

**EAST AYRSHIRE COUNCIL****MINUTES OF MEETING HELD ON THURSDAY 16 MAY 2013 AT  
1000 HRS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS,  
LONDON ROAD, KILMARNOCK**

**PRESENT:** Provost Jim Todd and Councillors Ellen Freel, Eòghann MacColl, John McGhee, Helen Coffey, Andrew Hershaw, Maureen McKay, Tom Cook, Lillian Jones, Iain Linton, Douglas Reid, Jim Buchanan, Depute Provost John Campbell, Councillors Gordon Cree, Drew McIntyre, Hugh Ross, Alan Brown, George Mair, Bobby McDill, John McFadzean, Neil McGhee, Stephanie Primrose, Jim Roberts, David Shaw, Billy Crawford, Barney Menzies, Kathy Morrice, Eric Ross, John Bell and Moira Pirie.

**ATTENDING:** Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Neighbourhood Services; Graham Short, Executive Director of Educational and Social Services; Alex McPhee, Executive Director of Finance and Corporate Support; Bill Walkinshaw, Head of Democratic Services; David Mitchell, Head of Legal, Procurement and Regulatory Services; Eddie Fraser, Head of Service: Community Care; and Julie McGarry, Administration Manager.

**APOLOGIES:** Councillors John Knapp and Elaine Dinwoodie.

**CHAIR:** Provost Jim Todd, Chair.

**PROVOST'S REMARKS**

1. The Provost welcomed Keiran Wood, 2<sup>nd</sup> Year Law Student from Dundee University to the meeting. Keiran was working in the Council's Legal Department for one week's work experience.

The Provost began his remarks by expressing his delight to have attended a boxing event organised by Ayrshire Warriors Boxing for Charity on 30 March in New Farm Loch Community Centre. The Provost advised that the Club had managed to raise the tremendous sum of £4564 which they had donated to Ayrshire Cancer Support. The Provost remarked that he had not been tempted to put the gloves back on and had noted that the boxers now wore 16 ounce gloves as opposed to 10 ounce gloves when he boxed.

The Provost then advised that it had been his privilege to have invited Mrs Jenny Ramsay MBE, County Vice President for Ayrshire North Guide Association to join him for civic recognition on 2 April. The Provost advised that Jenny had been involved in Guiding continuously for over 50 years and had worked tirelessly for Guiding and The Duke of Edinburgh's Award Scheme across more than 60 years of her life. The Provost advised that Jenny, at the age of 92, was now writing her guiding story which he was sure would be a very interesting read.

The Provost expressed his pleasure in joining Derek Mackay, Minister for Local Government and Planning, who had officially opened Rothesay House, Cumnock Area Office on 3 April. The Provost stated that the £9.9 million state of the art office was a real community hub, with housing and social work staff working alongside a Registrar's Office and a Marriage Suite, a library and conference facilities.

The Provost advised that he had been made very welcome at the new hospitality suite and training centre at Dumfries House on 3 April and had noted many young

modern apprentices in attendance on the day showing what they had learned from top chefs and maître d's. The Provost intimated that a varied audience had been introduced to Prince Charles and himself, and that the Chief Executive had wasted no time in engaging the Australian High Commissioner in boasting on what East Ayrshire had to offer.

The Provost reported that on 5 April all cadet, scouts, guides and youth organisations had mustered to meet Prince Charles, Prince William and Catherine, Duchess of Cambridge. The Provost advised that Prince William had been particularly tickled when the Provost had told him the story of how his father owed the Provost a pound from the Provost's Navy days and Prince William had stated 'Provost, you'll never get it back!'

The Provost then referred to the lovely welcome he had received from the staff and residents of Grange Care Home on 9 April. Many of the residents had shared some very interesting stories with him and that it had been a joy to share their company during his visit.

