

EAST AYRSHIRE COUNCIL**POLICY AND RESOURCES COMMITTEE****Minutes of meeting held on Thursday 16 November 1995 at 1000 hrs
in the London Road Centre, Kilmarnock**

- PRESENT:** Councillors D Sneller (Chair), R Beattie, R Brailsford, W Doyle, T Farrell, D Fulton, K Hall, E Jackson, A McIntyre, K Nicoll, J O'Neill, I Reeves, R Stirling and G Turnbull.
- ATTENDING:** D Montgomery, Chief Executive; F Lees, Depute Chief Executive; G Clark, Director of Finance; I McLachlan, Director of Personnel Services; J Mulgrew, Director of Education; B Haughan, Director of Support Services; W Stafford, Director of Community Services; R McLeary, Head of Property; A McKnight, Depute Director of Housing; D Campbell, Head of Public Relations and Marketing; K McVey, Head of Legal Services; R Wallace, Head of Administration; T Wilkie, Head of Contracting and Technical Services; A M Carr and G Fraser, Chief Executive's Department.
- APOLOGIES:** Councillors J Boyd and J Kelly.

1. MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting held on 5 October 1995 were submitted and noted as a correct record.

2. MINUTES OF FINANCE AND PROPERTY SUB-COMMITTEE

There were submitted and approved as a correct record minutes of 12 October 1995 (issued) of the Finance and Property Sub-Committee.

3. MINUTES OF DECENTRALISATION SUB-COMMITTEE

There were submitted and approved as a correct record minutes of 20 October 1995 (issued) of the Decentralisation Sub-Committee.

4. MINUTES OF PUBLICITY AND PUBLICATIONS SUB-COMMITTEE

There were submitted and approved as a correct record minutes of 7 November 1995 (issued) of the Publicity and Publications Sub-Committee.

5. FINANCE**5.1 BUDGETARY CONTROL - STATEMENT FOR THE PERIOD TO 30 OCTOBER 1995**

There was submitted a report (issued) by the Director of Finance outlining the current financial position for the period to 30 October 1995.

Having heard the Chief Executive and the Director of Finance, it was agreed to note the contents of the report.

5.2 FINANCIAL ISSUES UPDATE

There was submitted a report (issued) by the Director of Finance which updated members on the progress on various current financial issues, viz:-

- (i) CoSLA - meetings of Conveners/Leaders of the new Councils which highlighted issues and reached agreement on certain strategies concerning the mismatch between notional budgets and illustrative GAEs 1995/96 and the potential additional costs/savings arising from local government reorganisation should the Secretary of State decline to provide the additional money to resolve the mismatch issue, which was CoSLA's primary objective, it had been agreed that support within disaggregating regions for new authorities facing mismatched difficulties should be limited to 67% of the gap in the first instance and should be phased out within a three year period.
- (ii) compilation of revenue estimates 1996/97; and
- (iii) capital programmes 1996/97.

The Director of Finance reported that the compilation of the base budgets in consultation with each Service Director was currently under way and should be completed by the end of November, which will coincide with the Secretary of State's announcement regarding his capping proposals and the aggregate external finance statement for local authorities for 1996/97.

The Director of Finance reported also in respect of capital programmes for 1996/97. He advised that he had contacted the Scottish Office regarding the time-scale for the submission of capital programme plans given the difficulties being experienced in receiving definitive information from Strathclyde Regional Council, concerning details of their legally committed expenditure into 1996/97 for capital programmes which were currently undergoing a mid-year revision.

He advised that the Scottish Office had indicated informally that information regarding the deadline for the submission of capital plans had been extended until 20 December 1995. Reference was made to the 70% ceiling to which existing local authorities may legally commit capital expenditure for the forthcoming financial year and to the limited extent to which the Scottish Office seemed to be disposed to provide further capital consents to new authorities beyond this level.

With reference to the current financial year, the Director of Finance outlined that in addition to the Council's successful bid for £287,000 in June this year for capital works in respect of the Council's accommodation requirements, further Scottish Office consent for £225,000 had been granted. It was noted that the outcome of the Council's bid for IT proposals was still awaited.

