

**EAST AYRSHIRE COUNCIL****POLICY AND RESOURCES COMMITTEE****MINUTES OF MEETING HELD ON THURSDAY 12 SEPTEMBER 1996 AT  
1000 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS,  
LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Drew McIntyre, Irene Reeves, Wilma Doyle, Ronald Brailsford, Provost Robert Stirling, Councillors Jane Darnbrough, Jim O'Neill, Kathleen Hall, Daniel Coffey, David Fulton, Eric Ross, Jimmy Boyd, Tommy Farrell and Eric Jackson.

**ATTENDING:** David Montgomery, Chief Executive; Fiona Lees, Depute Chief Executive; 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; George Malone, Principal Engineer; George Fraser, Senior Policy Advisor; and Julie Armstrong, Senior Administrative Officer.

**APOLOGIES:** Councillors Kim Nicoll, George Turnbull, Jim Kelly and David Sneller.

**CHAIR:** In the absence of the Chair, Councillor Drew McIntyre, Vice-Chair.

**SUB-COMMITTEE MINUTES**

1. There were submitted and approved both as correct records and in respect of recommendations contained therein, with the exception of the recommendation detailed in item 1.17.1, the undernoted Sub-Committee Minutes (circulated) as contained in Appendices I to XVII of these Minutes.
  - 1.1 **SPECIAL PERSONNEL SUB-COMMITTEE OF 13 JUNE 1996** - Appendix I.
  - 1.2 **MEMBERS' SERVICES SUB-COMMITTEE OF 13 JUNE 1996** - Appendix II.
  - 1.3 **CONTRACTING SUB-COMMITTEE OF 13 JUNE 1996** - Appendix III.
  - 1.4 **RECRUITMENT SUB-COMMITTEE OF 17 JUNE 1996** - Appendix IV.
  - 1.5 **CONTRACTING SUB-COMMITTEE OF 27 JUNE 1996** - Appendix V.
  - 1.6 **RECRUITMENT SUB-COMMITTEE OF 1 JULY 1996** - Appendix VI.
  - 1.7 **CHAIR'S SUB-COMMITTEE OF 16 JULY 1996** - Appendix VII.
  - 1.8 **CIVIC CEREMONIAL SUB-COMMITTEE OF 30 JULY 1996** - Appendix VIII.
  - 1.9 **RECRUITMENT SUB-COMMITTEE OF 16 AUGUST 1996** - Appendix IX.
  - 1.10 **CHAIR'S SUB-COMMITTEE OF 22 AUGUST 1996** - Appendix X.
  - 1.11 **APPEALS SUB-COMMITTEE OF 22 AUGUST 1996** - Appendix XI.
  - 1.12 **SPECIAL MEMBERS' SERVICES SUB-COMMITTEE OF 26 AUGUST 1996** - Appendix XII.
  - 1.13 **CONTRACTING SUB-COMMITTEE OF 26 AUGUST 1996** - Appendix XIII.
  - 1.14 **PERSONNEL SUB-COMMITTEE OF 27 AUGUST 1996** - Appendix XIV.

**1.15 RECRUITMENT SUB-COMMITTEE OF 1 SEPTEMBER 1996** - Appendix XV.

**1.16 DECENTRALISATION SUB-COMMITTEE OF 3 SEPTEMBER 1996** - Appendix XVI.

**1.17 FINANCE AND PROPERTY SUB-COMMITTEE OF 3 SEPTEMBER 1996** - Appendix XVII.

**1.17.1 General Services Capital Programme for Period 4 (Item 4, Page )**

**C** Agreed to recommend that Council approve the disbursement of additional capital funding between Services as detailed in Appendix 2 of the Director of Finance's report dated 28 August 1996 considered at the Sub-Committee.

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**ACCOUNTS OF EAST AYRSHIRE COUNCIL FOR THE PERIOD  
6 APRIL 1995 - 31 MARCH 1996 (Item 1, Page 1247)**

2. Following the decision of the Finance and Property Sub-Committee on 3 September 1996, there was submitted a report dated 20 August 1996 (circulated) by the Director of Finance providing details on the finalisation of the audited accounts for East Ayrshire Council for the financial period 6 April 1995 to 31 March 1996.

