

**EAST AYRSHIRE COUNCIL**

**SPECIAL AD HOC COMMERCIAL STRATEGY REVIEW COMMITTEE**

**MINUTES OF MEETING HELD ON TUESDAY 29 JUNE 1999 AT 1430 HOURS IN  
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors Drew McIntyre, Harry Wilson, Jane Darnbrough and Eric Jackson.

**ATTENDING;** David Montgomery, Chief Executive; Fiona Lees, Depute Chief Executive; William Stafford, Director of Community Services; Stephen Chorley, Director of Development Services; James Lavery, Director of Homes and Technical Services; Iain McLachlan, Executive Director; Kate McVey, Solicitor to the Council; Martin O'Rourke, Principal Officer, Performance and Best Value; James Lally, Senior Administrative Officer;

**APOLOGIES:** Councillors Douglas Reid, David Macrae and Finlay MacLean.

**CHAIR:** Councillor Drew McIntyre, Chair.

**TRANSPORT SERVICES - RETENDERING OF PRIVATE CONTRACTS**

1. There was submitted and noted a report dated 15 June 1999 (circulated) by the Director of Development Services advising of the contracts timetable and providing details of the vehicles to be included in the contract to be issued for vehicles currently maintained in the private sector.

**FUEL SUPPLIES, WESTERN ROAD, KILMARNOCK**

2. There was submitted a report dated 15 June 1999 (circulated) by the Director of Development Services advising of the withdrawal of general fuel supplies to Council vehicles at Western Road, Kilmarnock.

During discussion of the above report it was reported that Trade Union Representatives had expressed concern that the withdrawal of fuel supplies at Western Road, Kilmarnock may create a problem with regard to the provision of 24 hour access to petrol/diesel for Council vehicles and that the increased use of the Crookedholm fuel facilities might raise health and safety issues.

It was agreed:-

- (i) to note that general fuel supplies would no longer be available to Council vehicles from Western Road, Kilmarnock;
- (ii) that the fuel tanks would be removed;
- (iii) that the Director of Development Services ensure that arrangements were in place for 24 hour access to petrol/diesel supplies for Council vehicles as required; and
- (iv) that the Director of Development Services ensure that any health and safety implications at Crookedholm are adequately addressed.

### **GROUNDS MAINTENANCE - COMPETITIVE TENDERING PROCESS**

3. There was submitted a report dated 21 June 1999 (circulated) by the Director of Community Services seeking approval to invite suitably qualified consultants to express interest in assisting the Council in preparing an in-house bid for a package of ground maintenance work.

It was agreed:-

- (i) that the Director of Community Services seek expressions of interest from suitably qualified consultants to prepare a bid on behalf of the grounds maintenance DSO;
- (ii) that detailed proposals for the contract package be reported to the next meeting of the Community Services Committee;
- (iii) that the Director of Community Services discuss with Mitchell and Struthers an extension to their existing contract into 2000; and
- (iv) otherwise, to note the contents of this report.

### **COMPETITIVE SERVICES - ABSTRACT OF ACCOUNTS 1998/99**

4. There was submitted and noted a report dated 23 June 1999 (circulated) by the Director of Finance informing of the final out-turn for the Council's competitive services for 1998/99.

### **BUILDING MAINTENANCE MULTI-TERM CONTRACTS: KILMARNOCK SOUTH AND DOON VALLEY**

5. There was submitted a report dated 28 June 1999 (circulated) by the Chief Executive advising of the response which had been received from the Scottish Office to the Council's request that there be a re-assessment of the direction in which the Council should be required to proceed in relation to the current position and, in any event, that there had been granted an extension to the timescale for the Secretary of State's Direction from 1 July 1999 to 1 September 1999, together with an updated version thereof, also dated 28 June 1999 (both circulated).

It was agreed:-

- (i) to note the response received from the Scottish Office;
- (ii) to note that in the light of the Scottish Office response, immediately following the conclusion of detailed negotiations with Central Building Services Ltd, a report on the final award of the Kilmarnock South and Doon Valley areas Building Maintenance Multi-Trade Contracts on the basis of a two year period expandable by two one year options would be submitted to the Emergency Powers Committee;
- (iii) to note that the timescale for the completion of the tenders in respect of the Building Maintenance Multi-Trade Term Contracts had been extended by the Secretary of State to 1 September 1999;
- (iv) to request that the Director of Homes and Technical Services expedite negotiations with Trade Unions to secure workforce agreement for the required changes to working practices, thus finalising the Business Plan;

- (v) to ask the Director of Homes and Technical Services to identify, as appropriate, any areas where further variations to the Secretary of State's Direction would be helpful to the DLO whilst continuing to provide Best Value to the taxpayers, and bring such proposals forward to Committee; and
- (vi) otherwise, to note the terms of the report.

#### **EXCLUSION OF PRESS AND PUBLIC**

- 6. 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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in the paragraph of Schedule 7A of the Act as shown against each item.

#### **NOTE OF MEETING WITH TRADE UNION REPRESENTATIVES REGARDING SPECIAL AD HOC COMMERCIAL STRATEGY REVIEW COMMITTEE (PARA 11)**

- 7. There was submitted and noted Minutes of meeting held on 24 May 1999 (circulated).

#### **BUILDING AND WORKS INCOME RECOVERY (PARA 6)**

- 8. There was submitted and noted a report dated 21 June 1999 (circulated) by the Director of Homes and Technical Services outlining the current Building and Works Income Recovery position against budget up to and including Period 2, week ending 5 June 1999.

#### **BUILDING AND WORKS INVOICES (PARA 6)**

- 9. There was submitted and noted a report dated 21 June 1999 (circulated) by the Director of Homes and Technical Services informing of the ongoing progress in dealing with Building and Works suppliers invoices.

#### **BUILDING AND WORKS STORES UPDATE (PARA 6)**

- 10. There was submitted a report dated 21 June 1999 (circulated) by the Director of Homes and Technical Services advising of the issues relating to Building and Works Stores, in particular to the progress made following the introduction of continuous stock checking.

It was agreed to note the content of the report and the continued involvement of Internal Audit in monitoring the current situation and assisting in the implementation of the stores management system.

#### **BUILDING MAINTENANCE MULTI-TRADE TERM CONTRACTS AND DOMESTIC GAS MAINTENANCE TERM CONTRACTS - KILMARNOCK SOUTH AND DOON VALLEY - UPDATE ON PENSION PROVISIONS FOR POSSIBLE TRANSFERRING EMPLOYEES (PARA 9)**

- 11. There was submitted and noted a report dated 23 June 1999 (circulated) by the Chief Executive advising that the Scottish Office Pensions Agency had confirmed the

forthcoming introduction of arrangements which would safeguard in full the pension provision of any employees transferred to a private sector contract in terms of the Transfer of Undertakings (Protection of Employment) Regulations 1981, as amended (ie TUPE Regulations).

The meeting terminated 1455 hours.