

**EAST AYRSHIRE COUNCIL**

**MINUTES OF MEETING HELD ON TUESDAY 29 JUNE 1999 AT 1000 HRS  
IN THE MEETING ROOM, COUNCIL HEADQUARTERS,  
LONDON ROAD, KILMARNOCK**

**PRESENT:** Provost Jimmy Boyd and Councillors Kathleen Hall, Ann Hay, Stephanie Young, Brian Reeves, Daniel Coffey, Willie Coffey, Douglas Reid, Robert Stevenson, John Weir, Drew McIntyre, David Macrae, Harry Wilson, Ian Linton, Alex Walsh, Alan Campbell, Jane Darnbrough, John Knapp, Jim Raymond, Finlay MacLean, Robert McDill, Eric Jackson, George Smith, Tommy Farrell, Julie Faulds, William Menzies, Eric Ross, Elaine Dinwoodie, Robert Taylor and Jimmy Carmichael.

**ATTENDING:** David Montgomery, Chief Executive; Fiona Lees, Depute Chief Executive; William Stafford, Director of Community Services; Barbara Haughan, Director of Corporate Services; Stephen Chorley, Director of Development Services; John Mulgrew, Director of Education; Alex McPhee, Director of Finance; James Lavery, Director of Homes and Technical Services; Douglas Bulloch, Director of Social Work; Kate McVey, Solicitor to Council; Tom McHugh, Head of Accounting Services; Roddy Wallace, Head of Administration; Helen Dick, Head of Performance; Douglas Campbell, Head of Public Relations and Marketing; Ian Arnott, Corporate Accounting Manager; Bill Walkinshaw, Principal Administrative Officer; and Julie Armstrong, Senior Administrative Officer.

**APOLOGIES:** Councillors Brian O'Neill and Jimmy Kelly.

**CHAIR:** Provost Jimmy Boyd, Chair.

**PREVIOUS MINUTES**

1. There were submitted Minutes of Statutory Meeting of Council held on 13 May 1999 (circulated) which were approved as a correct record.

**COMMITTEE MINUTES**

2. There were submitted (circulated) and approved subject to the undernoted amendments, both as correct records and in respect of the recommendations contained therein, the Minutes of the undernoted Committee meetings, viz:-

**2.1 EMERGENCY POWERS COMMITTEE OF 20 MAY 1999 (pages 30-31, 99/02).**

**2.2 SPECIAL AD HOC COMMERCIAL STRATEGY REVIEW COMMITTEE OF 24 MAY 1999 (pages 32-35, 99/02).**

**2.3 KILMARNOCK NORTH LOCAL COMMITTEE OF 25 MAY 1999 (pages 36-39, 99/02).**

**2.3.1 PROGRESS REPORT ON LONGPARK STRATEGY AND NORTHWEST KILMARNOCK ENVIRONMENTAL PROJECT GROUP (Item 9, Page 39, 99/02)**

It was agreed that the Director of Development Services would inform Local Members on progress with the project following a meeting on 30 June 1999 with Technical Officers.

