

EAST AYRSHIRE COUNCIL**POLICY AND RESOURCES COMMITTEE****MINUTES OF MEETING HELD ON THURSDAY 24 OCTOBER 1996 AT 1000 HRS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors David Sneller, Drew McIntyre, Irene Reeves, Ronald Brailsford, Jane Darnbrough, Jim O'Neill, Kathleen Hall, Bob Beattie, Daniel Coffey, David Fulton, Kim Nicoll, Eric Ross, Jim Kelly, Jimmy Boyd, Tommy Farrell and Eric Jackson.

ATTENDING: David Montgomery, Chief Executive; Fiona Lees, Depute Chief Executive; Stephen Chorley, Director of Development Services; Gordon Clark, Director of Finance; Iain McLachlan, Director of Personnel Services; Barbara Haughan, Director of Support Services; Bernadette Docherty, Senior Depute Director of Social Work; Roddy Wallace, Head of Administration; Kate McVey, Head of Legal Services; Robert McLeary, Head of Property; George Fraser, Senior Policy Adviser; Julie Armstrong, Senior Administrative Officer; and Liam Murphy, Trainee Solicitor.

APOLOGIES: Councillors Douglas Reid, Wilma Doyle, Provost Stirling and Councillor George Turnbull.

CHAIR: Councillor David Sneller, Chair.

SUB-COMMITTEE MINUTES

1. There were submitted and approved, except as detailed below, both as correct records and in respect of recommendations contained therein, the undernoted Sub-Committee Minutes (circulated) as contained in Appendices I to V of these Minutes.
 - 1.1 **MEMBERS' SERVICES SUB-COMMITTEE OF 12 SEPTEMBER 1996** - Appendix 1 - subject to the following:- Page 1, Item 1.3 - Replacement of the word "support" by the word "sport".
 - 1.2 **CHAIR'S SUB-COMMITTEE OF 19 SEPTEMBER 1996** - Appendix II.
 - 1.3 **PERSONNEL SUB-COMMITTEE OF 9 OCTOBER 1996** - Appendix III.
 - 1.4 **DECENTRALISATION SUB-COMMITTEE OF 15 OCTOBER 1996** - Appendix IV.
 - 1.5 **FINANCE AND PROPERTY SUB-COMMITTEE OF 15 OCTOBER 1996** - Appendix V.

BUDGETARY CONTROL - SAVINGS PROPOSALS (Item 5, Page 1193)

2. There was submitted a report dated 8 October 1996 (circulated) by the Director of Finance seeking approval for the proposed savings package for those Services within the remit of the Policy and Resources Committee and the composite savings packages for all Departments.

It was agreed to recommend approval of:

- (i) the savings package totalling £108,000 for those Services within the remit of the Policy and Resources Committee as shown in Appendix A of the report; and
- (ii) the savings packages totalling £552,000 as shown in Appendices B of the report.

**GENERAL SERVICES CAPITAL PROGRAMME 1997/98 -
CENTRAL CHALLENGE FUND**

3. There was submitted a report dated 9 October 1996 (circulated) by the Director of Finance which gave advice on the Central Challenge Fund - Draft Bidding Guidance 1997/98 issued by the Scottish Office and asked for consideration of action to be taken in respect of a bid by the Council.

It was agreed:

- (i) to note the summary of the Central Challenge Fund Draft Bidding Guidance 1997/98 as summarised in paragraph 3 of the report;
- (ii) that appropriate Officers submit at least one proposed outline Challenge Fund Bid to be considered by Committee, within the timescale, currently set by the Scottish Office for the end of November 1996; and
- (iii) that appropriate Officers submit a further response to CoSLA in respect of the inappropriateness of funding flood prevention by means of the Central Challenge Fund.

**GENERAL SERVICES CAPITAL PROGRAMME -
POTENTIAL CHALLENGE FUND BIDS**

4. There was submitted a report dated 9 October 1996 (circulated) by the Director of Finance which sought approval for projects which together or individually might be formulated into a Challenge Fund Bid and to instruct appropriate Officers to report on the proposed submission within the timescale set for the intimation to the Scottish Office of the outline of intended bids, ie end of November 1996.

It was agreed:

- (i) that the Chief Executive and appropriate Officers prepare an outline of intended bids for the Central Challenge Fund in respect of Waste Recycling and Decentralisation (Local Office provision/support networks);
- (ii) that, while remaining opposed in principle to any Challenge Fund being the source for such works, a bid should be prepared to demonstrate the Council's commitment to flood prevention; and
- (iii) that bids be approved by Committee before submission to the Scottish Office.

