

Irvine Area Committee
21 April 2010

IRVINE, 21 April 2010 - At a Meeting of the Irvine Area Committee of North Ayrshire Council at 2.00 p.m.

Present

Pat McPhee, Tom Barr, Matthew Brown, Ian Clarkson, David O'Neill and Joan Sturgeon.

In Attendance

I. T. Mackay, Solicitor to the Council, J. McHarg, Learning Manager, Capacity Building and B. Anderson, Performance/Grants Information Officer (Community Learning and Development) (Education and Skills); A. Little, Committee Services Officer and E. Fisher, Committee Services Support Officer (Chief Executive's).

Also In Attendance

Sergeant A. Brown, Strathclyde Police and Station Commander K. Alcroft, Strathclyde Fire and Rescue.

Chair

Councillor McPhee in the Chair.

Apologies for Absence

Ruby Kirkwood.

1. Declarations of Interest

In terms of Standing Order 16, Councillor Brown declared an interest in Agenda Item 7 (Irvine Common Good Fund) in relation to Irvine Christmas Lights and Events Group. Councillor Clarkson declared an interest in Agenda Items 6 and 7 (Community Development Grants Scheme and Irvine Common Good Fund) in relation to applications by the Marymass Development Committee. Neither took part in the discussion thereon.

2. Strathclyde Police

Sergeant Brown reported on incidents and activities in the Committee's area during March 2010.

Operation Equinox is an action plan which is geared towards targeting anti social behaviour by youths during the spring and summer months. It is anticipated that early intervention and a combination of enforcement, prevention, diversion and education tactics will steer youths away from anti social behaviour. Letters highlighting the action plan have been compiled and distributed by hand to known offenders and their parents.

Noted.

3. Strathclyde Fire and Rescue

Submitted report by Strathclyde Fire and Rescue on activity within the Irvine area from 2 March to 12 April 2010.

Station Commander Alcroft provided Information in relation to:-

- A deliberate dwelling fire
- A deliberate fire in a derelict building
- Secondary fires
- Malicious calls
- Heath and grass fires
- Special services
- Road traffic collisions

Free Home Fire Safety Visits are continuing within the area with 10 year smoke alarms fitted if required. Fire Reach and Work Experience Courses are continuing to prove very successful.

The Committee was advised of a protocol in place with Cleansing Services to deal with the aftermath of fires in Council premises. A similar protocol in respect of secondary and rubbish fires would prevent debris being relit.

The Committee (a) noted the report; and (b) agreed to receive yearly statistics for 2008/09 and 2009/10.

4. Seagate Castle, Irvine

Submitted report by the Solicitor to the Council on the background to the current condition of Seagate Castle.

Seagate Castle was designated an ancient monument in 1955 and re-affirmed as such by the Secretary of State for Scotland in 1993. Until recently, it was thought that the castle and its grounds formed part of the portfolio of property held by Education and Skills. Recent investigations into the background of the castle show the title deeds describe it as being "in free gift to be retained in all time coming by the Royal burgh of Irvine for behoof of the people of Irvine". The fact that it was a gift, no money was paid for it, and that the term "for behoof of" was used in the title, demonstrates that this property formed part of the common good of the former Royal Burgh of Irvine.

A recent survey of the castle highlighted deterioration in the fabric of the building, identified works required and indicative costs. It was proposed that a further assessment of the castle be undertaken to identify unavoidable repairs which should be carried out as soon as possible. Historic Scotland consent will be required for works to be carried out.

Grants for any works to the castle may be available from Historic Scotland and funding may be required from Irvine Common Good. Consideration of the implications of this expenditure will be undertaken once detailed costs have been received. Any significant expenditure on a common good asset is a matter for the Executive of the Council to determine and a report on Seagate Castle will be submitted to the Executive as soon as possible.

Noted.

5. Abandoned Shopping Trolleys: Update

Submitted report by the Solicitor to the Council on the situation regarding abandoned shopping trolleys.