The Provost then expressed his delight to have joined carers, volunteers, good neighbours and community groups on 11 April at the Community Planning Awards. The Provost reported that the venue had been the Grange Academy campus which had looked grand and asked Members to join him in congratulating all worthy finalists of the six award categories:

- Promoting Lifelong Learning Award - East Ayrshire Carers Centre
- Delivering Community Regeneration Award - Dunlop & District Community Company
- Improving Community Safety Award - Volunteer Cycle Trainers
- Improving Health and Wellbeing Award - Meals on Wheels
- Good Neighbour Award - Barbara Wade
- Community Planning Partnership Award - East Ayrshire Community Play Forum

The Provost then referred to his enjoyment at officially opening the green at Howard Park Bowling Club on 13 April by delivering the silver jack and first bowl. The Provost advised that he had joined Club President Donald Love, members of the Bowling Club and a number of spectators for the first game of the bowling season. The Provost stated that Howard Park Bowling Club was the last municipal green in Kilmarnock and it had been really nice to see the revamped clubhouse, green and grounds looking great. The Provost advised that he had been made very welcome from all on the day.

The Provost then referred to his invitation from Brownings the Bakers on 17 April to taste a new range of pies which contained everything from sweet potato and goat's cheese to venison and puy lentils. The bakery had developed a new range of pies in partnership with Alistair Hood, owner of the Coffee Press in Kilmarnock and the Provost reported that he had greatly enjoyed trying the new flavours as well as some of Brownings' more classic offerings. Brownings had entered several of their pies into the British Pie Awards, including their famous Killie Pie, and that the winners had been announced in Melton Mowbray on 24 April; unfortunately, Brownings had not been successful this time round.

The Provost then reported on his meeting with members of the Ayrshire East Foodbank at Rugby Park on 17 April to lead the nationwide trolley push and stated that the foodbank was taking part in the project which would see a trolley pushed

more than 3,000 miles across the UK to highlight the starvation and poverty in the UK and the work of foodbanks in trying to combat this. The Provost advised that the Trussel Trust-organised event had started in Salisbury and was making its way all over the country while being monitored by a GPS tracking device and stated that there were over 90 foodbanks taking part from every corner of the UK. The Provost intimated that the trolley push was a great idea and its stop in Kilmarnock had turned out to be a very informative event for the foodbank and members of the community.

The Provost then referred to Francene Phillips and her family who had been guests of honour at Cumnock Old High Hall to receive the Cumnock's Citizen of the Year award. The Provost stated that Francene had thoroughly deserved the accolade for all the voluntary work she had done in the community.

The Provost then remarked that it had been an honour to attend the dedicating of the Covenanter memorial stone at Fenwick Parish Church on 21<sup>st</sup> April. The Provost advised that the "Deerness 8" had been men of Fenwick who had fought for the Covenanting cause at the Battle of Bothwell Brig on 22 June 1679. Some 1200 Covenanters had been taken prisoner that day along with men from Fenwick; some were executed, some released and the rest imprisoned in the open in Greyfriars Kirkyard while waiting "transportation to the colonies as slaves". A number of prisoners had perished in the harsh conditions of the open prison and those that survived had been boarded on the Crown of London which had set sail from Leith on 27 November 1679 with 250 prisoners on board bound for Virginia. The Provost advised that when the ship had put in at the Mull of Deerness on Orkney and had set sail again on 10 December 1679 it had hit a storm and had grounded on the rocks. The captain and crew escaped safely but only 48 of the prisoners survived. The Provost reported that over 200 Covenanters had perished at sea and their names were now commemorated on the new memorial erected by Lochgoin and Fenwick Covenanters Trust and advised that a ninth man from Fenwick, Robert Wallace, survived the shipwreck but had been recaptured and later transported to Jamaica.

The Provost intimated that kind-hearted pupils had been recognised for their services to the community in a ceremony at Loudoun Academy which had been attended by proud parents, community partners, Elected Members and himself on 22 April. The Provost stated that 60 young people from S1 - S6 had received prestigious Saltire Awards in recognition of more than 6,500 hours of volunteering, both within and outside the school. The Provost went on to say that since August 2012, they had helped out at organisations including the Boys' Brigade, Girl Guides, dance schools, Crosshouse Hospital, charity shops, the food bank, Youth Football Scotland and Kilmarnock Swimming Club. The Provost further stated that at school, the youngsters had volunteered at Children in Need events, had run the tuck shop, the eco group, offered peer support, reported on events for the Loudoun Academy website and much more.

The Provost then expressed his pleasure in visiting Auchinleck Academy and Knockroon on 23 April and had been extremely impressed with the skills and abilities of the students and teachers. The Provost stated that the work in partnership with Hope homes was encouraging senior pupils from Auchinleck and Cumnock Academies to learn traditional trades from master craftsmen.