It was agreed to approve the accounts for the period ended 31 March 1996.

**ACCOUNTS OF KILMARNOCK AND LOUDOUN DISTRICT COUNCIL FOR  
THE FINANCIAL YEAR ENDED 31 MARCH 1996 (Item 2, Page 1247)**

3. Following the decision of the Finance and Property Sub-Committee held on 3 September 1996, there was submitted a report by Director of Finance dated 20 August 1996 (circulated) providing details on the finalisation of the accounts for Kilmarnock and Loudoun District Council for the financial year ended 31 March 1996.

It was agreed to approve the accounts for the financial year ended 31 March 1996.

**ACCOUNTS OF CUMNOCK AND DOON VALLEY DISTRICT COUNCIL  
FOR THE FINANCIAL YEAR ENDED 31 MARCH 1996 (Item 3, Page 1248)**

4. Following the decision the Finance and Property Sub-Committee held on 3 September 1996, there was submitted a report by Director of Finance dated 20 August 1996 (circulated) providing details on the finalisation of accounts for Cumnock and Doon Valley District Council for the financial year ended 31 March 1996.

It was agreed to approve the accounts for the financial year ended 31 March 1996.

**BUDGETARY CONTROL SUMMARY STATEMENT - GENERAL SERVICES  
REVENUE ACCOUNTS TO 19 JULY 1996 (PERIOD 4)**

5. There was submitted a report dated 5 September 1996 (circulated) by Director of Finance on the current budgetary control position of the General Services Revenue Accounts for the period ended 19 July 1996.

Councillor McIntyre, seconded by Councillor Farrell, moved:

- C** (i) to agree to recommend to an overall cut of £0.660m in expenditure in 1996/97;
- (ii) to request Directors to submit savings proposals to their respective Service Committees with a view to Committees remitting proposals to the next

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meeting of the Policy and Resources Committee to allow this Committee to take a final view of the structure of the cuts package across the Services concerned; and

- (iii) to instruct officials to continue to take advantage of any further opportunities which might arise to reduce expenditure within the current financial year.

Councillor Coffey, seconded by Councillor Brailsford, moved as an amendment:

- (i) to request Directors to submit savings proposals to their respective Service Committees with a view to Committees remitting proposals to the next meeting of the Policy and Resources Committee; and
- (ii) to instruct officials to continue to take advantage of any further opportunities which might arise to reduce expenditure within the current financial year.

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

**IMPLEMENTATION OF SECTION 19 OF THE CHILDREN (SCOTLAND)  
ACT 1995 - (LOCAL AUTHORITY PLANS FOR  
SERVICES TO CHILDREN) (Item 4, Page 1108)**

- 6. There was submitted a report (circulated) by the Director of Social Work on the Council's new statutory obligation to prepare a Children's Service Plan for East Ayrshire and to recommend the establishment of a Member/Officer Group to oversee the planning process.

Agreed:

- (i) to establish a Member/Officer Group to oversee the process of plan preparation;
- (ii) that the Group be composed of up to seven Elected Members, five from the Administration and two from the Opposition, drawn from the Social Work, Education and Housing Committees and appropriate Officers from these Departments led by the Senior Depute Director of Social Work; and
- (iii) otherwise to note the report.

**APPLICATION FOR ADDITIONAL FUNDING -  
CHILDREN'S PANEL ADVISORY COMMITTEE**

- 7. There was submitted a report dated 25 July 1996 (circulated) by Director of Support Services on the requirements of the Children's Panel Advisory Committee to obtain additional funding from the Council to top up disaggregated budget inherited from Strathclyde Regional Council so that it could discharge its statutory functions for the remainder of the financial year.

It was agreed:

- (i) to approve an additional budget of £17,220 for this purpose to be met from anticipated staff cost savings in 1995/96; and
- (ii) to receive a further report regarding budgetary implications for financial year 1997/98 at a future meeting.

**PROVISION OF INFORMATION BULLETIN**

- 8. There was submitted a report dated 29 August 1996 (circulated) by the Director of Support Services on the proposed introduction of an Information Bulletin to be used

as a medium for circulating reports of general interest or purely for information only which would otherwise require to be submitted to Committees.