**KILMARNOCK LEISURE CENTRE TRUSTEES
(GALLEON CENTRE) (Item 2, Page 932)**

5. There was submitted a report dated 10 October 1996 (circulated) by the Director of Finance on the present position with regard to the reimbursement to the Trust of Value Added Tax (VAT) previously reported to Committee on 13 June 1996.

On 18 July 1996, HM Customs and Excise changed the rules governing the time limit on repayments, reducing it to three years back claims. The original claim from the Trust had covered the period back to January 1990. Therefore, as a result of these changes, the repayment would be reduced from £300,000 to £148,000 with the result that the Council's income would decrease from £150,000 to £74,000.

It was agreed to note the report and that the Trust's tax advisers had lodged an appeal against the reduction to their claim.

PUBLIC TRUSTS - CHARITIES AND BEQUESTS

6. There was submitted a report dated 11 October 1996 (circulated) by the Director of Support Services providing information on the Charities and Bequests identified within the report which were administered by the former District Councils and were now the responsibility of the Council and which suggested proposals for the administration and management of certain Charities and Bequests.

It was agreed:

- (i) to note the action taken in respect of the public Trusts of the former Kilmarnock and Loudoun District Council which had been amalgamated and terminated as detailed in Appendix 1 of the report;
- (ii) that the Head of Property ensure that any remedial work necessary to war memorials within the area be carried out where possible before Remembrance Day to be held on Sunday 10 November 1996 and also that any monies from Trust Funds referred to the General Services Budget for maintenance of memorials be utilised for that purpose in the first instance;
- (iii) that the funds from the Sir Malcolm Campbell's Trust due to be expended by donation to any Provost's Charitable Fund be instead donated to the Matthew Cochrane Bequest;
- (iv) that the Director of Support Services report back to Committee on options available in respect of the amalgamation/termination or the administrative proposals in respect of the former Cumnock and Doon Valley District Council public Trusts referred to in Appendix 3 of the report following completion of the present investigation by Legal Services;
- (v) that the Council discharge its responsibilities in terms of the Trusts identified in Appendix 2 of the report (excluding Bessie C Roxburgh Bequest) by the appointment of appropriate Members of Council as Trustees. Such Trusts would be serviced by the Department of Support Services (Legal Services) in consultation with the Department of Finance;
- (vi) to recommend to Council that in respect of the Robert Cumming Bequest, John Fulton's Soup Kitchen Trust, Matthew Cochrane Bequest and the Archibald Taylor Fund that one Member from the Provost's office, Councillors McIntyre, Cree, Beattie, George Smith and two Members from the Opposition Group be appointed as Trustees;
- (vii) to recommend to Council that in respect of the Mair Bequest that a Member from the Provost's office, Councillors McIntyre, Cree, Beattie, Turnbull and two Members from the Opposition Group be appointed as Trustees; and

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- (viii) with regard to the Bessie C Roxburgh Bequest, that until such time as a suitable capital project was identified, the Council continue to administer the Bequest as an informal Trust with the income deriving from the Bequest being distributed, in part, as annual donations for local purposes and, in this respect recommend to the Council:
- (a) that the Council's responsibility to administer the Bessie C Roxburgh Bequest be remitted to the Irvine Valley Local Committee; and
 - (b) that a Joint Advisory Committee be established which would comprise of the five Elected Members of the Irvine Valley Local Committee, namely Councillors Fulton, Macrae, Nicoll, Turnbull and McDill with Councillor McDill as Chair and three representatives from Darvel Community Council which would consider applications to the Bequest for grant and make recommendations to the Irvine Valley Local Committee for approval.

ELECTION OF ELECTED COMMUNITY COUNCILLORS AND ESTABLISHMENT OF COMMUNITY COUNCIL - DALMELLINGTON AREA (Item 17, Page 1198)

7. There was submitted a report dated 11 October 1996 (circulated) by the Director of Support Services giving information on the results of the election of Community Councillors and the establishment of a Community Council for the Dalmellington area.

It was agreed to note:-

- (i) the results of the election of elected Community Councillors held in Dalmellington Community Centre on 9 October 1996; and
- (ii) the establishment of a Community Council for the Dalmellington area in terms of Part IV of the Local Government (Scotland) Act 1973.

CONVERSION OF LOFT SPACE INTO LIVING ACCOMMODATION IN FOUR-IN-A-BLOCK FLATTED DWELLINGHOUSES

8. There was submitted a report dated 12 September 1996 (circulated) by Director of Support Services seeking authority to deal with standard requests to purchase the Council's ownership interest in the loft space of four-in-a-block properties.