The Provost advised that he had been invited to attend Youth Enterprise Scotland Ayrshire Finals on 25 April. Youth Enterprise Scotland promoted and ran the Young Enterprise Company Programme in Ayrshire and that this was the practical aspect of

what schools delivered in Business Studies. The Provost reported that students had set up a company, produced a logo and name for the business, decided what product/service to offer and had run the business for a school year with all the relevant staff in place (Managing Director, Finance Director, Sales & Marketing etc). As this was a competition the winners of the Ayrshire Regional Finals would go forward to the Scottish Final in June and the winner of the Scottish Final would go forward to the UK Final in London later in the year. The Provost advised that eight schools were competing this year - Grange, Loudoun (two teams), James Hamilton and Stewarton from East Ayrshire, Greenwood and St Matthew's from North Ayrshire, Belmont and Carrick from South Ayrshire and Belmont had won the overall award and would represent Ayrshire at the Scottish finals.

The Provost intimated that it had been a privilege to join Cabinet Secretary for Culture and External Affairs, Fiona Hyslop, and the Provost's two Ayrshire counterparts on 26 April at the official launch of the e-book 'Ayrshire's Famous People'. The book, created and funded by the Ayrshire Chamber of Commerce and Industry, showed 96 men and 18 women, either Ayrshire-born or linked to the area, who had made a significant contribution to Scotland's culture and heritage and the Provost advised that it was hoped that the digital publication would capture the essence of what made the area tick and inspire new generations of innovators and would also hopefully encourage tourism by inspiring a trail across Ayrshire, linking those on the list. The Provost further advised that the e-book would be published on Glow, the Scottish schools national intranet, giving all 2800 schools direct access to the 200-page book.

The Provost went on to state that East Ayrshire Council and Trade Union members had joined together on 27 April to support International Workers' Memorial Day. The Provost advised that a special memorial had been held at Dean Castle Country Park to remember workers who had been killed or injured in the course of their work within East Ayrshire. The Provost advised that the event, which had been organised by Kilmarnock and Loudoun Trades Union Council, had seen wreaths being laid at the Trades Union Council Memorial Tree within the park.

The Provost then expressed his pleasure in meeting Anne Boyce on 29 April at Craufurdland Angling Club in Kilmarnock to recognise her angling achievements. The Provost advised that Anne had taken up angling two years ago at Craufurdland Angling Club and through support gained at the club had entered the Scottish Ladies National Fly Fishing championships where she won all four trophies available and was now a member of the Scottish International Ladies Fly Fishing squad and would represent Scotland with the ladies team at the international championships in Ireland in June.

The Provost referred to local youngsters who had celebrated an amazing and unusual sporting achievement, involving a team of seven pupils from Park School, Kilmarnock who had travelled to Aviemore to compete in the National Shinty Festival and had carried off the trophy, after beating Oban 6-2. The Provost advised that Ryan Doran (S4), Dale Cunningham (S4), Ian Paton (S5), David McLatchie (S5), Murrie Robertson (S5), Andrew Connell (S6) and Kieran Lennon (S6) had had the time of their lives at the two-day festival, which had been open to all special schools in Scotland, though shinty was mainly played in the Highlands. The Provost stated that the Park School boys had enjoyed coaching sessions and mixed games, with all schools taking part in a tournament on the final day at Dalfaber Sports Centre.

The Provost then advised that he and other Elected Members from all over Ayrshire had been made very welcome at Belford Mill on 1 May. The Provost went on to say that the accommodation the Council of Voluntary Organisations had at the Mill continued to grow as new parts of the building were being taken over. The Provost intimated that Fiona and the team do a magnificent job holding all the voluntary organisations together and providing them with the resources they need.

The Provost then advised that he, along with Ms Von Jackson, the co-ordinator of the New Cumnock Station project, had unveiled a plaque to commemorate the origin of Kilmarnock to Dumfries Railway on 2 May. The Provost stated that Professor Paxton and ScotRail's John Yellowlees had decided upon a temporary location on the building for the plaque to be set up for unveiling. The Provost further stated that it would then be placed in store while building renovations were in progress; and these were hoped to be completed by October. The event had marked the new community use of the station whilst noting its place in history, welcoming the new function of the station building as a volunteer community hub.

