

EAST AYRSHIRE COUNCIL

MINUTES OF MEETING HELD ON THURSDAY 29 FEBRUARY 2024 AT 1000 HRS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK/BY VIDEO CONFERENCE

MEMBERS PARTICIPATING: Provost Jim Todd and Councillors Stephen Canning, Ellen Freil, John McFadzean, John McGhee, Elaine Cowan, David Richardson, James Adams, Lillian Jones, Iain Linton, Douglas Reid, Graham Barton, Graham Boyd, Barry Douglas, Neal Ingram, Peter Mabon, Clare Maitland, Beverley Clark, Sally Cogley, Kevin McGregor, Depute Provost Claire Leitch and Councillors William Lennox, Alyson Simmons, Billy Crawford, June Kyle, Jim McMahon, Neill Watts, Drew Filson, Jennifer Hogg and Elaine Stewart.

OFFICERS PARTICIPATING: Eddie Fraser, Chief Executive; Richard Grieveson, Depute Chief Executive; Craig McArthur, Director of Health and Social Care Partnership; David Mitchell, Chief Governance Officer; Marion MacAulay, Head of Children's Health, Care and Justice Services; Joe McLachlan, Chief Financial Officer and Head of Finance and ICT; Linda McAulay-Griffiths, Chief Education Officer and Head of Education; Iain Tough, Head of Corporate Support; David McDowall, Head of Economic Growth; Andrew Kennedy, Head of Facilities and Property Management; Blair Millar, Head of Housing and Communities; Erik Sutherland, Head of Locality Health and Care Services; Amanda Lowe, Head of People and Culture; Julie Hope, Depute Head of Education: Operations and Resources; Paul Toland, Depute Head of ICT and Digital; Simon Bell, Strategic Lead - Asset Investment; Robin Baker, Exchequer and Capital Finance Manager; Julie Jamieson, Corporate Accounting Manager; Colin Hastings; Acting Group Finance Manager - Corporate Finance and Reporting; Karen Purves, Strategic Manager: Development Management and Regeneration; Claire Kavanagh, Strategic Lead Community Led Regeneration; Pauline Minnery, Programme Management and Business Support; Lynne Buchanan, Communications Manager; Fiona Docherty, Senior Accountant; Lynn Young, Democratic Services Officer; and Julie McGarry, Democratic Services Manager.

APOLOGIES; Councillors Maureen McKay and Linda Holland.

CHAIR: Provost Jim Todd, Chair.

PROVOST'S REMARKS

The Provost opened his remarks by stating that he had had a great day at the Cumnock Juniors -v- Rob Roy football match on 6 January where he had handed over a cheque for £1,000 in recognition for Cumnock Juniors winning the Scottish Cup and stated that these funds would go to help with their brilliant plans for a new stand.

The Provost then remarked that he had gone along to Kilmarnock College on 19 January to see the Scottish finals of the Lego Challenge. It had been great to see all of our budding engineers and the problem solving skills they had utilised. The Provost had passed on his congratulations to the winners and wished them good luck in representing Scotland at the British finals.

The Provost stated that he had had a wonderful afternoon on 29 January when he had watched the brilliant film about Hurlford young folk preparing for their very own food pantry. The future pantry had been supported by Barnardo's and the Co-op and would be a real asset to those families who found themselves in need of support.

The Provost further stated that on 10 February he had attended the recognition of DART for all of their voluntary work and Darvel regeneration. This had been recognised in the King's Award for Voluntary Service, one of only four recognitions in Scotland. It had been a great afternoon meeting all of the people that had been involved in setting up DART and lovely to see our Lord Lieutenant, Iona McDonald, who had presented the King's Award to the Committee.

The Provost went on to advise that on 16 February it had been great to meet all of the finalists from our Primary School sports competition - Dunlop, Nether Robertland, James Hamilton and Annanhill Primaries. Dunlop Primary School had come out the winners, everyone had performed so well and they were all brilliant ambassadors for their schools.

The Provost also remarked that it had been wonderful to see East Ayrshire residents in the King's New Year Honours list and offered a massive congratulations to -

Professor Sir James McDonald, who had received the Knights Grand Cross of the Order of the British Empire for services to Engineering, Education and Energy.

Christopher Smith, who was a teacher at Grange Academy. Chris had received an MBE for services to Education and to the community in East Ayrshire.