**2.4 IRVINE VALLEY LOCAL COMMITTEE OF 26 MAY 1999 (pages 40-43, 99/02).**

**2.5 CUMNOCK AREA LOCAL COMMITTEE OF 26 MAY 1999 (pages 44-52, 99/02).**

- 2.6 NORTHERN AREA LOCAL PLANNING COMMITTEE OF 27 MAY 1999 (pages 53-56, 99/02).**
- 2.7 SPECIAL POLICY AND RESOURCES COMMITTEE OF 27 MAY 1999 (pages 57-58, 99/02).**
- 2.8 SOUTHERN LOCAL PLANNING COMMITTEE OF 27 MAY 1999 (pages 59-61, 99/02).**
- 2.9 DEVELOPMENT SERVICES COMMITTEE OF 1 JUNE 1999 (pages 62-73, 99/02).**
- 2.9.1 APPLICATION NO 98/0388/FL: KILMARNOCK FOOTBALL CLUB - DETERMINATION OF APPLICATION (Item 1.2.2, Page 64, 99/02)**
- It was agreed that the Director of Development Services would update Councillor Linton on the progress of establishing a Liaison Group.
- 2.9.2 APPLICATION NO 98/0365/OL: DUFFIELD MORGAN, C/O ALEXANDER GEORGE AND CO (INVESTMENTS) LTD - DETERMINATION OF APPLICATION (Item 1.3.1, Page 68, 99/02)**
- It was agreed that the Director of Development Services would provide Councillor D Coffey with anticipated timescales in respect of receipt of notification from the Secretary of State and issue of the decision notice.
- 2.9.3 REMIT FROM COMMITTEE - AYRSHIRE MARKETING - REQUEST FOR APPOINTMENT OF DIRECTOR (Item 8, Page 71, 99/02)**
- Councillor Farrell, seconded by Councillor McIntyre, moved that the Chair of the Development Services Committee or nominee be nominated to serve on the Board of Ayrshire Marketing.
- Councillor Wilson, seconded by Councillor Reid, moved as an amendment that Councillor McDill be nominated to serve on the Board of Ayrshire Marketing.
- On a division by a show of hands the motion was carried by 17 votes to 13.
- 2.10 KILMARNOCK CENTRAL LOCAL COMMITTEE OF 1 JUNE 1999 (pages 74-76, 99/02).**
- 2.11 COMMUNITY SERVICES COMMITTEE OF 2 JUNE 1999 (pages 77-83, 99/02).**
- 2.12 KILMARNOCK SOUTH LOCAL COMMITTEE OF 2 JUNE 1999 (pages 84-86, 99/02).**
- 2.13 EDUCATION COMMITTEE OF 3 JUNE 1999 (pages 87-93, 99/92).**
- 2.14 NORTHERN AREA LOCAL COMMITTEE OF 3 JUNE 1999 (pages 94-98, 99/02).**
- 2.14.1 NAMING OF STREETS BY LOCAL COMMITTEES - PROPOSED DEVELOPMENT AT TOPONTHANK, KILMARNOCK (Item 13, Page 97, 99/02)**
- It was agreed:
- (i) that the decision shown at paragraph (i) read "...which listed populated Scottish islands and island towns; and
  - (ii) that at (ii) Northwest Community Council be substituted for Onthank Community Council.
- 2.15 SOCIAL WORK COMMITTEE OF 7 JUNE 1999 (pages 99-102, 99/02).**
- 2.16 DOON VALLEY LOCAL COMMITTEE OF 8 JUNE 1999 (pages 103-105, 99/02).**

**2.17 POLICY AND RESOURCES COMMITTEE OF 9 JUNE 1999 (pages 106-119, 99/02).**

**2.17.1 REMITS FROM COMMITTEE**

**(i) APPOINTMENT TO SERVE AS CHAIR ON THE APPEALS SUB-COMMITTEE OF THE POLICY AND RESOURCES COMMITTEE (Item 2, Page 106, 99/02)**

It was agreed that Councillor Kelly be appointed as the other Member to serve as a potential Chair for the Appeals Sub-Committee.

**(ii) BENEFITS ADMINISTRATION (Item 5, Page 108, 99/02)**

It was agreed that the Chair and Vice-Chair of the Housing Committee and Councillors Dinwoodie, Linton and Reid be nominated to serve on the Member/Officer Working Group to review the administration of Housing and Council Tax Benefits.

**2.18 CENTRAL LOCAL PLANNING COMMITTEE OF 11 JUNE 1999 (pages 120-122, 99/02).**

**2.19 SPECIAL NORTHERN AREA LOCAL PLANNING COMMITTEE OF 11 JUNE 1999 (pages 123-124, 99/02).**

**2.20 SPECIAL EDUCATION COMMITTEE OF 16 JUNE 1999 (page 125, 99/02).**

**2.21 EMERGENCY POWERS COMMITTEE OF 17 JUNE 1999 (page 126, 99/02).**

**2.22 SPECIAL HOUSING COMMITTEE OF 17 JUNE 1999 (pages 127-131, 99/02).**

**2.23 SPECIAL SOCIAL WORK COMMITTEE OF 17 JUNE 1999 (page 132, 99/02).**

**2.24 SPECIAL COMMUNITY SERVICES COMMITTEE OF 21 JUNE 1999 (page 133, 99/02).**

**SPECIAL DEVELOPMENT SERVICES COMMITTEE OF 28 JUNE 1999 -  
EXCERPT FROM MINUTES**

3. Councillor Ross, seconded by Councillor Smith, moved approval of the recommendations from the Special Development Services Committee of 28 June 1999 in respect of the Capital Plan 1999/2000 and Review of Planning Procedures.