It was agreed:

- (i) that requests for the purchase of the Council's ownership interest in the loft space of blocks of four properties to allow the conversion into living accommodation be dealt with administratively as outlined in the report providing the position of the Council's tenants and other proprietors' interests are protected and to put in place a policy to deal with such requests; and
- (ii) that requests which were not standard or where problems were identified be referred by the Director of Support Services for consideration to the Finance and Property Sub-Committee of the Policy and Resources Committee.

**BYE-LAWS PROHIBITING THE CONSUMPTION OF ALCOHOLIC LIQUOR
IN DESIGNATED PLACES (Item 16, Page 1198)**

9. There was submitted a report dated 8 October 1996 (circulated) by the Director of Support Services updating the Committee on the current position regarding the above.

It was noted that the Scottish Office, had advised that it was not Government policy to confirm Bye-Laws which covered areas which could be described as rural and that they were therefore unlikely to confirm the Bye-Law proposals protecting the whole Local Government area of East Ayrshire.

It was agreed:

- (i) that the Head of Legal Services, in consultation with the Head of Planning and Building Control, prepare plans and conveyancing descriptions for each town and village in East Ayrshire to such an extent that there would be secured the maximum Bye-Law coverage which the Secretary of State would permit at this time; and
- (ii) all Members liaise with the Head of Legal Services regarding the identification of appropriate settlements on or before 1 November 1996 in order that the amended Bye-Laws proposed could be resubmitted as soon as possible.

RURAL CHALLENGE (Item 15, Page 938)

10. There was submitted a report (circulated) by the Chief Executive on applications received from Departments for bids against the remaining Challenge budget for the current year of £26,440 which applications had also been placed before the Cumnock Area, Doon Valley, Irvine Valley and Northern Area Local Committees.

It was agreed:

- (i) to approve projects as detailed below at a total cost of £26,000, viz:-

<u>Project Title</u>	<u>Sum</u>	<u>Department</u>
Youth in Kilmaurs and Fenwick	4,000	Community Services
Glaisnock Valley - Phase 4	3,000	Development Services
Native and Community Woodland, Phase 2	2,000	Development Services
Dalmellington IT Project	4,000	Development Services
Doon Valley Tourism Project	3,000	Development Services
Cumnock and Doon Valley Gift Furniture Scheme	8,000	Social Work
Loch Doon Caravan Study;	2,000	Development Services

- (ii) not to approve the Credit Union study project, but that the Director of Social Work compile a report for the Social Work Committee regarding SCUDA's role in the development of Credit Unions within East Ayrshire; and
- (iii) not to approve the Consumer Advice Project.

SCOTTISH LOW PAY UNIT (Item 2, Page 600)

11. There was submitted a report dated 8 October 1996 (circulated) by the Chief Executive on a further communication which had been received from the Scottish Low Pay Unit indicating that there had been a discrepancy in their grant application submitted to the Council via the former Strathclyde Regional Council.

It was agreed to grant an additional award of £1,900 to the Scottish Low Pay Unit which would bring the total grant award to £3,300 in respect of this financial year only.

STATUTORY PERFORMANCE INDICATORS 1996/97 (Item 12, Page 578)

12. There was submitted a report dated 10 October 1996 (circulated) by the Chief Executive on the results of a rehearsal undertaken by the Service Departments with regard to the checking of systems and procedures for the collection of information in terms of the 1995 Direction, six months into the Council's first operational phase.

It was agreed:

- (i) to note the results of the rehearsal to check systems and procedures with regard to the collection of information for statutory performance indicators which had been conducted six months into the Council's first operational phase;
- (ii) that the Director of Finance and appropriate Directors review those areas where difficulty had been experienced to ensure that the necessary systems would be in place when the Council reports the 1996/97 indicators to the Accounts Commission; and
- (iii) otherwise to note the terms of the report.

ACCOUNTS COMMISSION FOR SCOTLAND - PUBLICATION OF STATUTORY PERFORMANCE INDICATORS - CONSULTATION ON 1996 DIRECTION

13. There was submitted a report dated 16 October 1996 (copy enclosed) by Chief Executive on the consultation paper issued by the Accounts Commission containing proposals for its 1996 Direction on which the Council had been invited to make comment.

It was noted that in relation to paragraph 2.2 of the report that the proposed publication of information would include Housing services.

