995.

11. LOCAL GOVERNMENT STAFF COMMISSION

There was submitted Circular 3/95 (issued) by the Local Government Staff Commission (Scotland) giving advice to new Councils and outlining directions in respect of

- (a) appointments - Head of the Paid Service (Chief Executive);
- (b) organisational structures - staffing aspects; and
- (c) appointments of other senior staff.

The report also included annexes regarding:

- (i) outline job description for Head of Paid Service; and
- (ii) TUPE requirements as to consultation.

Having heard Dr Reed in explanation and in answer to Members' questions it was agreed:

- (A) that the appropriate Committees take cognisance of the contents of Circular 3/95 in the operation of the new Council; and
- (B) otherwise, to note the contents of the Circular.

12. PROCEDURE FOR CONSIDERATION FOR APPLICATIONS FOR THE POST OF HEAD OF PAID SERVICE

There were submitted draft Terms of Reference for the proposed Recruitment Committee, including powers to:

- (a) confirm the appointment of an Officer Adviser to the Committee, and terms of that appointment;
- (b) consider and agree title, basis of appointment, salaries and conditions of service for Head of Paid Service;
- (c) consider and agree job profile and personal specification;
- (d) consider all applications against the job profile and personal specification, and determine whether re-advertisement is required;
- (e) short-list applications;
- (f) determine selection method and agree date for interview;
- (g) conduct the selection process; and

- (h) recommend to the Council a suitable candidate for appointment as Head of Paid Service.

Dr Reed advised the meeting that, following informal discussions, the undernoted timetable was proposed:

<u>Name of Committee</u>	<u>Date</u>	<u>Time</u>	<u>Venue</u>	<u>Purpose of Meeting</u>
Recruitment Sub-Committee	21 April 1995	2pm	Cumnock & Doon Valley District Council Offices, Lugar	Short leeting for Head of Paid Service
-	9 May 1995	7pm	Lochside House Hotel, New Cumnock	Meeting of Interviewees for the post of Head of Paid Service
-	10 May 1995	All day		Interviews for the post of Head of Paid Service
East Ayrshire Council	11 May 1995	3pm	Cumnock & Doon Valley District Council Offices, Lugar	Ratification of appointment to the post of Head of Paid Service.

Dr Reed then advised the meeting that the applications in respect of the Head of Paid Service had been received and requested authority to:

- (I) open applications which had been submitted: and
 (II) pass the opened applications to the Recruitment Sub-Committee.

Councillor Sneller, seconded by Councillor McIntyre, having moved approval of the proposed arrangements and the establishment of a Recruitment Sub-Committee to consist of:

James Boyd
 Daniel Coffey
 Williamina Doyle
 Thomas Farrell
 Robert McDill
 Andrew McIntyre
 David Sneller

with no substitutes to be allowed for those Councillors appointed, the Council agreed accordingly.

13. ESTABLISHMENT OF INTERIM EXECUTIVE COMMITTEE

There were submitted draft Terms of Reference for Interim Executive Committee (issued), including powers to:

- (a) determine any matters upon which a decision was required prior to the next meeting of the Council, including

- (i) initial arrangements for Council accommodation and for facilities to assist Members in carrying out their duties;
 - (ii) approval of terms of appointment of Interim Clerk, Interim Finance Officer and any designated support staff;
 - (iii) approval of any necessary expenditure associated with the start-up activities of the Council; and
 - (iv) any other matters of urgency;
- (b) give preliminary consideration to the report of East Ayrshire Joint Advisory Committee and to make recommendations thereon;
- (c) consider an interim Committee structure, and to report with recommendations thereon to the next meeting of the Council; and
- (d) consider and report upon a programme of information and training for Members of the Council with powers to call in the meantime any seminar etc for Members which the Committee considered to be appropriate.