The Chief Executive reported that the feedback from COSLA in respect of a subsequent meeting with the Secretary of State had not been optimistic with regard to the provision of fresh additional finance to address the mismatch between notional budgets and illustrative GAEs (1995/96) and he advised that the Secretary of State, unlike CoSLA, had remained of the view that significant savings would be achievable in reorganisation as a result of the aggregation of central services.

Having heard the Chief Executive and the Director of Finance and in answer to members' questions, it was agreed:

- (i) to note the contents of the report;
- (ii) that the Director of Finance be requested to seek clarification from the Scottish Office regarding the 70% ceiling which relates to future carry forward commitments made by current authorities in the capital programme and its effects on allocations to the new unitary authorities; and
- (iii) that a special meeting of the Policy and Resources Committee be given powers to allow the submission of the Council's capital bid to be made to the Secretary of State within the timescale identified for the bidding process.

6. PERSONNEL

6.1 LOCAL GOVERNMENT REORGANISATION - THE LOCAL AUTHORITIES (STAFF TRANSFER) (SCOTLAND) ORDER 1995

There was submitted a report (issued) by the Director of Personnel Services advising the Committee of the action taken to ensure compliance with the provisions of the Local Authorities (Staff Transfer) (Scotland) Order 1995 concerning the transfer of staff on 1 April 1996 from Cumnock and Doon Valley District Council, Kilmarnock and Loudoun District Council and Strathclyde Regional Council to East Ayrshire Council.

The Director of Personnel Services advised that the Council had now complied with its legal obligations in terms of the Local Authorities (Staff Transfer) (Scotland) Order 1995, that the Transfer Schemes had been signed and that the Council was now in receipt of a complete list of employees due to transfer from the three authorities detailed above.

It was agreed to note the terms of the report.

6.2 JOINT CONSULTATIVE COMMITTEES - CONSTITUTIONS

There was submitted a report (issued) by the Director of Personnel Services on the provision of joint consultative arrangements incorporating draft Joint Consultative Committee Constitutions, agreed with the appropriate Trades Unions, the contents of which broadly reflected the current practice within the demitting authorities.

It was agreed:

- (i) to note the contents of the report;
- (ii) to approve the constitutions of the central Joint Consultative Committees for manual and craftspersons, APT&C staffs and teachers groups subject to the following amendments and to noting by way of clarification of paragraph 7.4 in each constitution that separate formal structures for health and safety matters would also be established in due course within the Council in terms of the relevant legislation and current good practice.

JCC (Teachers)

Paragraph 4: additional sentence:- "If the appointed Chair be a Member of the Council, the following year the Chair will be appointed from the Employee Representatives, and vice-versa".

Paragraph 10.1: should now read: “Recommendations from the JCC shall be submitted to the Education Committee for consideration.”

JCC (Manual Works and Crafts Persons)

Paragraph 4: additional sentence “If the appointed Chair be a member of the Council, the following year the Chair will be appointed from the Employee Representatives, and vice-versa”.

JCC (APT & C Etc. Staffs)

Paragraph 4: additional sentence “If the appointed Chair be a member of the Council, the following year the Chair will be appointed from the employee representatives and vice-versa.”

- (iii) to remit these matters to the Personnel Sub-Committee of the Policy and Resources Committee and to the Education Committee, with regard to their respective interests, for the arrangement of initial meetings with Trades Unions and consideration of issues arising from the JCC process.

6.3 INTERIM SUPPORT POSTS

There was submitted a report (issued) by the Director of Personnel Services advising the Committee of the appointments made to certain interim support posts and recommending that some of the other previously planned support posts be not filled but that instead, the financial resources be used to increase the availability of the services of Depute Directors and Heads of Function.

Having heard the Chief Executive and in answer to members’ questions, it was agreed:

- (i) that the interim posts as detailed in the report be not filled;
- (ii) that the financial resources thereby released be used to secure additional availability of Depute Directors and Heads of Function generally in the period 1 January to 31 March 1996 subject to the availability of finance with the appointment of a Depute Director of Finance on a full-time basis being made from 1 December 1995; and
- (iii) that the above decisions be subject to consultation with the appropriate Trades Unions.