It was agreed:

- (i) to the introduction of an Information Bulletin for the next Committee cycle; and
- (ii) that the matter be remitted to the Director of Support Services to progress.

**THIRD STATUTORY REVIEW OF ELECTORAL ARRANGEMENTS:  
EAST AYRSHIRE COUNCIL (Item 1, Page 944)**

9. There was submitted a report dated 30 August 1996 (circulated) by Director of Support Services seeking agreement of a preferred draft scheme of representation for East Ayrshire Council which would provide for 32 Electoral Wards and to consider the involvement of Local Committees and the public in general in the consultation process thereon prior to submission of a draft Scheme to the Local Government Boundary Commission for Scotland.

Copies of the Appendices relative to the report were also circulated and maps showing the proposals were displayed at the meeting.

Councillor McIntyre, seconded by Councillor Farrell, moved:

- (i) that the Administration's option be used as a preferred draft scheme of representation which would provide for 32 Electoral Wards for the purpose of consultation with Local Committees and members of the public;
- (ii) that the Director of Support Services initiate the consultative process on the preferred draft scheme of representation to involve Local Committees and members of the public as detailed in the report; and
- (iii) that the Director of Support Services report to the meeting of the Council to be held on 7 November 1996 with details of representations received following the consultative process and with recommendations for the finalised draft scheme of representation to be submitted to the Boundary Commission.

Councillor Coffey, seconded by Councillor Brailsford, moved as an amendment:

- (i) that the Opposition's option be used as a preferred draft scheme of representation which would provide for 32 Electoral Wards for the purpose of consultation with Local Committees and members of the public;
- (ii) that the Director of Support Services initiate the consultative process on the preferred draft scheme of representation to involve Local Committees and members of the public as detailed in the report; and
- (iii) that the Director of Support Services report to the meeting of the Council to be held on 7 November 1996 with details of representations received following the consultative process and with recommendations for the finalised draft scheme of representation to be submitted to the Boundary Commission.

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

**ENERGY MANAGEMENT PROGRESS REPORT (Item 12, Page 936)**

10. There was submitted a report dated 23 August 1996 (circulated) by Director of Support Services on progress on the implementation of the Energy Management Policy.

It was agreed:

- (i) that the formal signing of the Corporate Commitment Document be given the highest possible publicity at the earliest opportunity; and
- (ii) otherwise to note the report.

### **VAT ON ENERGY SAVING MATERIALS**

11. There was submitted a report dated 27 August 1996 (circulated) by the Director of Support Services to consider the request from the "Association for the Conservation of Energy" for Council support for a campaign for the reduction of the rate of VAT on home insulation products.

It was agreed that the campaign for the reduction of the rate of VAT on home insulation products, which also included a call upon the Government to put back the sum of £31m taken from the Home Energy Efficiency Scheme (HEES) grants to elderly people, be supported by the Council.

### **CAPITAL FUNDING FOR THE IMPLEMENTATION OF PROPERTY, INFORMATION TECHNOLOGY AND TELEPHONY PROJECTS 1996/97 (Item 1, Page 1214)**

12. There was submitted a report dated 26 August 1996 (circulated) by Director of Support Services seeking approval of the proposed capital expenditure on Information Technology and telephony projects within East Ayrshire Council for 1996/97, taking account of the proposed additional allocation of funds and to seek approval of the proposed allocation of additional funds from the 1996/97 capital budget to office accommodation projects.

It was agreed to approve:

- (i) the revised proposals for the 1996/97 capital budget for Information Technology/telephony projects as detailed in the Appendix attached to the report; and
- (ii) the allocation of the additional £96,000 to office accommodation provision/adaptation at Newmilns Local Office, Community Alarm Service office, Galston and Council Headquarters.

**MAINTENANCE OF PUBLIC OPEN SPACE- SCOTTISH HOMES HOUSING  
DEVELOPMENT, BRIDGEHOUSEHILL ROAD/  
BALGRAY AVENUE, KILMARNOCK**

13. There was submitted a report dated 15 August 1996 (circulated) by Director of Support Services to give consideration to adding maintenance of the public open space as detailed above to the current Grounds Maintenance Contract following a single payment from the contractor.