Dr Reed made reference to (d) when he advised the meeting that preliminary discussions had taken place regarding the possible dates and times of future interim executive meetings, as follows:

<u>Committee</u>	<u>Date</u>	<u>Time</u>	<u>Venue</u>	<u>Purpose</u>
Interim Executive Committee	24 April 1995	2.00pm	Kilmarnock & Loudoun District Council Chambers, Civic Centre, Kilmarnock	Visit to the proposed East Ayrshire Council Headquarters at James Hamilton Academy, London Road, Kilmarnock
"	3 May 1995	9.30am	To be agreed	-

Councillor Sneller, seconded by Councillor McIntyre, then moved the establishment of the Interim Executive Committee to be composed of 12 Elected Members, 9 members being drawn from the majority party and 3 from the minority party, and the Council agreed accordingly.

Nominations were then accepted in respect of:

James Boyd
 Daniel Coffey
 Williamina Doyle
 Thomas Farrell
 Andrew McIntyre
 Kim Nicoll
 James O'Neill
 Irene Reeves
 Douglas Reid
 David Sneller
 Robert Stirling
 Robert Taylor

14. EAST AYRSHIRE JOINT ADVISORY COMMITTEE

There was submitted a report (issued) by the East Ayrshire Joint Advisory Committee, advising Members of the function of the service and technical departments as administered by Strathclyde Regional Council, Kilmarnock and Loudoun District Council and Cumnock and Doon Valley District Council and including executive summaries for ease of reference.

Following discussion and in answer to Members' questions it was agreed to:

- (a) remit arrangements for consideration of the report to the interim Executive Committee; and
- (b) otherwise, note the content of the report.

15. ARRANGEMENTS FOR FUTURE MEETINGS OF THE COUNCIL

(a) STANDING ORDERS

There were submitted standing orders pertaining to Strathclyde Regional Council which regulated the meetings and proceedings of that Council, Committees and Sub-Committees and following discussion it was agreed that the East Ayrshire Council adopt these Standing Orders, with any necessary textual amendments, on an interim basis.

(b) DATE AND TIME OF NEXT MEETING

It was agreed that the next meeting of the East Ayrshire Council should be held on Thursday 11 May 1995 at 3.00pm in the Cumnock and Doon Valley District Council Offices, Lugar.

APPENDIX I**LOCAL GOVERNMENT ELECTION****6 APRIL 1995****EAST AYRSHIRE COUNCIL**

<u>Electoral Ward (No - Name)</u>	<u>Name</u>	<u>Candidate Elected Address</u>	<u>Description (if any)</u>
1	Gordon McCredie	Gemini Cottage Hurlford Kilmarnock KA1 5JW	Scottish National Party
2	Andrew McIntyre	21 Wallace Street Kilmarnock KA1 1SB	The Scottish Labour Party Candidate
3	Irene Reeves	111 St Andrew Street Kilmarnock KA1 3EX	The Scottish Labour Party Candidate
4	William Cree	16 MacKendrick Place, Kilmarnock KA3 7HB	The Scottish Labour Party Candidate
5	Douglas Reid	52 Gibson Street Kilmarnock KA1 2PN	Scottish National Party (SNP)
6	Williamina Doyle	14 Woodlea Court Crosshouse Kilmarnock KA2 0ES	The Scottish Labour Party Candidate
7	Ronald Brailsford	10 South Hamilton Place, Kilmarnock KA1 2DU	Scottish National Party (SNP)
8	Robert Stirling	42 Grampian Road Kilmarnock KA1 3UP	The Scottish Labour Party Candidate
9	Jane Darnbrough	65 Loreny Drive Kilmarnock KA1 4RF	The Scottish Labour Party Candidate
10	Alan Campbell	64 Mure Avenue Kilmarnock KA3 1TT	Scottish National Party (SNP)
11	James O'Neill	54 Lainshaw Street Stewarton Kilmarnock KA3 5BU	The Scottish Labour Party Candidate
12	Kathleen Hall	33 High Street Stewarton Kilmarnock KA3 5BP	Scottish National Party (SNP)
13	Robert Beattie	34 East Park Crescent, Kilmaurs Kilmarnock KA3 2QT	The Scottish Labour Party Candidate
14	John Knapp	8 Merrick Road Kilmarnock KA1 3TA	The Scottish Labour Party Candidate
15	Daniel Coffey	7 Craufurdland Road Kilmarnock KA3 2HT	Scottish National Party (SNP)