6.4 STAFF COMMISSION CIRCULAR NO 9/95 - MATCHING INDIVIDUALS TO POSTS IN THE NEW COUNCILS

There was submitted a report (issued) by the Director of Personnel Services advising the Committee of the contents of the Local Government Staff Commission (Scotland) Circular 9/95 concerning the matching of individuals to posts in the new Councils.

Having heard the Director of Personnel Services it was agreed:

- (i) to note the terms of the report and the Staff Commission Circular (No 9/95);
- (ii) that the delegation of powers be given to the Personnel Sub-Committee of the Policy and Resources Committee to consider any representations received from Trades Unions in relation to the principles of the matching process and to decide upon the principles to be adopted.

- (iii) that the Director of Personnel Services write to the Staff Commission advising of agreement reached with the Trades Unions concerning the application of the matching-in process.

6.5 DRAFT DEPARTMENTAL STAFF STRUCTURES

There was submitted a report (issued) by the Director of Personnel Services advising the Committee of the current position concerning the preparation of draft departmental structures for staff and requesting the delegation of powers to the Personnel Sub-Committee of the Policy and Resources Committee to decide upon any issues relating to departmental structures resulting from consultations with Trades Unions.

It was agreed:

- (i) that the Committee note the current situation concerning on-going consultations with Trades Unions on draft departmental structures; and
- (ii) that delegation of powers be given to the Personnel Sub-Committee of the Policy and Resources Committee to determine any representations made by Trades Unions concerning the draft departmental structures and the filling of posts within the structures.

7. PROPERTY

7.1 THE LOCAL AUTHORITIES (PROPERTY TRANSFER) (SCOTLAND) ORDER 1995 AND THE LOCAL GOVERNMENT PROPERTY COMMISSION (SCOTLAND) ORDER 1995

There was submitted a report (issued) by the Head of Property advising of the terms of the Property Order which became effective on 17 October 1995 and the establishment of the Property Commission.

The Head of Property reported that the property transfer list had been received from Strathclyde Regional Council on 20 October 1995, and that he was presently meeting with North and South Ayrshire Councils in relation to the transfer list and the adoption of an Ayrshire-wide approach. He also reported that of the total bid for £682,000 in 1995/96 with £200,000 following on 1996/97 which had been submitted to the Scottish Office for property provision, the Council had received £512,000 for 1995/96. The Head of Property also reported that (i) a decision on a bid for £254,000 for Information Technology provision was still pending; (ii) that it should be noted that the bids submitted to date did not address the Council's proposals for decentralisation of services which had initially been understood to be ineligible for Scottish Office funding, albeit support had just been announced for another new authority in this regard and (iii) that Strathclyde Regional Council was endeavouring to finalise the details contained in its draft property transfer list.

Having heard the Head of Property, it was agreed:

- (i) that the Committee note the introduction of the Local Authorities (Property Transfer) (Scotland) Order 1995 and the Local Government Property Commission (Scotland) Order 1995;
- (ii) that approval be granted for appropriate action by officers of East Ayrshire Council to ensure the smooth appropriation and transfer of the Council's property assets and rights arising therefrom in terms of the above legislation;

- (iii) that authority be granted to the Chief Executive to submit now a further bid to the Scottish Office for capital consent allocation in 1995/96, to provide for the Council's decentralisation proposals from 1 April 1996; and
- (iv) that future progress reports be submitted to the Finance and Property Sub-Committee.

8. DRAFT INTERIM STANDING ORDERS

There was submitted a report (issued) by the Director of Support Services advising of the outcome of the consultation process with Members on the Draft Interim Standing Orders and proposing acceptance of revised Interim Standing Orders as detailed in the Appendix to the report subject to incorporating further options as determined by Council.

The Committee considered as follows:

STATUTORY MEETINGS

Standing Order No.1

Councillor Nicoll, seconded by Councillor Brailsford moved that the time of the meeting be 7pm.

Councillor Sneller, seconded by Councillor McIntyre, moved as an amendment that the time of the meeting be 10.00am and that for clarification the day be the Thursday in the week following the Election.

On a division by a show of hands, the amendment was carried by 11 votes to 3.