Councillor Faulds, seconded by Councillor D Coffey, moved as an amendment in respect of the review of planning procedures that planning applications for mineral extraction which were:- (a) alterations to a method of working of a minerals consent and/or (b) an extension to the area or depth of working of a minerals consent, continue to be considered by the Development Services Committee.

Councillor Campbell requested that a roll call vote be taken and, 13 Members having by show of hands, supported this in accordance with Standing Order 35 the vote was taken by calling the roll as follows, viz:-

For the motion: Provost Boyd, Councillors Reeves, McIntyre, Macrae, Walsh, Darnbrough, Knapp, Raymond, Jackson, Smith, Farrell, Menzies, Ross, Dinwoodie, Taylor and Carmichael.

For the amendment: Councillors Hall, Hay, Young, D Coffey, W Coffey, Reid, Stevenson, Weir, Wilson, Linton, Campbell, MacLean, McDill and Faulds.

The motion was therefore carried by 16 votes to 14.

## **EAST AYRSHIRE COMMUNITY SAFETY FORUM**

### **4.1 ANNUAL GENERAL MEETING**

There was submitted and noted Minutes of Annual General Meeting held on 16 June 1999 (circulated) as shown in Appendix 1.

### **4.2 NOMINATIONS TO THE FORUM (Item 6.1, Page 5, 99/02)**

Councillor Farrell, seconded by Councillor McIntyre, moved that Councillor Menzies and Reeves be appointed as the further two members to the Forum.

Councillor Wilson, seconded by Councillor Reid, moved as an amendment that Councillor Faulds be appointed as one of the two further members to the Forum.

On a division by a show of hands the motion was carried by 16 votes to 14.

## **CHANGE OF CHAIR/VICE-CHAIR OF CUMNOCK AREA LOCAL COMMITTEE**

5. It was unanimously agreed in terms of Standing Order 51 to reconsider this matter.

It was agreed that Councillor Menzies be appointed as Chair and Councillor Smith be appointed Vice-Chair of the Cumnock Area Local Committee.

## **APPOINTMENT OF EX OFFICIO JUSTICES OF THE PEACE (Item 7, Page 7), 99/02**

6. It was reported and noted that the names of the four other nominations for ex officio Justices of the Peace had been submitted to the Solicitor to the Council by the due date of 21 May 1999 and subsequently intimated to the Secretary of Commissions were as follows, viz:- Councillor David Macrae, Elaine Dinwoodie, Douglas Reid and Stephanie Young.

## **VISITING COMMITTEE FOR HM PRISON KILMARNOCK**

7. There was submitted a report dated 7 June 1999 (circulated) by the Solicitor to the Council on the requirement to appoint four persons to the Visiting Committee for HM Prison, Kilmarnock.

Councillor Farrell, seconded by Councillor McIntyre, moved that Councillors Raymond and Jackson and the Chair and Vice-Chair of East Ayrshire's Justices Committee be appointed to serve on a new Visiting Committee for HMP Kilmarnock.

Councillor Reid, seconded by Councillor Linton moved as an amendment that Councillor Wilson be appointed as one of the two Councillor representatives.

On a division by a show of hands the motion was carried by 16 votes to 14.

## **SCOTTISH HOUSING AND PLANNING COUNCIL - NOMINATION TO EXECUTIVE COMMITTEE**

8. There was submitted a report dated 22 June 1999 (circulated) by the Director of Corporate Services on a request from the Scottish Housing and Planning Council to forward a nomination for membership to the Executive Committee.

Councillor Farrell, seconded by Councillor McIntyre, moved that the Chair of the Housing Committee be nominated to the Executive Committee of the Scottish Housing and Planning Council.

Councillor Wilson, seconded by Councillor Stevenson, moved as an amendment that Councillor W Coffey be nominated to the Executive Committee of the Scottish Housing and Planning Council.

On a division by a show of hands the motion was carried by 17 votes to 13.