William Campbell, who had received an OBE for services to the community in Stewarton, East Ayrshire.

Mrs Shendl Harvey from South Ayrshire, who had received an OBE for services to Dance. Shendle had previously been a teacher at New Farm Loch Primary School.

The Provost further advised that Heather Anderson, who attends Kilmarnock Academy, and Kirsty Gemmell, who attends The Robert Burns Academy, had travelled to London with the Ayrshire Fiddle Orchestra on 23 January. They had been delighted to perform at 10 Downing Street and the House of Commons for the Burns Day celebrations where they, and everyone from the orchestra, must have felt very proud and honoured to have performed at such prestigious venues. The Provost then congratulated Heather and Kirsty.

The Provost went on to advise that he had invited Billy Robertson into Headquarters on 21 February for a Civic Recognition reception to congratulate Billy in winning the Scottish Sports Award for Community Champion at the Glasgow Science Centre on 8 December 2023. The Civic Reception also recognised the voluntary work Billy had undertaken as he had worked tirelessly over the years helping with the Harriers and other sports groups, encouraging youngsters to reach their full potential. The Provost thanked and also congratulated Billy for his achievements.

The Provost then advised that he had nominated the Kilmarnock branch of the British Legion for the Scottish Veterans Award and he was delighted to announce that the branch had been shortlisted. The Provost wished them good luck for the final and stated that he would keep everyone posted.

Finally, the Provost was thrilled to announce that so far, a massive £9,931.72 had been raised for his chosen charity. He thanked everyone who had been involved in making the fundraising events possible and appreciated the hard work that had been put in and advised that he felt a sense of pride in his colleagues for their commitment. He was confident that in the next couple of months the funds raised would exceed £10,000.

DECLARATIONS OF INTEREST

1. No declarations of interest were intimated by the Members participating in relation to the items of business on the agenda.

PREVIOUS MINUTES

2. There were submitted (circulated), and approved as a correct record, the Minutes of the Council meeting of 14 December 2023 (pages 3-8).

CABINET/COMMITTEE MINUTES

3. There were submitted (circulated), and approved as correct records (with the exception of the Minutes of the Governance and Scrutiny Committee, the Integration Joint Board and the Ayrshire Economic Joint Committee which were noted) the Minutes of the undernoted Meetings, viz:-

- 3.1 **INTEGRATION JOINT BOARD OF 11 OCTOBER 2023 (pages 9-21).**
- 3.2 **AYRSHIRE ECONOMIC JOINT COMMITTEE OF 20 NOVEMBER 2023 (pages 22-24).**
- 3.3 **INTEGRATION JOINT BOARD OF 13 DECEMBER 2023 (pages 25-39).**
- 3.4 **GOVERNANCE AND SCRUTINY COMMITTEE OF 9 NOVEMBER 2023 (pages 40-44)**
- 3.5 **CABINET OF 6 DECEMBER 2023 (pages 45-47)**
- 3.6 **LOCAL REVIEW BODY OF 11 DECEMBER 2023 (pages 48-49)**
- 3.7 **PLANNING COMMITTEE OF 15 DECEMBER 2023 (pages 50-53)**
- 3.8 **RECRUITMENT PANEL OF 8 JANUARY 2024 (page 54)**
- 3.9 **SPECIAL LOCAL GOVERNMENT LICENSING PANEL OF 9 JANUARY 2024 (pages 55-56)**
- 3.10 **PLANNING COMMITTEE OF 12 JANUARY 2024 (pages 57-58)**
- 3.11 **SPECIAL AYRSHIRE ECONOMIC JOINT COMMITTEE OF 15 JANUARY 2024 (pages 59-60).**
- 3.12 **CABINET OF 17 JANUARY 2024 (pages 61-64)**

Matters arising – item 5, page 63, pavement parking enforcement

Discussion took place on parking around Rugby Park, Kilmarnock during football games and it was agreed that the Depute Chief Executive would discuss this matter with ARA, Police Scotland and Kilmarnock Football Club on enforcement options along with the possibility of opening up Gargieston Primary School as an overspill parking facility and revert to Members with any outcomes.