It was further noted that the times and cycles of meetings would be reviewed at the meeting of the Council on 4 February 1996.

DATES OF MEETINGS

Standing Order No.2

Councillor Sneller, seconded by Councillor McIntyre, moved that ordinary meetings of the Council, Committees and Sub Committees shall be held in accordance with the administrative arrangements agreed to by the Council from time to time.

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment that ordinary meetings of the Council, Committees and Sub Committees shall be held on a specific day in a 6 week cycle and that all meetings commence at 7pm.

On a division by a show of hands, the motion was carried by 11 votes to 3.

PLACE, TIME AND NOTICE OF MEETINGS

Standing Order No.4

Councillor Sneller, seconded by Councillor McIntyre, moved, subject to Standing Orders 3 and 42, that at least 3 clear days notice be given before a meeting of the Council, Committees and Sub Committees.

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment, subject to standing orders 3 and 42, that at least 5 clear days notice be given before a meeting of the Council, Committees and Sub Committees.

On a division by a show of hands, the motion was carried by 11 votes to 3.

VALIDITY OF MEETINGS

Standing Order No.5

Councillor Sneller, seconded by Councillor McIntyre, moved that the proposed Standing Order be adopted.

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment that the proposed Standing Order 5 not be adopted.

On a division by a show of hands, the motion was carried by 11 votes to 3.

BUSINESS AT MEETINGS

Standing Order No.13

Councillor Sneller, seconded by Councillor McIntyre, moved that the proposed Standing Order be adopted “at a meeting of the Council no business other than that specified in the summons shall be considered except in the case of business either required by or under any Act to be transacted at a meeting of the Council or as hereinafter provided. Business which has not been specified in the summons may be considered where the Convener determines that the matter is one of urgency in accordance with Section 50B(4)(b) of the Local Government (Scotland) Act 1973 as amended. The Chief Executive shall be handed written notice of urgent business not later than 30 minutes prior to the commencement of the meeting which the Chief Executive or duly authorised Officer shall read to the meeting after the Convener has taken the Chair”.

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment that the alternative proposal be adopted “at a meeting of the Council no business other than that specified in the summons shall be considered except in the case of business either required by or under any Act to be transacted at a meeting of the Council or as hereinafter provided. Business which has not been specified in the summons may be considered at the end of the meeting, provided that in the opinion of the Council the same is relevant, competent and urgent and a majority of the Members present and voting agree that it should be taken up without further notice and provided also that written intimation of such business shall have been handed to the Chair prior to the commencement of the meeting and read to the meeting by the Chief Executive immediately after the Chair has taken the Chair”.

On a division by a show of hands, the motion was carried by 11 votes to 3.

ORDER OF BUSINESS

Standing Order 15(i)

Councillor Sneller, seconded by Councillor McIntyre, moved the proposed Standing Order providing that the discretion to alter the order of business of the Council at an ordinary meeting shall lie with the Convener.

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment, that the discretion to alter the order of business of the Council at an ordinary meeting shall lie with the Council.

On a division by a show of hands the motion was carried by 11 votes to 3.

Standing Order 15(i)(b)- (Council Minutes)

Councillor Sneller, seconded by Councillor McIntyre moved that the proposed Standing Order be adopted “Minutes of the previous meeting or meetings of the Council shall be submitted for approval and, if previously circulated, held as read. The only question then before the Council shall be whether the Minutes are an accurate record of the business transacted and, if they are, they shall be approved and signed by the Convener”.

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment the deletion of the second sentence as detailed above.

On a division by a show of hands, the motion was carried by 11 votes to 3.

Standing Order 15(i)(e) - (Committee Minutes)

Councillor Sneller, seconded by Councillor McIntyre, moved that the proposed Standing Order be adopted “Minutes of Committees or (where this Standing Order is applied to Committees) Sub-Committees shall be submitted, held as read and be formally moved and be held to be approved, unless objections taken to any portion thereof when so submitted. The mover and seconder of a Minute may speak in support of the Minute when the same is formally moved or when the objection, if any, to said Minute or any portion thereof is reached. Where Minutes relate to matters delegated to Committees in accordance with the Council’s approved scheme of delegation, the only question then before the Council shall be whether the Minutes are an accurate record of the business transacted, if they are, they shall be approved and signed by the appropriate Chair. Otherwise the Minutes shall be considered and disposed of”.