The Provost then reflected on the difficult decision which had been required in selecting a new badge for the nursery at St Andrews on 3 May and stated that the winner was a very colourful affair and would make a wonderful badge for the nursery. The Provost advised that the children had taken great delight in showing off a family of ducks who had taken up residence in their playground.

The Provost then referred to a great night on 5 May at Darvel Music Festival, at which the Committee had kindly asked him onto the stage to explain about prostate cancer before an auction had been held for a Provost's bottle of whisky and after this, and donations from the audience, a sum of £270 had been raised for the charity. The Provost stated that along with some great music this had made a rocking night.

The Provost went on to advise that he had had a lovely evening in the company of Councillor Eòghann MacColl who had explained his inspirations and the influences that went into his artwork. The Provost stated that around 30 guests from the arts fraternity had enjoyed a tour of the Dean Castle and a lovely presentation from Eòghann in the banqueting hall on 8 May.

The Provost informed of a very nice visit which had taken place on 9 May with students from James Hamilton Academy who had organised a whole host of business opportunities and charitable activities. The Provost stated that the rucksack for Malawi had been a great idea with equipment ranging from trainers and flip flops to pencils and rubbers being sent over which would greatly aid school children in the country.

The Provost then advised that the members of St Columba's Open Door Club had invited him to their meeting on 9 May in the Church Hall to explain what the Provost did and that after a chat and a cup of tea, the group had very generously donated £30 for his charity, Prostate Cancer UK.

The Provost referred to the Hillbillies Fundraising Dance at Mauchline Kilmarnock Supporters Club on 11 May when the President and Secretary of the Hillbillies had asked him to attend the dance being arranged to raise funds for Combat Stress. The Provost advised that a great sum of £540 had been raised with two rock 'n' roll bands providing the tunes.

The Provost also referred to the Ayrshire Classic Car Club Show at the Dean Castle on 12 May where a whole host of classic cars had been on display and stated that it

had been an honour to present the trophies to the winners, and that Gordon Laird, originally from Kilmarnock and now residing in New Cumnock, had won the public vote for a complete ground up restoration on a Ford Fiesta MK1 XR2, a lovely machine which he had done all the work on himself.

The Provost then referred to the launch of the Galston Conservation Area Regeneration Scheme on 13 May which would hopefully bring some beautiful buildings back to their former glory. The Provost advised that architects and surveyors had identified the buildings best suited to regeneration and he looked forward to seeing the work completed after the five year plan.

The Provost then advised that the Scottish National War Memorial had written asking him to thank all Members of the Council for the financial contribution East Ayrshire Council had given them in support of their appeal to mark the 100<sup>th</sup> Anniversary of the start of the Great War. The Provost further advised that this money was to assist them to modernise their website, updating photographic archive and recording how their war memorial was conceived and developed. The Provost stated that it was hoped that this project would inspire future generations across and beyond Scotland.

The Provost then referred to the Barcelona of Junior Football, Auchinleck Talbot, who had won the 2012/13 West Premier League Championship with games in hand and that the "East Ayrshire Catalonians" were also in the Final of the Scottish Junior Cup for the third successive season and would play Linlithgow Rose on 2 June. The Provost intimated that our best wishes go with them and that he understood that they talk of little else in the tapas bars of Auchinleck these days. The Provost also advised that Bonnyton Thistle Under 19s had won the Scottish Cup again and congratulated them on this recent success.

Finally, the Provost was pleased to confirm that East Ayrshire Leisure was now formally registered as a Scottish Charitable Incorporated Organisation by the Office of the Scottish Charity Regulator and work was progressing to transfer services to the new body on 1 July.

Councillor Eric Ross joined the meeting during the above item.

### **PREVIOUS MINUTES**

2. There were submitted and approved as a correct record the Minutes of the Council meeting of 28 March 2013 (pages 403-413).

