

EAST AYRSHIRE COUNCIL

Minutes of the Meeting held on Wednesday 18 October 1995 at 10am in the Council Chambers, Civic Centre, Kilmarnock

PRESENT: Councillor R Stirling (Chair), J Boyd and Beattie, J Carmichael, D Coffey, W Cree, D Fulton, K Hall, E Jackson, J Knapp, G McCredie, R McDill, A McIntyre, D Macrae, J O'Neill, I Reeves, D Reid, G Smith, J Smith, D Sneller, R Taylor and G Turnbull.

ATTENDING: D Montgomery, Chief Executive; F Lees, Depute Chief Executive; J Dickie, Director of Social Work; B Haughan, Director of Support Services; J Hillis, Director of Housing; J Mulgrew, Director of Education; A McPhee, Senior Depute Director of Finance; D Campbell, Head of Public Relations and Marketing; K McVey, Head of Legal Services; R Wallace, Head of Administration; A M Carr and G Fraser, Chief Executive's Department.

R McKenna, President; D Sinclair, Secretary General, Convention of Scottish Local Authorities

1. SEDERUNT AND APOLOGIES

The Sederunt was taken and apologies were intimated on behalf of Councillors Brailsford, Campbell, Darnbrough, W Doyle, T Farrell, J Kelly, K Nicoll and E Ross.

2. EAST AYRSHIRE COUNCIL'S INTERIM EQUAL OPPORTUNITY STRATEGY/STATEMENT

Councillor Reid, in terms of Standing Order number 8, proposed that with regard to the Council's interim equal opportunities statement and with reference to the on-going recruitment and selection process the Council adopt, in addition to the principles set out in the interim statement, the terms - Nationality and Political Beliefs.

Having heard the Convener, it was agreed that the foregoing comments be taken into consideration and a report regarding this matter be submitted by the Director of Personnel Services to a future meeting of the Policy and Resources Committee.

3. MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting held on 6 September 1995 were submitted and approved as a correct record.

4. MINUTES OF EAST AYRSHIRE COUNCIL COMMITTEE'S/SUB-COMMITTEES - INTERIM STRUCTURE

Submitted report by the Director of Support Services together with minutes of meeting held under interim arrangements (issued) requesting approval of these minutes and advising that the minutes will be collated in chronological order and issued in volume(s) to all members and other appropriate recipients.

NB recording of amendment by D Coffey ?

It was agreed (i) that the minutes of East Ayrshire Council's committees/sub-committees held under the (interim structure) as detailed in Appendix 1 to these minutes be formally approved, (ii) that the Council approve the arrangements for dealing with Minutes to date and in the future and, (iii) that the Council instruct the Director of Support Services to make all necessary arrangements in respect of the above.

5. MINUTES OF COMMITTEES

There were submitted the following minutes of Committee meetings, viz:-

Recruitment and Personnel Committee of 4 September 1995

Social Work Committee of 14 September 1995

Housing Committee of 19 September 1995

Education Committee of 21 September 1995

Community Services Committee of 26 September 1995

Development Services Committee of 28 September 1995

Commercial Operations Committee of 3 October 1995

Policy and Resources Committee of 5 October 1995

5.1 RECRUITMENT AND PERSONNEL COMMITTEE - 4 SEPTEMBER 1995 (PAGE 56)

Councillor Sneller, in moving approval of the minutes of the Recruitment and Personnel Committee extended the Council's thanks to those members and officers involved in the recruitment and selection process and also to both Cumnock and Doon Valley and Kilmarnock and Loudoun District Council's for their co-operation and hospitality during the interviewing process.

Arising from an objection by Councillor Hall to the minutes of the Recruitment and Personnel Committee of 4 September 1995, it was agreed to continue consideration of the objection to the end of the agenda.

5.2 EDUCATION COMMITTEE - 21 SEPTEMBER 1995 (PAGE 63)

Arising from a query from Councillor McCredie regarding the short fall in provision for future pre-school education in Scotland, the Director of Education advised that appropriate information would be submitted to the Education Committee as appropriate on where short-fall(s) exist.

5.3 COMMUNITY SERVICES COMMITTEE - 26 SEPTEMBER 1995 (Page 72)

Councillor Sneller declared an non-pecuniary interest in the above item and left the meeting.