Councillor Nicoll, seconded by Councillor Brailsford moved as an amendment that the alternative proposal be adopted “Minutes of the previous meeting or meetings of the Council, of which prints or copies have been previously sent to each Member of the Council, shall be submitted, held as read, corrected, if need be, and signed by the Chair”.

On a division by a show of hands, the motion was carried by 11 votes to 3.

QUESTIONS BY MEMBERS

Standing Order No.16

Councillor Sneller, seconded by Councillor McIntyre, moved that the proposed Standing Order be adopted “All questions referred to in Standing Order 15(h) shall be in writing. Such questions shall be delivered to the Chief Executive, duly signed, not later than 4.00pm on the last day but one prior to the meeting. One supplementary question if necessary for the clarification of the answer given, may be asked by the original questioner. No discussion shall be allowed on any question or the answer thereto. A Member shall be restricted to two written questions at any one meeting. Questions shall only be addressed to and answered by the Convener, the Chief Executive, and the Chair, or, in the absence of the latter, the Vice Chair of a Committee or other appointed persons”.

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment that the alternative proposal be adopted “All questions referred to in Standing Order 15(h) shall be in writing. Such questions shall be delivered to the Chief Executive, duly signed, not later than 4.00pm on the last day but one prior to the meeting. One supplementary question if necessary for the elucidation of the answer given, may be asked by the original questioner and one by another Member. No discussion shall be allowed on any question or the answer thereto. A Member shall be restricted to two written questions at any one meeting. Questions shall only be addressed to and answered by the Convener, the Chief Executive, and the Chair, or, in the absence of the latter, the Vice Chair of a Committee or other appointed persons”.

On a division by a show of hands, the motion was carried by 11 votes to 3.

FORM OF NOTICE OF MOTION

Standing Order No.17

Councillor Sneller, seconded by Councillor McIntyre, moved that the proposed Standing Order be adopted “Every Notice of Motion shall be in writing, signed and dated by the Member of Council giving the Notice and countersigned by one other Member and may not be amended once intimated to the Council. A Notice of Motion which shall not have been received by the Chief Executive at least 14 clear days prior to the date of any meeting of the Council shall not be specified in, or transmitted with, the summons calling the meeting”.

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment that the alternative proposal be adopted “Every notice of motion shall be in writing, signed by the Member of the Council giving the notice and counter-signed by one other Member. A notice of motion which shall not have been received by the Chief Executive at least 12 clear days prior to the date of any meeting of the Council shall not be specified in, or transmitted with, the summons calling such meeting”.

On a division by a show of hands, the motion was carried by 11 votes to 3.

MOTION OR AMENDMENT TO BE MOVED AND SECONDED

Standing Order No.21

Councillor Sneller, seconded by Councillor McIntyre, moved that the proposed Standing Order be adopted "Every motion or amendment shall be moved and seconded. The terms of all motions or amendments shall always precede any remarks to be made by their proposers. No Member shall speak supporting the motion or any amendment until the same shall be seconded".

Councillor Brailsford, seconded by Councillor Nicoll moved as an amendment that the alternative proposal be adopted "Every motion or amendment shall be moved and seconded and shall, when required by the Chair, be reduced to writing and handed to the Chair and shall be read before it is put to the meeting".

On a division by a show of hands, the motion was carried by 11 votes to 3.

MOTION OR AMENDMENT NOT TO BE WITHDRAWN

Standing Order No.22

Councillor Sneller, seconded by Councillor McIntyre, moved that the proposed Standing Order should read "A motion or amendment once moved and seconded shall not be altered or withdrawn without the consent of the Council".

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment that the alternative proposal be adopted "A motion or amendment once moved and seconded shall not be altered or withdrawn without the consent of the mover and seconder thereof".

On a division by a show of hands, the motion was carried by 11 votes to 3.