It was agreed:

- (i) that it be remitted to the Director of Community Services to add the subjects to the current Grounds Maintenance Contract and carry out maintenance at the subjects following a single payment to the Council of £13,000;
- (ii) that the Director of Community Services monitor vandalism in play areas; and
- (iii) that the Director of Support Services provide Councillor Coffey with full details of information on the background to the matter.

**APPLICATION FOR SUPERIOR'S CONSENT FOR FORMER COUNCIL HOUSES**

14. There was submitted a report dated 8 August 1996 (circulated) by Director of Support Services seeking authority for a harmonised procedure for dealing with applications for Superior's consent for minor alterations/additions to former Council houses.

Councillor McIntyre, seconded by Councillor Farrell, moved:

- (i) that applications for Superior's consent for minor alterations to former Council houses be dealt with administratively by the Director of Support Service as outlined within the report;
- (ii) that the Council approve a fee of £50 per application to cover the administrative work involved; and
- (iii) and recommend that the Scheme of Delegation be amended accordingly.

Councillor Coffey, seconded by Councillor Brailsford, moved as an amendment that the fee per application be £25 in line with the former Cumnock and Doon Valley Council charge which was still being utilised in the East Ayrshire (South) area at present.

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

**LOCAL GOVERNMENT ACCESS TO INFORMATION ACT 1985 -  
FEES TO BE LEVIED ON COMMERCIAL ORGANISATIONS FOR  
INSPECTION OF REPORTS (Item 7, Page 433)**

15. There was submitted a report dated 16 August 1996 (circulated) by Director of Support Services to request a review of the practice of Council in relation to providing information to commercial organisations under the Local Government Access to Information Act 1985.

It was agreed:

- (i) to levy a charge to commercial organisations in providing information under the Access to Information Act based on actual staff time required, overheads

and the standard photocopying charges associated with providing information;  
and

- (ii) that the matter be remitted to the Director of Support Services to implement.

**BYE-LAWS PROHIBITING THE CONSUMPTION OF ALCOHOLIC LIQUOR  
IN DESIGNATED PLACES (Item 14, Page 937)**

- 16.** There was submitted a report dated 22 August 1996 (circulated) by Director of Support Services to update Committee on the current position regarding the above and to request the Committee to adopt the draft Bye-Law attached to the report.

It was agreed:

- (i) to adopt the draft Bye-Law; and
- (ii) that the Director of Support Services refer the draft Bye-Law to the Secretary of State for Scotland for approval prior to advertisement and formal submission for confirmation; and to ask the Secretary of State to progress the Bye-Law as a matter of urgency.

**PROPOSAL TO ESTABLISH A COMMUNITY COUNCIL -  
DALMELLINGTON AREA**

- 17.** There was submitted a report dated 2 September 1996 (circulated) by Director of Support Services seeking approval to establish a Community Council in the Dalmellington area (as defined in the Cumnock and Doon Valley District Council Community Scheme 1976, as amended by the District Council on 27 June 1985).

It was agreed to authorise the Director of Support Services to:

- (i) establish a Community Council in the Dalmellington area under the terms of Part IV of the Local Government (Scotland) Act 1973;
- (ii) provide the necessary resources to carry out the establishment procedures; and
- (iii) advise Doon Valley Local Committee of the current situation.

**COMMUNITY COUNCIL SCHEME - REPORT ON CONSULTATION ON REVIEW  
AND REPLACEMENT OF EXISTING SCHEMES (Item 9, Page 935)**

- 18.** There was submitted a report dated 4 September 1996 (circulated) by the Director of Support Services on progress with informal consultation process on the review of the existing Community Council Schemes and, as a result of this, to seek authority to publish a Notice of Intention to revoke the existing Schemes and make a new Scheme in accordance with Section 22(3)(a) of the Local Government (Scotland) Act 1994.

It was agreed:

- (i) to approve the publication of a Notice of Intention to revoke the existing Community Council Schemes;
- (ii) that the Local Committees be advised of the current situation; and
- (iii) that a further report be submitted to the meeting of the Policy and Resources Committee to be held on 5 December 1996 containing a draft Scheme for the establishment of Community Councils in the light of the formal public consultations.