#### **EAST AYRSHIRE WOODLANDS (Item 18, Page 3971, 99/02)**

9. There was submitted a report dated 14 June 1999 (circulated) by the Director of Development Services which requested Council to appoint three representatives to the East Ayrshire Woodlands Management Group.

Councillor Farrell, seconded by Councillor McIntyre, moved that Provost Boyd and Councillor Taylor and the Director of Development Services or nominee be appointed to the Management Group of East Ayrshire Woodlands.

Councillor Wilson, seconded by Councillor Reid, moved as an amendment that Councillor Weir be appointed as one of the three Council representatives to the Management Group of East Ayrshire Woodlands.

On a division by a show of hands the motion was carried by 16 votes to 14.

It was also agreed that the Director of Corporate Services inform the Manager of the East Ayrshire Woodlands Project accordingly.

#### **SERVICE REVIEW MEMBER/OFFICER GROUP (Item 4, Page 4527, 99/02)**

10. There was submitted a report dated 5 May 1999 (circulated) by the Chief Executive which invited Council to agree Member appointments to the Service Review Member/Officer Group being established to consider the current Service Reviews being undertaken within the Council.

It was agreed:

- (i) to note that the Chair of the Policy and Resources Committee (or nominee) would Chair all Service Review Groups;
- (ii) to make a total of six additional appointments as follows:- Councillors Reeves, Raymond, Dinwoodie, Faulds, McDill and Weir, and that these appointments be allocated between each of the three Services reviews noted in paragraph 3.2 of the report (that is one Administration Member and one SNP Group Member per Service review);
- (iii) to note that the programme for Service review across the Council would be considered by the Best Value Sub-Committee of the Policy and Resources Committee at its next meeting and that further nominations for Member involvement in Service reviews to commence in the current financial year would be sought at a future meeting of the Council in line with the Service Review Programme; and
- (iv) otherwise to note the contents of the report.

### **AFFILIATION TO THE ASSOCIATION OF DIRECT LABOUR ORGANISATIONS**

11. There was submitted a report dated 8 June 1999 (circulated) by the Director of Corporate Services which invited Council to consider the background, aims and objectives and activities of the Association of Direct Labour Organisations (ADLO) which had sought association with and affiliation of the Council.

Councillor Farrell, seconded by Councillor McIntyre, moved:

- (i) to affiliate to ADLO for 1999/2000 at a fee of £2,538;
- (ii) that Councillor Knapp be appointed to the organisation; and
- (iii) that the appropriate Directors monitor the benefits of the Council's membership with a view to reviewing affiliation for the following year.

Councillor Reid, seconded by Councillor Wilson, moved as an amendment:

- (i) to affiliate to ADLO for 1999/2000 at a fee of £2,538; and
- (ii) that the appropriate Directors monitor the benefits of the Council's membership with a view to reviewing affiliation for the following year;

On a division by a show of hands the motion was carried by 16 votes to 14.

### **ANNUAL REPORT AND ACCOUNTS 1998/99**

#### **12.1 ABSTRACT OF ACCOUNTS AND COMPETITIVE SERVICES ANNUAL REPORT 1998/99**

There was submitted a report dated 22 June 1999 (circulated) by the Director of Finance to submit the Annual Accounts for 1998/99 to the Council and which sought approval to forward them to the Controller of Audit.

It was agreed:

- (i) that the Annual Accounts for 1998/99 be forwarded to the Controller of Audit; and
- (ii) otherwise to note the contents of the report.

#### **12.2 ANNUAL REPORT AND PERFORMANCE INDICATORS**

There was submitted a report (circulated) by the Chief Executive to submit the draft narrative for the 1998/99 Annual Report and unaudited statutory performance indicator information for approval.

It was agreed:

- (i) to note the unaudited statutory performance indicator information as detailed in Appendix 1 of the report;
- (ii) to approve the draft narrative for the Annual Report as detailed in Appendix 2 of the report; and
- (iii) otherwise to note the content of the report.

### **DRAFT EAST AYRSHIRE COUNCIL MEETINGS CALENDAR FOR JULY 1999 TO 7 APRIL 2000**

13. There was submitted a report dated 21 June 1999 (circulated) by the Director of Corporate Services to submit for consideration of Council a draft Meetings List.