MOTION OR AMENDMENT NOT SECONDED**Standing Order No.23**

Councillor Sneller, seconded by Councillor McIntyre, moved that the proposed Standing Order be adopted "The terms of a motion or amendment not seconded or which may be withdrawn or altered after being seconded shall not be recorded in the Minutes of proceedings".

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment that "The right for dissent to be recorded" be added to the proposed Standing Order.

On a division by a show of hands the motion was carried by 11 votes to 3.

VOTING - ROLL CALL/SHOW OF HANDS**Standing Order No.35**

Councillor Sneller, seconded by Councillor McIntyre, moved that the proposed Standing Order be adopted "A vote may be taken by calling the roll or by a show of hands. When it is proposed to take the vote by a show of hands, any Member may object to the vote being so taken and if one third of the Members also object, the vote shall be taken by roll call in which case the names of the Members voting and the way in which they voted shall be recorded, the roll to be called with the Convener at the head followed by the remaining Members present in order of the Wards they represent. All votes on procedure, however, shall be taken by a show of hands".

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment that "one-third" be changed to "one-quarter".

On a division by a shown of hands, the motion was carried by 11 votes to 3.

IN CASES OF URGENCY**Standing Order No.42**

Councillor Sneller, seconded by Councillor McIntyre, moved that the proposed Standing Order be adopted "In case of urgency the Chair may direct that a meeting be called on less than 3 clear days notice".

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment that "only" be added to the beginning of the above paragraph.

On a division by a show of hands, the motion was carried by 11 votes to 3.

ATTENDANCE BY MEMBERS NOT A MEMBER OF COMMITTEE/SUB COMMITTEE

Standing Order 45(a)

Councillor Sneller, seconded by Councillor McIntyre, moved that the proposed Standing Order be adopted "A member of the Council who is not a member of a particular Committee or Sub-Committee may be invited by the Chair of the Committee or Sub-Committee to attend a meeting of the said Committee or Sub-Committee while there is under discussion any item in which that Member has a local or other special interest. Such Member shall be entitled to participate in the discussion on that item but shall not be entitled to vote".

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment that the alternative proposal be adopted "A member of the Council who is not a member of a particular Committee or Sub-Committee has a right to attend a meeting of the said Committee or Sub-Committee while there is under discussion any item in which that Member has a local or other special interest. Such Member shall be entitled to participate in the discussion on that item but shall not be entitled to vote".

On a division by a show of hands the motion was carried by 11 votes to 3.

RECONSIDERATION OF A DECISION

Standing Order No.51

Councillor Sneller, seconded by Councillor McIntyre, moved that the proposed Standing Order be adopted "No decision of the Council may be reconsidered and, except where required by statute, no item of business the same or substantially the same as one previously determined by the Council may be discussed by the Council within 6 months of the making of the previous decision or determination of the item, except when two-thirds of the Members for the time being present and voting agree otherwise".

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment that the alternative proposal be adopted - change "two-thirds" to "three-quarters".

On a division by a show of hands the motion was carried by 11 votes to 3.

SUSPENSION OF STANDING ORDERS

Standing Order No.52

Councillor Sneller, seconded by Councillor McIntyre, moved that the proposed Standing Order be adopted "Any of the Standing Orders, upon a motion made at any time during a meeting, may be suspended so far as regards any business at such meeting provided that two-thirds of the Members of the Council present and voting shall so decide".

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment that “two-thirds” be changed to “three-quarters”.

On a division by a show of hands, the motion was carried by 11 votes to 3.

MEETINGS RECESS

Standing Order No.62

Councillor Sneller, seconded by Councillor McIntyre, moved that the proposed Standing Order be adopted “During the whole of July and during the period from 23 December until 5 January (both days inclusive) no meetings of the Council shall be held, except (a) in accordance with the provision of Standing Order 3; (b) in cases of urgency; or (c) for the purposes of seminars, inspections or visits at which no decision shall be taken”.

Councillor Nicoll, seconded by Councillor Brailsford, moved as an amendment that the alternative proposal be adopted by insertion of “except Planning” after the word “July” in the above paragraph.

On a division by a show of hands, the motion was carried by 11 votes to 3.