**LOCAL COMMITTEE COMMUNITY GRANTS SCHEME (Item 20, Page 940)**

19. There was submitted a report (circulated) by Chief Executive recommending a modification in the allocation of funds to the Kilmarnock Central and Kilmarnock North Local Committees for the Local Committee Community Grants Scheme.

It was agreed:

- (i) to the funding modification that £377 should be allocated to the Kilmarnock Central Local Committee and be withdrawn from the original sum designated to the Kilmarnock North Local Committee which resulted in the sums for allocation of Kilmarnock North Local Committee being £21,897 and Kilmarnock Central Local Committee being £21,518;
- (ii) to note the requirement that voluntary and community organisations within the Kilmarnock North area who provide a service to the area in question would be able to apply to the Kilmarnock Central Local Committee for funds; and
- (iii) to remit this report to the Kilmarnock Central and Kilmarnock North Local Committees for their information.

**EAST AYRSHIRE COUNCIL OF VOLUNTARY ORGANISATIONS -  
APPLICATION FOR ADMINISTRATION GRANT**

20. There was submitted a report dated 27 August 1996 (circulated) by Chief Executive to advise Committee of a request for a grant of £750 by East Ayrshire Council of Voluntary Organisations.

It was agreed that a grant of £750 be approved in order to encourage the continued development of East Ayrshire Council for Voluntary Organisations and that the necessary arrangements be remitted to the Chief Executive.

**PROVISION OF COUNCIL TELEPHONE HELPLINE (Item 12, Page 578)**

21. There was submitted a report dated 3 September 1996 (circulated) by Chief Executive to advise Committee of the current arrangements in place for emergency out-of-hours services and to recommend the establishment of a telephone helpline providing 24 hour access to the Council.

It was noted that in paragraph 3.4 the approximate cost for 1995/96 for the Housing Homelessness Service should be £11,800 and not £75,200 as shown.

It was agreed:

- (i) that the establishment of the service would follow the relocation of the Community Alarm Service and that the target be the beginning of the calendar year with the review taking place at the end of March 1997;
- (ii) to the proposal to establish an East Ayrshire Council helpline and that this would be a 24 hour service;
- (iii) for the first year the tariff rating would be for local calls and that this be subject to review in the light of operational experience;
- (iv) that the Director of Personnel Services be authorised to make staff appointments as described within Section 7 of the report subject to discussion with the appropriate Trades Unions; and
- (v) otherwise to note the terms of the report.

### **CoSLA - DRAFT STRATEGIC PLAN 1996/97**

22. There was submitted a report dated 2 September 1996 (circulated) by Chief Executive on the content of the Draft Strategic Plan 1996/97 prepared by the Convention on which the views of the Council had been invited and to highlight a number of issues where the Committee may wish to make a response.

It was agreed:

- (i) to endorse the terms of the provisional response made to the Convention as the formal submission from East Ayrshire Council to the Convention's Strategic Plan for 1996/97;
- (ii) that the importance of working with the Association of Direct Labour Organisations (ADLO) on direct service provision be highlighted.

### **OPEN AND ACCOUNTABLE: PUBLIC BODIES IN SCOTLAND**

23. There was submitted a report dated 4 September 1996 (circulated) by Chief Executive to advise the Committee of the recently published consultation paper by the Secretary of State entitled "Open and Accountable: Public Bodies in Scotland" on which the views of the Council had been invited and to highlight a number of issues where the Council may wish to make comment.

It was agreed:

- (i) to welcome the initiative albeit limited in scope taken by the Secretary of State to consult on the measures which should be taken to increase openness and accountability in the conduct of non-public Departmental bodies;
- (ii) to authorise the Chief Executive to make a submission on behalf of the Council to CoSLA and to the Scottish Office direct in the following terms which were contained within Section 9 of the report, viz:-

The consultation paper published by the Secretary of State should be welcomed by the Council insofar as it addresses certain aspects regarding accountability and openness within non departmental public bodies.

The Policy and Resources Committee at its meeting held on 5 October 1995, considered the terms of the second study undertaken by the Standing Committee on Standards in Public Life which considered issues and questions relating to local public spending bodies and subsequently a submission to the Committee.