It was agreed:

- (i) to note the publication by the Accounts Commission of the consultation paper on its 1996 Direction;
- (ii) that the issues and observations contained within the report would form the basis of the Council's response to the Commission with a copy also to be sent to the Convention of Scottish Local Authorities for its interest; and
- (iii) otherwise to note the terms of the report.

COUNCIL-WIDE COMPLAINTS PROCEDURE (Item 19, Page 939)

14. There was submitted a report dated 18 October 1996 (circulated) by the Chief Executive advising of the further consultations undertaken in connection with the development of a Council-wide complaints procedure and proposing definitive terms.

It was noted that under item 6.4 of the report the last two sentences should be deleted.

It was agreed:

- (i) that the timescales and stages proposed for the complaints handling process be as follows:

First stage - Informal at establishment level - Resolved in the first instance and as soon as possible with no formal record of the complaint being made by the Authority;

Second stage - Service Department - A complaint received by the Authority would be dealt with within seven working days. If it was not possible to fully investigate the matter within seven days then an interim response would be sent to the complainant indicating what action the Council was taking and confirming that a reply would be forthcoming as soon as possible.

Third stage - Service Director - A response would be issued within 14 days.

Final Stage - Chief Executive - That a 21 day period be allocated for the investigation of complaints not resolved at Departmental level;

- (ii) to note the comments made by the Commissioner for Local Administration in Scotland with regard to the areas a complaints procedure should cover and to remove from the proposed procedure complaints expressing general disagreement with Council policies (having regard to other mechanisms for dealing with such issues);
- (iii) to note the advice from the Commissioner and the Consumer Council with regard to the establishment of arrangements for redress and to request that Officers investigate the scope for redress, the possible implications which would arise from such arrangements and the existence of such practices within Local Government and that a report be submitted in due course;
- (iv) that the Head of Public Relations and Marketing take action to ensure that the procedure was widely promoted within the Council and through external agencies taking into account advice given by the consultees as to the production of information in alternative forms (ie Braille, large print, audio tapes and minority languages);
- (v) that the nature and volume of complaints be reported to this Committee on an annual basis; and
- (vi) otherwise to note the terms of the report.

ZERO TOLERANCE CAMPAIGN

15. There was submitted a report dated 10 October 1996 (circulated) by the Chief Executive on a request which had been received from the East Ayrshire Zero Tolerance Group that the Council give public endorsement to the aims of the Zero

Tolerance Campaign, approve a grant for start up purposes and agree to support activities associated with the Zero Tolerance Campaign.

It was agreed:

- (i) to give public endorsement to the aims of the East Ayrshire Zero Tolerance Campaign;
- (ii) that a start-up grant of £1,000 be awarded to the Group subject to the Council's conditions of grant being met;
- (iii) in principle, to support the activities of the Campaign Group and authorise the Senior Depute Director of Social Work (Children, Families and Criminal Justice) to work with the Group to identify how best this might be achieved;
- (iv) to participate in a relaunch of the Campaign within East Ayrshire;
- (v) that relevant Members and Officers meet with the Zero Tolerance Charitable Trust regarding their request to affiliate and that a report be submitted to this Committee in due course;
- (vi) to receive a report on the progress of the Campaign in 12 months time; and
- (vii) otherwise to note the terms of the report.

**EAST AYRSHIRE COUNCIL CORPORATE STRATEGIES -
CONTRIBUTION BY THE SERVICES REPORTING TO THE
POLICY AND RESOURCES COMMITTEE (Item 1, Page 511)**

16. There was submitted a report dated 11 October 1996 (circulated) by the Chief Executive outlining contributions which could be made by the respective Services reporting to the Policy and Resources Committee towards the implementation of the Council's corporate strategies for which the Committee's agreement was sought.

It was agreed:

- (i) to approve the proposed contributions by the Services reporting to the Policy and Resources Committee as detailed within the report;
- (ii) to note that as part of the arrangements made for annual reporting, a report would be submitted to the Policy and Resources Committee in April 1997; and
- (iii) otherwise to note the terms of the report.

Councillor Ross joined the meeting during discussion of the above item.

PRODUCTION OF CORPORATE STRATEGIC PLAN

17. There was submitted a report dated 10 October 1996 (circulated) by the Chief Executive which set out proposed terms for the production of the Council's Corporate Strategic Plan and recommending that the Committee request Service Committees to produce Service Plans to assist the Committee's role with regard to the setting of policy objectives, strategic planning, policy review and budget preparation.