It was agreed:

- (i) to note that the personal pronouns “his/her” would be included in the Standing Orders as appropriate;
- (ii) to note the remaining Standing Orders were approved without objection; and
- (iii) that the Interim Standing Orders as amended (and which form Appendix 1 to these minutes) and the draft Code of Conduct be recommended for adoption by the Council at its meeting on 28 November 1995.

9. COMPULSORY COMPETITIVE TENDERING (CCT)

9.1 DRAFT GUIDANCE ON THE CONDUCT OF COMPULSORY COMPETITIVE TENDERING - SCOTTISH OFFICE CONSULTATION DOCUMENT

There was submitted a report (issued) by the Director of Support Services regarding the consultation paper from the Scottish Office Environmental Department on proposed new statutory guidance on conduct relating to compulsory competitive tendering which will be applicable on the return of tendering requirements at the end of the existing moratorium for CCT.

Councillor O'Neill advised the Committee that he had received a recent report from the media which indicated that the Government might be considering the removal of the moratorium on compulsory competitive tendering and urged the Committee to make (as a matter of urgency) appropriate representations to the Convention of Scottish Local Authorities (CoSLA), Association of Direct Labour Organisation (ADLO) and the local MPs opposing any such change.

It was agreed:

- (i) that the contents of the report be noted;
- (ii) the Chief Executive in consultation with the Chair, the Chair of Commercial Operations and the Director of Commercial Operations, formulate and submit a response to the Scottish Office based on the report considered and taking appropriate account of an additional report on the matter approved by the Commercial Operations Committee.
- (iii) a copy of this response be submitted to CoSLA and ADLO for their information; and
- (iv) that the Chief Executive write to the CoSLA, ADLO and the three local MPs' regarding opposition to any suggestion that the moratorium on compulsory competitive tendering might be removed.

9.2 DRAFT GUIDANCE ON PERFORMANCE BONDS AND GUARANTEES IN CCT - SCOTTISH OFFICE CONSULTATION DOCUMENT

There was submitted a report (issued) by the Director of Support Services which provided the Committee with information in relation to the consultation paper and to advise that due to the limited timescale allowed in the consultation process, the report had been sent to CoSLA as part of the consultation process, but that further comments or changes following consideration by the Committee may be included.

It was agreed:

- (i) that the report be approved; and
- (ii) that a copy of the response be issued to the Association of Direct Labour Organisations (ADLO) for information.

9.3 COMPULSORY COMPETITIVE TENDERING - DE-MINIMUS CONTRACTS

There was submitted a report (issued) by the Director of Support Services which provided members with a timetable of preparatory tasks, for the introduction of CCT to the functions of catering, cleaning of buildings and vehicle maintenance presently carried out by Cumnock and Doon Valley District Council.

It was agreed:

- (i) to note the contents of the report; and
- (ii) that a further report be submitted to the Policy and Resources Committee in January 1996, detailing an appropriate service specification and costing system for the three areas of work, ie. catering, cleaning of buildings and vehicle maintenance.

10. LOCAL GOVERNMENT ETC (SCOTLAND) ACT 1994 CHILDREN'S PANEL ADVISORY COMMITTEE (CPAC)

There was submitted an interim report (issued) by the Director of Support Services which identified action to be taken by East Ayrshire Council to enable the Council to meet its statutory responsibilities under the Children's Hearing System.

Having heard the Director of Support Services, it was agreed:

- (i) to establish an independent Children's Panel Advisory Committee for East Ayrshire;

- (ii) to nominate East Ayrshire's two representatives from Elected Members or otherwise and that (after consultation with the Director of Social Work) the names of these nominees be submitted to the Chief Executive for the Council meeting on 28 November 1995;
- (iii) to approve provision of office accommodation for the use of the Chairman of the Children's Panel;
- (iv) that the administration of the Children's Panel Advisory Committee be the responsibility of the Director of Support Services and that it be remitted to the Director to make necessary arrangements in consultation with appropriate Directors and Heads of Service to provide necessary financial, accommodation and administrative support to the CPAC and Children's Panel; and
- (v) that, with regard to the panel of Safeguarders that it be remitted to the Director of Support Services to liaise with the Director of Social Work to determine future arrangements for administrative support to the panel of Safeguarders.