There has been a long standing problem with regard to abandoned shopping trolleys in the Irvine area. Since 1998 arrangements have been in place between the Council and local supermarkets for the collection, storage and disposal of abandoned shopping trolleys.

At its meeting on 10 March 2010, the Committee requested information on liability issues arising in respect of abandoned shopping trolleys. At common law, the Council would only be found to owe a duty of care to the person injured if (i) it had been reasonably foreseeable that harm would result from the Council's act or failure to act; (ii) it was clear that the person could be affected by the act or omission of the Council; and (iii) it is fair and reasonable in all the circumstances, including from the public policy perspective, that liability should fall on the Council. The factors taken into account by the courts to determine liability will be varied dependent on the specific circumstances of the case.

The Committee agreed that the Head of Environment and Related Services convene a meeting with major supermarkets in the area to reinforce the Council's view on abandoned shopping trolleys.

6. Community Development Grants Scheme 2010/11: Applications for Financial Assistance

Submitted report by the Corporate Director (Education and Skills) on applications received in respect of the Community Development Grants Scheme Award.

On 16 February 2010, the Executive of North Ayrshire Council considered a report on the Corporate Grants Budget in 2010/11 and agreed to allocate £41,675 to the Irvine Area Committee in respect of the Community Development Grants Scheme and £18,540 in respect of the Local Youth Action Fund. It was also agreed that the Community Development Grants allocation be released in two phases (50% in April and 50% in September/October). This will assist Members to monitor applications and phase grants to cover applications for seasonal events such as galas, festivals, summer outings and Christmas events.

In January 2010 the Committee agreed to allocate £1,940 to Irvine Burns from the 2010/11 Community Development Grants budget. The Community Development Grants budget therefore has a balance of £39,735 available for disbursement.

The Committee agreed to make the following awards:-

Community Development Grants Scheme

Organisation	Award
Marymass Chess Congress	£500
Marymass Development Committee	£2,400
Fullarton Wheelers	£0
Vineburgh Community Centre Management Committee	£140 to be released upon receipt of satisfactory financial monitoring.
Irvine Rugby League Club	£700
Irvine Horticultural Society	£608

7. Irvine Common Good Fund

Submitted report by the Chief Executive on historical annual commitments and on an application for financial assistance from Irvine Common Good Fund.

An indicative budget of £67,000 will be available for disbursement in 2010/11. Appendix 1 to the report provided details of awards that the Committee previously agreed to meet annually from the Common Good Fund. The Committee was invited to endorse the continuation of these awards. Appendix 2 to the report set out an application from the Marymass Development Committee for an award of £56,756.88 in respect of the 2010 Marymass Festival.

The Committee agreed (a) to continue to set aside funds to meet annual commitments to the Marymass Development Committee and Irvine Old Folks Joint Wards, and to contribute towards the provision of Christmas lights in Irvine, all subject to satisfactory applications being received; (b) that Irvine Christmas Lights and Events Group be encouraged to apply for funding from the Community Development Grants Scheme; and (c) to award Marymass Development Committee £56,756.88 in respect of the 2010 Marymass Festival.

8. Corporate Grants to Elderly Groups

Submitted report by the Chief Executive on the method of distributing corporate grants for elderly groups within the Committee's area in 2010/2011.

At its meeting held on 16 February 2010, the Executive agreed the disbursement of the Corporate Policy Grants budget for 2010/11. The Executive agreed to approve an allocation of £71,683 for disbursement to elderly groups. The Irvine Area Committee has been allocated the sum of £17,698.

Grants are paid to elderly groups to fund social events such as summer outings and Christmas events or to support other activities for the benefit of the elderly. Groups are required to complete an application form setting out how they intend to utilise the funding and financial monitoring is undertaken to ensure funds are used appropriately.

The Committee agreed to approve the awards as detailed in the appendix to the report.

The meeting ended at 3.02 p.m.