### **CABINET/COMMITTEE MINUTES**

3. There were submitted (circulated) and approved as correct records, with the exception of the Governance and Scrutiny Committee Minutes which were for noting only, the Minutes of the undernoted meetings, viz:-
  - 3.1 **CENTRAL NORTH LOCAL GRANTS COMMITTEE OF 19 MARCH 2013 (pages 377-380).**
  - 3.2 **CENTRAL SOUTH LOCAL GRANTS COMMITTEE OF 19 MARCH 2013 (pages 381-383).**
  - 3.3 **NORTHERN LOCAL GRANTS COMMITTEE OF 20 MARCH 2013 (page 384).**
  - 3.4 **GOVERNANCE AND SCRUTINY COMMITTEE OF 21 MARCH 2013 (pages 385-388). (FOR NOTING ONLY)**

- 3.5 SOUTHERN LOCAL GRANTS COMMITTEE OF 21 MARCH 2013 (page 389).
- 3.6 LOCAL REVIEW BODY OF 25 MARCH 2013 (pages 390-392).
- 3.7 CABINET OF 27 MARCH 2013 (pages 393-402).
- 3.8 SPECIAL LOCAL GOVERNMENT LICENSING PANEL OF 17 APRIL 2013 (pages 414-415).
- 3.9 PLANNING COMMITTEE OF 19 APRIL 2013 (pages 416-419).
- 3.10 CABINET OF 24 APRIL 2013 (pages 420-425).
- 3.11 GOVERNANCE AND SCRUTINY COMMITTEE OF 25 APRIL 2013 (pages 426-429) (FOR NOTING ONLY).

**EXCERPT FROM GRANTS COMMITTEE MEETING OF 9 MAY 2013 -  
THIRD SECTOR INTERFACE REPRESENTATION ON THE GRANTS  
COMMITTEE (Item 5, Page 437, 13/17)**

- 4. There was submit an excerpt from the Grants Committee meeting of 9 May 2013 (circulated).

Councillor Brown seconded by Councillor Cook moved the recommendation from the Grants Committee namely the inclusion of a representative of the Third Sector Interface to become a non-voting member of the Grants Committee to participate on the deliberations relative to those funding packages that relate to the community/voluntary projects that are subject of the present review process; and, where appropriate, thereafter in any subsequent review of funding for those community/voluntary projects.

Councillor Mair seconded by Councillor Crawford moved as an amendment the direct negative.

On a division by a show of hands, the motion was carried by 18 votes to 11.

**RECOMMENDATION OF PLANNING COMMITTEE HELD ON FRIDAY 19 APRIL  
2013 RELATING TO PLANNING APPLICATION NO 12/0883/PPP: PROPOSED  
COLLEGE CAMPUS DEVELOPMENT AND DETAILED APPROVAL FOR  
UPGRADED ACCESS ROAD FROM HILL STREET TO COLLEGE SITE,  
LOCATION OF COLLEGE BUILDING ZONE AND SPORTS PITCH/CAR PARKING  
ZONE AND MAXIMUM HEIGHT OF COLLEGE BUILDING AT 18-20 HILL STREET,  
KILMARNOCK BY KILMARNOCK COLLEGE (Item 2, Page 416, 13/17)**

**5.1 Declaration of Interest**

Councillor Linton, as a Board Member of the Kilmarnock College, declared a non-financial interest in respect of this item in terms of Paragraph 7.12 of the Councillors Code of Conduct and withdrew from the meeting.

**5.2 Consideration of Item**

There was submitted report dated 24 April 2013 (circulated) by the Executive Director of Finance and Corporate Support which informed of the recommendation of the Planning Committee held on 19 April 2013 regarding the above planning application and which invited Council to determine the application for planning permission, in principle, in terms of the Scheme of Delegation on the grounds that the application under consideration proposed a major development as defined by the Town and

Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, that were significantly contrary to the Development Plan.

It was agreed to approve the planning application in principle subject to the conditions and for the reasons detailed in the report and subject to the amendment to Condition 9 as follows:- Notwithstanding Condition 2 above, parking details within the application site shall be provided in accordance with the provisions of Scottish Planning maximum parking standards providing 269 car parking spaces and parking for buses and cycle standards shall be provided in accordance with the approved Transport Assessment. These details shall be submitted to and approved in writing by the Planning Authority as part of the application(s) for the Approval of Matters specified in the Conditions of this Planning Permission in Principal (AMCPPP).

Councillor Eric Ross left the meeting and Councillor McIntyre joined the meeting during consideration of the above item.

The meeting terminated at 1047 hrs.