11. THE SCOTTISH DECLARATION ON POVERTY

There was submitted a report by the Chief Executive (issued) which provided information regarding the Scottish Declaration on Poverty by the Scottish Anti-Poverty Network, recommended that the Committee indicate support for the Scottish Declaration on Poverty and recommended that further consideration of the matter be remitted to the Member/Officer Group on Social, Support and Regeneration Strategy.

Councillor Nicoll, seconded by Councillor Brailsford, moved that this Council condemn the deliberate use by the British Government of policies that have savaged the Scottish economy and condemned one third of Scottish families to a life of poverty.

Councillor Sneller, seconded by Councillor McIntyre, moved as an amendment that this Council fully support the eradication of poverty, deprivation and unemployment in East Ayrshire and we further condemn attacks on the people of East Ayrshire by the present Government.

On a division by a show of hands the amendment was carried by 11 votes to 3.

It was further agreed:

- (i) that the Council indicate its support for the Scottish Declaration on Poverty; and
- (ii) that further consideration of this report be remitted to the Member/Officer Group on Social Strategy for incorporation of appropriate anti-poverty initiatives into the social strategy for East Ayrshire and to consider responses to the question posed in section 2 of the report and to consider what specific change in law or government policy the Council believes would most alleviate poverty amongst the people of East Ayrshire.

12. FUTURE OF THE CONVENTION OF SCOTTISH LOCAL AUTHORITIES (CoSLA)

There was submitted a report (issued) by the Chief Executive outlining the proposals within the CoSLA vice-president's report with regard to the future operation of the Convention of Scottish Local Authorities, and recommending that the Council consider taking up the invitation from the Convention to become a member with effect from 1 April 1996.

It was agreed:

- (i) to note the terms of the report;
- (ii) to note the results of the consultation process carried out by CoSLA and the proposals for the future operation of the Convention; and
- (iii) that the Council take up membership of the Convention with effect from 1 April 1996.

13. THE ACCOUNTS COMMISSION - PERFORMANCE INFORMATION - LOCAL GOVERNMENT ACT 1992

There was submitted a report (issued) by the Chief Executive which advised the Committee of the Consultation Paper issued by the Accounts Commission containing proposals for its 1995 Direction which will relate to the 1996/97 financial year, on which comments have been invited, and to highlight those areas where the Council may wish to respond.

Having heard the Directors of Support Services, of Development Services, of Finance and of Personnel Services, and the Depute Director of Housing, it was agreed:

- (i) to note the contents of the report;
- (ii) to note the publication by Accounts Commission of the Consultation Paper;
- (iii) that the issues and observations contained within the report should form the basis of the Council's response to the Commission, with a copy being sent to the Convention of Scottish Local Authorities for its interest.

14. THE SCOTTISH ENVIRONMENTAL FORUM

There was submitted a report (issued) by the Chief Executive advising that an approach to affiliate to the Scottish Environmental Forum had been received by the Council.

It was agreed that, given the Council's commitment to an environmental strategy, the Council affiliate to the Scottish Environmental Forum at an annual cost of £200 with effect from 1 April 1996.

15. DECENTRALISED OPERATION OF SERVICES WITHIN SUPPORT SERVICES, PERSONNEL AND FINANCE

There was submitted a report (issued) by the Chief Executive advising of initial proposals for decentralisation of functions within Support Services, Personnel and Finance Departments.

Having heard the Directors of Support Services, of Personnel Services and of Finance, it was agreed:

- (i) that approval be given to the general principles and approach adopted by the departments;
- (ii) to note the initial progress in considering these issues; and
- (iii) that further progress reports be submitted from time to time in the evolution of the departments' proposed methods of operating and support of the decentralisation proposals of the Council.

16. MEMBER/OFFICER GROUP ON EQUAL OPPORTUNITIES

There was submitted a report (issued) by the Chief Executive regarding the Council's interim equal opportunities statement in respect of the recruitment and selection of the authority's staff.

It was agreed that the remit for the Member/Officer Group on Equal Opportunities be extended to include the recommending of a definitive equal opportunities statement in respect of the recruitment and selection of staff by the authority during the shadow year and into its full operational phase.