- 3.13 **LOCAL GOVERNMENT LICENSING PANEL OF 18 JANUARY 2024 (pages 65-66)**
- 3.14 **RECRUITMENT PANEL OF 1 FEBRUARY 2024 (pages 67-68)**
- 3.15 **LOCAL REVIEW BODY OF 2 FEBRUARY 2024 (pages 69-71)**
- 3.16 **APPEALS PANEL - NON-DOMESTIC RATES RELIEF OF 5 FEBRUARY 2024 (page 72)**
- 3.17 **CABINET OF 7 FEBRUARY 2024 (pages 73-76)**

3.18 RECRUITMENT PANEL OF 9 FEBRUARY 2024 (page 77)**3.19 SPECIAL CABINET OF 14 FEBRUARY 2024 (pages 78-81)****3.20 PLANNING COMMITTEE OF 16 FEBRUARY 2024 (pages 82-85)****SERVICE CONCESSION ARRANGEMENTS**

4. There was submitted a report (circulated) by the Chief Financial Officer and Head of Finance and ICT which provided Members with information on changes that the Council was permitted to make to the accounting treatment for debt repayments relating to Service Concession Arrangements that existed within the Council and which sought approval to implement the necessary adjustments.

It was agreed:

- (i) to approve the application of the flexibility provided within Finance Circular 10/2022, that this would be applied retrospectively and that the calculation of debt repayment would be on the annuity basis;
- (ii) to note that £16.717m would be transferred from the Capital Adjustment Account to the credit of the General Fund reserve as a non cash backed element of the reserve; and
- (iii) otherwise, to note the content of the report.

SETTING THE 2024/25 REVENUE BUDGET**5.1 Order of Debate and Time Limit for Speeches**

It was noted that, in accordance with Standing Orders, a mover of a motion or amendment should speak for no more than 10 minutes with succeeding speakers entitled to speak for no more than 5 minutes, with the original mover then having the right to speak for no more than 5 minutes in reply.

Both the SNP Group and the Labour Group then outlined additional measures that they wished to be considered.

ADJOURNMENT/RECONVENTION

The meeting adjourned at 10.57 hrs and reconvened at 11.32 hrs with the same Members present and in attendance, to allow Leaders, Groups and other Members the opportunity to review each of the proposed additional measures submitted by both Groups.

5.2 Consideration of item

There was submitted the remit and recommendations (circulated) from the Cabinet meeting held on 28 February 2024.

It was agreed to approve the recommendations from Cabinet, namely:-

- (i) that the expenditure reduction measures at Appendix 1 of the report together with the options to close the additional budget gap noted at paragraph 68 of the report be approved;
- (ii) that the Resource Allocations shown at paragraph 69 of the report be approved;
- (iii) that departmental service plans be updated accordingly to reflect management actions and the updated Resource Allocations;

- (iv) that the Band D Council Tax level for 2024/25 be maintained at £1,487.44 and accept the Scottish Government allocation of £3.041m to freeze Council Tax;
- (v) that Bereavement Services fees are increased from 1 April 2024 by 10%;
- (vi) that all other fees and charges be held at 2020/21 levels other than those contained as options within Appendix 1 of the report or are set nationally or by partners;
- (vii) to note the outcome and views arising from the budget engagement events at paragraphs 73-81 of the report;
- (viii) to approve a transfer of £0.039m to the IJB to fund Protection and Learning reviews, independent protection Chairs and criminal and child sexual exploitation training as noted at paragraphs 47-48 of the report;
- (ix) to note that Council on 29 February 2024 will be asked to approve the Service Concession Arrangements report, the financial implications of which were included in the report;
- (x) to note the significant non-recurring benefits from the reduction in employer pension rates and Service Concession Arrangements and approve the use of the funding over a 10 year period;
- (xi) that the Reserves and Balances Strategy set out in Appendix 2 of the report be approved;
- (xii) otherwise, to note the contents of the report.

The following additional measures were also agreed on a one-off basis as undernoted, namely:-

- (a) £254k to extend the work of the civic pride initiative for a further year;
- (b) £180k to support two temporary additional posts in the Corporate Enforcement Team;
- (c) £400k for roads and pavements improvements;
- (d) £40k to extend the clothing grants scheme to eligible families of 3 and 4 year olds attending early years establishments - with £50 grants available per child whose circumstances meet the criteria for footwear and clothing grants;
- (e) £860k to extend half price school meals for another year from August 2024 to June 2025;
- (f) £137k to maintain the garden waste collection fee at £30 per bin avoiding an increase in the price of the permits as was recommended as Option 19 of the report;
- (g) to request the Depute Chief Executive to bring forward a report extending Financial inclusion support to schools and early years establishments for a further 6 months at a cost of £191k

Councillor Barton left the meeting at this point.