It was agreed to approve the Meetings Calendar enclosed with the report.

**YEAR 2000 - NON-IT ISSUES (Item 11.2, Page 110, 99/02)**

14. There was submitted a report dated 17 June 1999 (circulated) by the Director of Community Services to advise the Council of a range of Non-IT issues relating to the Millennium and to consider the position on the letting of halls and other facilities over the Hogmanay period.

It was agreed:

- (i) in the absence of cost effective Public Liability Insurance being available to the Council, premises meantime be not let to the public in the period from 8pm on 31 December 1999 to 8am on 1 January 2000;
- (ii) concern regarding the position being adopted by insurance companies be relayed to the Association of British Insurers;
- (iii) that regular reports be submitted to the Policy and Resources Committee on the arrangements which were being made to ensure public safety and business continuity over the Millennium period; and
- (iv) otherwise to note the contents of the report.

**EAST AYRSHIRE COUNCIL STANDING ORDERS AND  
STANDING ORDERS IN RELATION TO CONTRACTS**

15. There was submitted a report dated 21 June 1999 (circulated) by the Director of Corporate Services which submitted for consideration of Council minor amendments to Standing Orders and which sought authority to make minor amendments to the Standing Orders in relation to contracts.

It was agreed:

- (i) to approve and adopt the amended Standing Orders as detailed in the Appendix to the report; and
- (ii) to remit to the Director of Corporate Services in consultation with the Director of Homes and Technical Services to amend any reference to obsolete designations, as appropriate, within the Standing Orders relating to contracts.

**SCHEME OF DELEGATION (Item 4, Page 443, 99/02)**

16. There was submitted a report dated 21 June 1999 (circulated) by the Director of Corporate Services which advised Council of a proposed review of the Scheme of Delegation and which suggested following the winding up of the Special Ad Hoc Commercial Strategy Review Committee interim measures in respect of an appropriate monitoring regime for the various commercial business units which had been established.

It was agreed:

- (i) that the Special Ad Hoc Commercial Strategy Review Committee be wound up;
- (ii) to confirm the relevant host Service Committee responsibilities in relation to the DSO/DLO Business Units as detailed in paragraph 3.1 of the report;

- (iii) to confirm the corporate monitoring responsibilities of the Policy and Resources Committee and the Chief Executive's Department as outlined in paragraphs 4.1 and 4.2 of the report;
- (iv) that the Director of Corporate Services issue an addendum to the existing Scheme of Delegation advising of the winding up of the Special Ad Hoc Commercial Strategy Review Committee and of the alternative Committee mechanisms introduced on an interim basis in respect of the monitoring of the work of the DLO/DSO Business Units; and
- (v) to delegate to the Director of Corporate Services in consultation with appropriate Officers authority to carry out a review of the Scheme of Delegation and submit an appropriate report and draft Scheme for consideration of Council at its first appropriate meeting.

**EAST AYRSHIRE COALFIELD AREA SOCIAL INCLUSION PARTNERSHIP -  
DRAFT IMPLEMENTATION PLAN AND REVISED FUNDING PROFILE**

17. There was submitted a report dated 22 June 1999 (circulated) by the Chief Executive which sought approval for the Draft Implementation Plan and Revised Funding package for the Coalfield Area Social Inclusion Partnership Programme.

It was agreed:

- (i) to approve the Implementation Plan as detailed in Appendix A of the report;
- (ii) to approve the revised funding package as detailed in Appendix B of the report;
- (iii) that following final approval of the Implementation Plan and funding package by the Scottish Office that responsibility for the co-ordination and implementation of Social Inclusion within the formal Scottish Office designated coalfield area Social Inclusion Partnership plus two other proposed groupings, ie one covering the three Kilmarnock Local Committee areas; the other Northern/Irvine Valley Local Committee areas, be remitted to East Ayrshire Social Inclusion Strategic Partnership Group;
- (iv) that the Director of Finance provide regular budgetary control statements to the Strategic Partnership Group; and
- (v) that it be remitted to the Chief Executive to provide regular reports on the implementation of the Social Inclusion Partnership to the Policy and Resources Committee.

The meeting terminated at 1110 hrs.