16	David Fulton	32 Lifnock Avenue Hurlford Kilmarnock KA1 5DT	The Scottish Labour Party Candidate
17	David Macrae	15 Barward Road Galston KA4 8BX	The Scottish Labour Party Candidate
18	Kim Nicoll	5 John Knox Street Galston KA4 8DU	Scottish National Party (SNP)
19	George Turnbull	8 Esk Road Kilmarnock KA1 3TQ	The Scottish Labour Party Candidate
20	Robert McDill	22 Campbell Street Darvel KA17 0DA	Scottish National Party (SNP)
21 - Cumnock East	Eric Ross	98 Barrhill Road Cumnock KA18 1PN	Scottish Labour and Co-op Party Candidate
22 - Lugar, Logan and Muirkirk	James Kelly	20 Wellwood Avenue Muirkirk Cumnock KA18 3RW	Scottish Labour Party Candidate
23 - Cumnock South and Old Cumnock	David Sneller	3 Kings Drive Cumnock KA18 1AG	Scottish Labour and Co-op Party Candidate
24 - Cumnock West and Auchinleck	James Boyd	33 McQueen Avenue Cumnock KA18 1HJ	Scottish Labour and Co-op Party Candidate
25 - Catrine, Sorn and North Auchinleck	George Smith	Kerondale Sorn Road Catrine KA5 6NA	Scottish Labour and Co-op Party Candidate
26 - New Cumnock	James Carmichael	28 Burnton Place New Cumnock Cumnock KA18 4EJ	Scottish Labour Party Candidate
27 - Dalmellington	Robert Taylor	14 Bellsbank Crescent, Dalmellington KA6 7SL	Scottish Labour and Co-op Party Candidate
28 - Patna and Dalrymple	John Smith	1 Plantation Avenue Patna, Ayr KA6 7LU	Scottish Labour and Co-op Party Candidate

29 - Drongan, Ochiltree, Rankinston and Stair	Thomas Farrell	4 Coyle Avenue Drongan KA6 7BB	Scottish Labour and Co-op Party Candidate
30 - Mauchline	Eric Jackson	8 Sorn Road Mauchline KA5 6AW	Scottish Labour Party Candidate

APPENDIX II

STATEMENT BY COUNCILLOR STIRLING

Thank you colleagues for giving me the opportunity to serve East Ayrshire Council as its Convener.

No-one needs reminding that the reorganisation of Local Government will be a difficult and time consuming task. Particularly during the next 12 months.

Most, if not all of us have grave misgivings about reorganisation and about the motivation for creating East Ayrshire.

I would like to take this opportunity to assure fellow members, no matter what reservations I have about reorganisation, I pledge myself to work tirelessly for this Council and for the people of East Ayrshire.

Welcome to the first meeting of the East Ayrshire Council.

APPENDIX III**EAST AYRSHIRE COUNCIL****FIRST COUNCIL MEETING 18/04/95****Statement by
COUNCILLOR DAVID SNELLER
LEADER OF THE COUNCIL**

Convener, could I first of all take this opportunity to congratulate you and your Vice-Convener on your appointment today. I am sure both you and Jimmy Boyd will make excellent ambassadors on behalf of the new East Ayrshire Council.

Could I also thank the Returning Officer. I understand that the count in East Ayrshire was the first to be completed in Strathclyde. This not only shows great credit on all the officers involved in the count, but also on the excellent manner the election was conducted at all the stations throughout East Ayrshire. Could I again thank the Returning Officer and all his staff for their work on the day and at the count.