Arising from a query from Councillor McDill, regarding the awarding of the Waste Disposal contract, the Council agreed to (i) continue consideration of the comments made to the end of the agenda and (ii) to exclude the press and public from the meeting.

6. APPOINTMENT OF MEMBERS TO THE LICENSING BOARD

Following consideration of the appointment of Members to serve on the Licensing Board, it was agreed that elected members as detailed below be appointed:-

Councillor R Beattie, Councillor A McIntyre, Councillor W Doyle, Councillor J Boyd, Councillor J Carmichael, Councillor R Taylor, Councillor A Ross, Councillor D Macrae plus 3 SNP representatives.

7. APPOINTMENT OF A MEMBER TO SERVE ON THE ADVISORY COMMITTEE ON WASTE DISPOSAL IN STRATHCLYDE

Following consideration, it was agreed that Councillor R Beattie be appointed to serve as a member on the Advisory Committee on Waste Disposal in Strathclyde.

8. POLICY AND RESOURCES COMMITTEE - 5 OCTOBER 1995

(PAGES 84 AND 86)

Arising from a query from Councillor Coffey regarding the appointment of Secretaries for Members' support, the Chief Executive advised that the leeting process was being run again from scratch and that two Senior Officials would select and interview a short leet with no reference to the process which had gone previously. He further advised that consultation with elected Members would take place after interviews had been held at the end of the month.

For the purposes of clarification, Councillor Sneller advised that in relation to the Council's proposals for a new visual identity for East Ayrshire the consultation exercise similar to the recent public consultation programme would be undertaken and that the reference to 'external interests' would include Historical Societies. Furthermore, he advised that in relation to Appendix 1, paragraph 3.4, line 3 "no" should be inserted before "diminution".

9. CONFIRMATION OF MINUTES

Recommendations contained in the aforementioned minutes were otherwise approved.

10. APPOINTMENT OF MEMBERS TO THE JOINT CONSULTATIVE COMMITTEES (JCC)

Following consideration of the appointment of Members to the Joint Consultative Committees, it was agreed that elected Members as detailed below be appointed:-

JCC (MANUAL) - Councillor J O'Neill (Chair), Councillor J Carmichael, Councillor D Sneller, Councillor A McIntyre, Councillor T Farrell, Councillor J Smith, Councillor D Coffey, Councillor K Hall.

JCC (STAFF) - Councillor A McIntyre (Chair), Councillor D Sneller, Councillor J Boyd, Councillor J O'Neill, Councillor E Ross, Councillor R Beattie, Councillor A Campbell, Councillor K Hall.

JCC (TEACHERS) - Councillor T Farrell (Chair), Councillor R Taylor, Councillor D Sneller, Councillor A McIntyre, Councillor I Reeves, Councillor R Stirling, Councillor R Brailsford, Councillor K Nicoll.

11. MEMBER ATTENDANCE AT CONFERENCE - SHIFTING THE BALANCE: CAN LOCAL AUTHORITIES EXTEND POPULAR DEMOCRACY? - 14 NOVEMBER 1995

Following consideration, it was agreed that the Council authorise attendance at the above conference by Councillors J Darnbrough, D Fulton and one member from the minority group, whose name should be notified to the Chief Executive as soon as possible.

12. STANDING ORDERS FOR THE REGULATION OF MEETINGS

There was submitted a report by the Director of Support Services (issued) advising the Council of the arrangements made to review Standing Orders with a view to producing further interim Standing Orders and to seek the Council's approval of these arrangements.

It was agreed that the method of reviewing the Standing Orders and the proposed timetable as detailed at Section 3 of the report be approved.

13. MEETINGS TIMETABLE

There was submitted a proposed timetable (issued) for the next cycle of meetings commencing December 1995.

It was agreed to approve the timetable for committees and full Council meetings for cycles 4 and 5 and that the time of future Council meetings be reviewed in due course.

14. INTER-AUTHORITY CO-OPERATION

There was submitted a report (issued) by the Chief Executive outlining the current position regarding potential Strathclyde wide co-operation.