Whilst the current consultation document acknowledges much of the work done by the Standing Committee on Standards in Public Life, it does not seek to incorporate all of the recommendations made by Lord Nolan in respect of these bodies.

The consultation by the Secretary of State is limited to only certain non departmental public bodies with housing associations and educational bodies being excluded in view of the scale of resources allocated to these bodies and the acknowledgement by the Secretary of State that they operate under similar controls to non departmental bodies, disappointed that they have not been included within the terms of this study.

This Council has committed itself to making every effort to ensure that other public agencies responsible for public services fulfil, in all aspects, their

statutory obligations to the people of East Ayrshire and will work to ensure that the activities and decisions of these bodies are made public.

The Council should, therefore, welcome the intention of the Secretary of State to increase accountability and openness with regard to the conduct of non departmental public bodies and may wish to express the view that there should be non diminution of the controls which currently apply to these bodies and moreover, the controls and standards which apply to local authorities should equally be applied to all organisations in the public sector.

- (iii) otherwise to note the terms of the report.

#### **THE STANDING COMMITTEE ON STANDARDS IN PUBLIC LIFE - CONSULTATION EXERCISE INTO ASPECTS OF CONDUCT IN LOCAL GOVERNMENT**

24. There was submitted a report dated 2 September 1996 (circulated) by the Chief Executive to advise the Committee of the third study to be undertaken by the Committee on Standards in Public Life which would consider aspects of conduct in Local Government and to highlight those areas where the Council may wish to make comment.

It was agreed:

- (i) to note the announcement by the Standing Committee on Standards in Public Life to study aspects of conduct in Local Government;
- (ii) to authorise the Chief Executive to make a submission to CoSLA and to the Standing Committee direct in terms of the comments contained within the report; and
- (iii) otherwise to note the terms of the report.

#### **CODE OF CONDUCT: OPENNESS IN LOCAL GOVERNMENT**

25. There was submitted a report dated 30 August 1996 (circulated) by Director of Support Services on the draft Code of Practice on Openness in Local Government which had been produced by a CoSLA Working Group following the report on the Task Force on the Conduct of Local Government in Scotland and on which the Convention were seeking views.

It was agreed to welcome the draft Code of Conduct as a benchmark of good practice and note that the operation of the Code would be reviewed by CoSLA 18 months after its publication.

#### **AFFILIATIONS TO OUTSIDE ORGANISATIONS (Item 16, Page 938)**

26. There was submitted a report dated 3 September 1996 (circulated) by Director of Support Services to consider the background, aims and objectives and activities of those organisations which had sought association with and affiliation to the Council and to note the existing affiliations the Council had agreed to date.

The following affiliations were agreed and it was noted that the recommending Department would notify the organisations as appropriate.

<u>Organisation</u>	<u>Fee</u>	<u>Appropriate Department</u>
Equality Exchange	£229.12	Director of Personnel Services

Women's Forum Scotland	£ 30.00	Director of Personnel Services
Scottish Childminding Association	£165.00	Director of Education
Scottish Pre-School Play Association	£ 70.00	Director of Education

**Affiliations not agreed as per recommendation**

Nuclear Free Local Authorities.

**JOHN WHEATLEY CENTRE**

27. There was submitted a report dated 27 August 1996 (circulated) by Chief Executive on an invitation received from the John Wheatley Centre inviting East Ayrshire Council to become a corporate member.

It was agreed that the Council become a corporate member of the John Wheatley Centre at a fee of £100 per annum and that the necessary arrangements be remitted to the Chief Executive.

**AFFILIATION TO OUTSIDE BODY -  
NATIONAL LOCAL GOVERNMENT FORUM ON POVERTY**

28. There was submitted a report (circulated) by Director of Social Work on the background, aims and objectives and activities of the National Local Government Forum on Poverty.

It was agreed:

- (i) to confirm the Council's affiliation to the National Local Government Forum on Poverty at a cost of £1,230; and
- (ii) to remit the nomination of a Member to represent the Council at a future meeting of the Forum to the Council meeting to be held on 26 September 1996.

The meeting terminated at 1135 hrs.