BUILDING A FUTURE EAST AYRSHIRE CAPITAL INVESTMENT PROGRAMME REVIEW

6.1 Order of Debate and Time Limit for Speeches

It was noted that, in accordance with Standing Orders, a mover of a motion or amendment should speak for no more than 10 minutes with succeeding speakers entitled to speak for no more than 5 minutes, with the original mover then having the right to speak for no more than 5 minutes in reply.

6.2 Consideration of item

There was submitted the remit and recommendations (circulated) from the Cabinet meeting held on 28 February 2024.

It was agreed to approve the recommendations from Cabinet, namely:-

- (i) to the overall approach to the initial review of the capital programme in line with strategic priorities, medium term financial strategy and deliverability recognising the pressures of the current financial climate;
- (ii) to the proposed alignment of the project budgets recognising the need to further consider individual project challenges, external funding, ongoing inflation and evaluation of project needs;
- (iii) to note that the investment cap of 8% of the general fund net revenue stream is reached in 2027/28 with future year's capital plans breaching the cap and therefore that a wider review of the long term strategic direction of the capital investment programme will take place with the outcome reported to members during 2024;
- (iv) to note the above review will also inform the development of an updated Asset Management Framework for 2025 – 2030 which will be presented to a future Cabinet;
- (v) to note the challenges identified in relation to the Capital Programme and specifically the Learning Estate in relation to limited external funding and ask officers to provide further proposals to future Cabinets; and
- (vi) otherwise, to note the contents of the report.

During consideration of this item it was agreed that officers arrange a session for Councillors on Procurement in the public sector and the arrangements in place in East Ayrshire Council.

TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY 2024/25

7. There was submitted a report (circulated) by the Chief Financial Officer and Head of Finance and ICT which requested that Members consider and approve the proposed Treasury Management Strategy Statement and Investment Strategy for financial year 2024/25.

It was agreed:

- (i) to approve the Treasury Management Strategy Statement and Annual Investment Strategy for 2024/25;
- (ii) to approve the Prudential Indicators contained within the attached Treasury Management Strategy Statement and Annual Investment Strategy for 2024/25;

and

- (iii) otherwise, to note the content of the report.

OUR LONG-TERM PLAN FOR TOWNS - KILMARNOCK

8. There was submitted a report (circulated) by the Depute Chief Executive which provided Members with an update in relation to the UK Government's Plans for Towns, which provided funding for 55 towns across the UK, including Kilmarnock and to set this within the strategic context for regeneration of the town.

It was agreed:

- (i) to note the contents of the UK Government's Long Term Plan for Towns and, in particular, the allocation of £20 million for Kilmarnock over 10 years;
- (ii) to note the subsequent publication of Long Term Plan for Towns: guidance for Local Authorities and Town Boards, Scotland and Wales, policy toolkit and data pack for Kilmarnock;
- (iii) to delegate to the Chief Executive to make such necessary arrangements via engagement with the local MP to secure the appointment of the initial core Board membership and independent Chair, noting that the first meeting of the Board must take place prior to 1 April 2024;
- (iv) to nominate Councillors Reid and Douglas to be members of the Kilmarnock Town Board, with Councillors Cowan and Boyd to act as substitutes;
- (v) to note that one Council officer would also attend the Town Board in an advisory capacity, with a nominated substitute;
- (vi) to note the public engagement on the role and purpose of the Kilmarnock Town Board that would be undertaken in March 2024;
- (vii) to note that the Council would provide support to the Town Board and act as Secretariat;
- (viii) to note that a further update report would be provided outlining the progress of the creation of the Town Board and subsequent Annual Investment Plan to be submitted to the UK Government; and
- (ix) otherwise, to note the contents of the report.

Councillor Cogley left the meeting during consideration of this item.

Councillor Watts left the meeting at this point.

MOTION BY COUNCILLOR JIM McMAHON

9. Council agreed to accept the following motion:

"That East Ayrshire Council acknowledge the 40th anniversary of the Miners' Strike of 1984, and its objectives of preserving the communities in stature, culture and employment".

The meeting heard from various Members on their life experiences during the Miners' Strike. The debate can be view [online](#), starting around the 57th minute.

The meeting terminated at 1259 hrs.