Having heard the Chief Executive, it was agreed (i) to note the contents of the report; (ii) to decline participation in the Strathclyde Community Information Points Project post reorganisation and (iii) to support, as outlined the proposals for inter-authority co-operation in purchasing, information technology, archaeological and scientific services.

15. CoSLA - THE FUTURE YEARS

The Council received an address by Rosemary McKenna, President of the Convention of Scottish Local Authorities and was accompanied by Douglas Sinclair, Secretary General. A summary of the presentation is attached as Appendix 2 to these Minutes.

16. JOINT BOARDS

15.1 COMBINED FIRE SERVICES AREA ADMINISTRATION SCHEME ORDERS

There was submitted a report (issued) by the Chief Executive advising of a revised draft of the Combined Fire Services Area Administration Scheme Order 1995 relevant to East Ayrshire Council which the Secretary of State intended to introduce and which recommended that the Council appoint two Members to serve on the Joint Board.

Councillor Sneller, seconded by Councillor McIntyre, moved that the Council appoint two Members from the Administration (Councillor T Farrell and Councillor W Cree) and that one Member from the Administration (Councillor J Knapp) and one Member from the minority group be nominated to service as named substitutes on the Combined Fire Services Area Administration Scheme Joint Board.

Councillor Reid, seconded by Councillor McCredie, moved as an amendment that Councillor Campbell be nominated to serve as a Member of the Combined Fire Services Area Administration Scheme Joint Board.

On a division by a show of hands, the motion was carried by 17 votes to 5.

It was further agreed, that Councillor Campbell be appointed to serve as a named substitute member for East Ayrshire Council on the Joint Board.

16.2 THE STRATHCLYDE COMBINED POLICE AREA AMALGAMATION SCHEME ORDERS

There was submitted a report (issued) by the Chief Executive advising of a revised draft of the Strathclyde Combined Police Area Amalgamation Scheme Order 1995 relevant to East Ayrshire Council which the Secretary of State intended to introduce and when recommended that the Council appoint two Members to serve on the Joint Board.

Councillor Sneller, seconded by Councillor McIntyre, moved that the Council appoint two Members from the Administration (Councillor J Boyd and Councillor R Stirling) and one Member from the Administration (Councillor J O'Neill) and one Member from the minority group be nominated to serve as named substitutes on the Joint Board.

Councillor McCredie, seconded by Councillor Reid, moved as an amendment that Councillor McDill be nominated to serve as a Member of the Joint Member.

On a division by a show of hands, the motion was carried by 17 votes to 5.

It was further agreed, that Councillor McDill be appointed to serve as a named substitute member for East Ayrshire Council on the Joint Board.

16.3 THE VALUATION JOINT BOARDS (SCOTLAND) ORDER 1995

There was submitted a report (issued) by the Chief Executive advising that the Valuation Joint Boards (Scotland) Order 1995 will come into effect on 27 October 1995 and which recommended that the Council appoint 5 Members to serve on the Ayrshire Valuation Joint Board.

Following consideration, it was agreed to appoint Councillors R Brailsford, W Doyle, D Fulton, E Jackson and A McIntyre to serve on the Ayrshire Valuation Joint Board.

16.4 STRATHCLYDE PASSENGER TRANSPORT AUTHORITY (CONSTITUTION AND MEMBERSHIP) ORDER

There was submitted a report (issued) by the Chief Executive advising of the Strathclyde Passenger Transport Authority (Constitution and Membership) Order and which recommended that the Council appoint two Members to serve on the Joint Board for the Passenger Transport Authority.

Councillor Sneller, seconded by Councillor McIntyre, moved that the Council appoint two Members from the Administration (Councillor E Ross and Councillor J Knapp) and that one Member from the Administration (Councillor J Carmichael) and one member from the minority group be nominated to serve as named substitutes on the Joint Board.

Councillor Reid, seconded by Councillor McCredie moved as an amendment that Councillor Nicoll be nominated to serve as a member of the Passenger Transport Authority Joint Board.

On a division by a show of hands the motion was carried by 17 votes to 5.

It was further agreed that Councillor Nicoll be appointed to serve as a named substitute member for East Ayrshire Council on the Joint Board.