Could I further congratulate all the Members of the new East Ayrshire Council on their election a week last Thursday. For those new Members can I assure them that the photo taken after the result isn't normal practice, but it was to ensure that an enlarged photograph can be given to our families and work colleagues who are unlikely to see much of us in the next year or so.

On a more serious note, I am sure we are all well aware of the tremendous responsibilities the coming year holds for every one of us. I am sure we all individually hope that we can carry forward the trust our respective electorates have placed in each of us. They look to each of us both to protect their local services and act in their best interests.

Today is a historic day in the history of Local Government in Ayrshire. The creation of the new East Ayrshire Council will present a major challenge to us all. This reorganisation was not wanted and it is set against a background of a Tory Government hostile to Local Government and local democratic choice. Following the election we must put our own personal preferences to one side and work together in the creation of a new Council.

I am sure all of us in this room were elected to protect and improve the local services that are presently provided. The high quality local services provided in East Ayrshire are a tribute to the three Councils and their work over the past twenty years. Our aim must be to protect these services and to ensure high quality services continue to be delivered throughout East Ayrshire. These services will also provide a solid platform on which the new Council can build upon in coming years.

Speaking for my party, we were elected on a manifesto commitment to put the protection and creation of jobs as a number one priority for a new East Ayrshire Council. We will be tested quite severely in the coming months to ensure that the jobs of all the staff employed by the three Authorities in East Ayrshire are protected.

We owe it to the workforce of the three Councils who have delivered high quality services to ensure that East Ayrshire has a future for them. We must not forget that this will be a trying time for all people involved in Local Government and particularly the workforce and their families who face an uncertain future.

We will act as swiftly as possible to ease the fears and concern of all Local Government staff employed in East Ayrshire. It will be my party's intention to abide

by the TUPE regulations and to start the consultation process with the workforce unions as soon as is practical.

Could I ask that all Councillors try over the next few months to put party politics aside and concentrate on the task ahead. Our actions in the next few months will lay the foundations of the new Council and this first East Ayrshire Council will establish a platform that will deliver services into the new century.

It is sad that this task is set against a background of continued central government control over Local Government. Both through the financial restrictions and through the imposition of compulsory competitive tendering with an unrealistic timetable, will the process of local democracy be thwarted.

I would ask that the Council today write to Ian Lang, asking him to recognise the local democratic process, to accept the local democratic choice and to lift the capping and financial restrictions on the newly elected Councils. This will enable them and us to set a first budget based on existing services, that reflect the needs and wishes of our communities. Could we also ask him to abandon his unrealistic timetable for the introduction of CCT for the new Councils.

In my Party's Manifesto we set out a clear vision for East Ayrshire.

That Vision is

The elimination of poverty, deprivation and unemployment.

Each person given the change to reach their full potential.

The protection of the weak and vulnerable.

Decent affordable housing catering for the needs of the community.

A quality environment for people to live and work in.

Communities that offer a safe and secure environment, free from crime.

A society based on equality and equal opportunities.

The provision of high quality leisure services, which develop and improve to reflect the needs and wishes of the local communities.

Communities linked by good Public Transport and good Road and Rail connections.

People and organisations working in partnership with the Council for a better future.

An Accountable Council with power being devolved to a local level.

The fulfilment of this vision will be our goal. Our task will be to promote this vision and to act as swiftly as possible to achieve this vision in all the communities and for all the people of East Ayrshire.

Our Challenge and our message to all the people of East Ayrshire is to ensure that the new East Ayrshire Council becomes YOUR Council.

A Council you can trust.

A Council that will deliver high quality services.

A Council fighting for you and all the communities of East Ayrshire.

A Council that will consult and involve all the people.

A Council handing down power to the communities.

A Council working with you for you.

I call on all the Councillors to support our vision for East Ayrshire, to support our aims for the new East Ayrshire Council.

Finally, I hope we can all support our target to ensure that East Ayrshire is

“Simply the Best”

Simply the best Council in Scotland