It was agreed:

- (i) to note the guidance issued by the Accounts Commission with regard to the development of a Management Arrangements Audit Guide;

- (ii) that a Corporate Strategic Plan be prepared drawing together current Council Policy Statements and addressing the issues contained in Section 5 of the report;
- (iii) that accompanying Service Plans be prepared and that Service Committees be asked to undertake this task and submit an agreed Plan on behalf of their respective Service to the Policy and Resources Committee meeting to be held on 30 January 1997 when the Corporate Strategic Plan would also be submitted for approval;
- (iv) that Service Committees would produce Annual Action Plans for consideration by the Policy and Resources Committee at its October 1997 meeting;
- (v) to note that the production of a Corporate Strategic Plan with accompanying Service Plans updated by Annual Action Plans conformed with the most current guidance issued by the Accounts Commission; and
- (vi) otherwise to note the terms of the report.

**THE CONVENTION OF SCOTTISH LOCAL AUTHORITIES
QUALITY AWARDS (Item 18, Page 939)**

- 18.** There was submitted a report dated 8 October 1996 (circulated) by the Chief Executive on the applications submitted by the Council's Officers for the Scottish Local Government Quality Awards.

It was agreed:

- (i) to note the submissions made by the Council's Officers for the Scottish Local Authorities Quality Awards, as follows:-

Category - Improved Customer Service/Customer Care

Member/Officer Working Group on Customer Care in Housing Repairs
ISO 9002: Cleansing Operations
Hurlford Day Centre Indoor Sensory Garden
Hurlford Day Centre Mosaic Project
Production of Customer Focused Tenancy Agreement

Category - Departmental/Divisional

Member Officer Working Group: Rewards and Recognition

Category - Overall Quality Improvement

Member Officer Working Group: Quality Services
"Putting The Community First" - East Ayrshire Council's Preliminary Scheme for Decentralisation (Council-wide application)

Category - Service Process Improvement

Hillside School Conductive Education
Environmental Studies Teachers Pack

Category - Increased Value for Monday In Service Provision

Benefits Take-up Campaign

- (ii) that the Chief Executive begin the process by identifying potential projects for the 1997/98 Quality Awards submission; and
- (iii) otherwise to note the terms of the report.

1995 ANNUAL REPORT OF THE DIRECTOR OF PUBLIC HEALTH

19. There was submitted a report dated 16 October 1996 (circulated) by the Chief Executive on a request received from Ayrshire and Arran Health Board that the Director of Public Health be given the opportunity of presenting his annual report to the Council.

It was agreed:

- (i) that a seminar be convened for all Elected Members for the purpose of receiving the presentation from the Director of Public Health on his 1995 annual report "Health and Ill Health in Ayrshire and Arran"; and
- (ii) to authorise the Chief Executive to make appropriate arrangements.

**EQUALITY ISSUES - EOC PROJECT ON MAINSTREAMING
IN LOCAL GOVERNMENT - CoSLA EQUAL OPPORTUNITIES
MEMBER NETWORK - (REPRESENTATION)**

20. There was submitted a report dated 17 October 1996 (circulated) by the Director of Personnel Services on an approach from CoSLA in respect of (i) possible participation by the Council in a project by the Equal Opportunities Commission on mainstreaming in Local Government and (ii) to recommend the nomination of an Elected Member to serve on the CoSLA Equal Opportunities Elected Members Network.

It was agreed:

- (i) to homologate the action taken in respect of the proposed EOC project on mainstreaming in Local Government; and
- (ii) to recommend that Councillor McIntyre represent the Council on the CoSLA Equal Opportunities Elected Member Network and also serve on the East Ayrshire Member/Officer Group on Equal Opportunities.

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EXCLUSION OF PRESS AND PUBLIC

21. The Committee resolved that under Section 50A(4) of the Local Government (Scotland) Act 1973 as amended the Press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 9 of Schedule 7A of the Act.

**PROPOSED DISPOSAL OF FORMER CROOKEDHOLM PRIMARY SCHOOL,
GROUGAR ROAD, CROOKEDHOLM, BY KILMARNOCK (Item 9, Page 1432)**

- 22.** There was submitted a report dated 18 October 1996 (circulated) by the Director of Support Services on the proposed disposal of the former Crookedholm Primary School, Grougar Road, Crookedholm.

It was agreed that the Head of Legal Services accept the offer from the applicant for the former Crookedholm Primary School, Grougar Road, Crookedholm subject to the terms, and to the conditions proposed by the Director of Support Services as detailed within the report.

The meeting terminated at 1125 hrs.