17. REVENUE BUDGET PROSPECTS FOR 1996/97 - AN UPDATE

There was submitted a report by the Chief Executive (issued) with regard to the local authority finance settlement for 1996/97 providing an update on possible options regarding certain of the factors on which Scottish Office decisions have not yet been taken and making recommendations as to how the Council may wish to respond.

It was agreed (i) to note the position outlined in the report, (ii) to support the view that on-costs and savings from reorganisation imposed by the Secretary of State should be allocated pro-rata to the current budgetary expenditure involved, on the particular budget lines concerned rather than being allocated on a population basis

(iii) to support the view that any transitional funding arrangements to cushion the effect of budgetary mismatch should be confined within each of the disaggregating regional areas and should be linked to expenditure on regional services in each new Unitary Authorities area.

18. CENTRAL/LOCAL GOVERNMENT RELATIONS

There was submitted a report (issued) by the Chief Executive advising of the recent announcement by the Secretary of State for Scotland of his intention to look at ways of reducing the extent of Scottish Office control over Local Authority activity and highlighting certain issues that the Council may wish to relay to the Convention of Scottish Local Authorities (CoSLA) for submission to the Secretary of State.

It was agreed (i) that paragraph 2.3, line 4 of the report be amended by inserting the phrase "if not abolished" after the phrase "Section 94 consent" and (ii) to note that the Secretary of State had asked the Convention of Scottish Local Authorities to contribute its own suggestions for statutory and non-statutory controls which might be relaxed or removed, in order to help the new Councils function more effectively; (iii) that the issues and observations contained within the report should form the basis of the Council's response to CoSLA for incorporation within the submission the convention will be making to the Secretary of State.

**19. CONVENTION OF SCOTTISH LOCAL AUTHORITIES - ARTS AND
RECREATION INFORMATION BRIEFING - 2 NOVEMBER 1995**

The Chair agreed, in terms of Standing Order number 8 that the undernoted item of business be considered as an urgent decision was required.

There was submitted a report by the Director of Community Services (issued) requesting that the Council indicate whether it wished to be represented at the above conference.

It was agreed that two Members from the Administration and one Member from the opposition group attend the above conference and the names of the nominees to be submitted to the Chief Executive without delay.

19. RECRUITMENT AND PERSONNEL COMMITTEE - 4 SEPTEMBER 1995

With reference to the Council's earlier decision to consider an objection by Councillor Hall to the Minute of the above meeting, it was agreed, that having moved an amendment and having found no seconder, Councillor Hall's descent be recorded.

20. EXCLUSION OF PRESS AND PUBLIC

The Council resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph of Schedule 7A of the Act.

20.1 COMMUNITY SERVICES COMMITTEE - 26 SEPTEMBER 1995 (PAGE 72)

Councillor Sneller declared a non pecuniary interest in the above item and left the meeting.

Arising from a query from Councillor McDill, the Chief Executive advised that the last offer for a contract period of five years had been accepted by the Council in relation to the Waste Disposal Contract, that legal advice had been sought in relation to acceptance of the tender and that there had been no irregularity in the tender evaluation process.

CoSLA - THE FUTURE YEARS

ADDRESS BY ROSEMARY McKENNA, PRESIDENT

The Chair welcomed both Rosemary McKenna and Douglas Sinclair from the Convention of Scottish Local Authorities to the meeting of East Ayrshire Council.

R McKenna addressed the Council and outlined the changing role of the Convention and explained that this was in response to the new role of the Unitary Authorities in Scotland. In addition, she advised that the Convention was in the process of visiting local authorities around the country. She advised that CoSLA would listen to the problems and concerns of local authorities and would assist in addressing this.

The Convener then opened the meeting up for discussion.

Members raised various issues which were of concern to East Ayrshire Council and no doubt to many local authorities throughout the country. A brief summary of these are detailed below:-

The Financial Settlement for Local Authorities;

- the delay in receiving the Staff Commission's guidance regarding the transfer/matching-in process of staff;
- the decentralisation process;
- the need for a presence by CoSLA within the West of Scotland;
- the inadequacy of the roads infra structure;
- the need for Member training and remuneration for elected Members;

- rural deprivation, relationships with ADLO;
- European issues, political balance;
- The Joint CoSLA/Scottish Office Task Force.