

Department of Finance and Corporate Support

Executive Director: Alexander McPhee ACMA

Direct Dial: (01563) 576279 Fax: (01563) 570525

Email: alex.mcphee@east-ayrshire.gov.uk

If telephoning or calling please ask for:

Christine Baillie, Direct Dial (01563) 576129

e-mail: christine.baillie@east-ayrshire.gov.uk

To: Councillors Douglas Reid (Chair), Iain Linton (Vice-Chair), John MacKay, Maureen McKay, Jim Buchanan, Hugh Ross, Jim Todd, Robert McDill, Jim Roberts, Barney Menzies and Kathy Morrice; and Church Representative: Maria Dorrian; Parent Representative: David Fraser; and Teacher Representative: Bryce Wilson.

12 August 2010

Dear Member

CABINET - WEDNESDAY 18 AUGUST 2010

You are requested to attend a meeting of **CABINET** to be held on **WEDNESDAY 18 AUGUST 2010** at **1000 HOURS** in the **COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**, in order to consider the undernoted business.

Yours sincerely



Alex McPhee

Executive Director of Finance and Corporate Support
CB/SC

B U S I N E S S

INTIMATE APOLOGIES

PROMOTING LIFELONG LEARNING

- 1E. SCHOOL HOLIDAY ARRANGEMENTS 2011/2012 (pages 1-5)** - Submit report dated 20 July 2010 ([copy enclosed](#)) by the Executive Director of Educational and Social Services informing Cabinet of the consultation exercise carried out in relation to school holiday arrangements for school session 2011/2012 and seeking agreement of Cabinet to implement the preferred school holiday option.
- 2E. GRANTS TO VOLUNTARY ORGANISATIONS (pages 6-8)** - Submit report dated 1 July 2010 ([copy enclosed](#)) by the Executive Director of Educational and Social Services advising Cabinet of a grant application from KULOC for 2010/11 and making recommendations accordingly.

COUNCIL HEADQUARTERS
L O N D O N R O A D
KILMARNOCK KA3 7BU
T E L : 0 1 5 6 3 5 7 6 0 0 0
F A X : 0 1 5 6 3 5 7 6 5 0 0
Legal Post LP18
www.east-ayrshire.gov.uk

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES

- 3E. HEALTH AND SAFETY PERFORMANCE UPDATE REPORT: QUARTER 1 2010/11 (pages 9-12)** - Submit report dated 2 August 2010 ([copy enclosed](#)) by the Depute Chief Executive/Executive Director of Neighbourhood Services providing Cabinet with a performance update on the operation of the Corporate Health and Safety Section Quarter 1 of 2010/11.
- 4E. SICKNESS ABSENCE AND ANNUAL LEAVE ENTITLEMENT (pages 13-18)** - Submit report dated 14 July 2010 ([copy enclosed](#)) by the Executive Director of Finance and Corporate Support recommending proposed amendments to the Council's Policies and Conditions of Service relating to sickness absence and leave to take account of the European Court of Justice (ECJ) and House of Lords rulings in *Stringer v HMRC* and the ECJ ruling in *Pereda v Madrid Morillidad SA*, subject to consultation with Trade Unions.
- 5. REVISED CONDITIONS OF SERVICE FOR LOCAL GOVERNMENT EMPLOYEES**
- 5.1 APPLICATION FOR ADMISSION AS A DEPUTATION FROM JOINT TRADE UNIONS (pages 19-22)** - Submit report dated 5 August 2010 ([copy enclosed](#)) by the Executive Director of Finance and Corporate Support submitting to Cabinet an application for admission from the Joint Trade Unions representing Local Government Employees in relation to the Council's proposals in respect of revised terms and conditions of service.
- 5.2 OUTCOME OF FURTHER NEGOTIATION WITH THE TRADE UNIONS (pages 23-46)** - Submit report dated 6 August 2010 ([copy enclosed](#)) by the Executive Director of Finance and Corporate Support advising Cabinet of the outcome of further negotiations with the Trade Unions in respect of the proposed revised Conditions of Service for Local Government employees and making recommendations on further action as a result.
- 6. ETHNIC MINORITIES LAW CENTRE (EMLC) - GRANT APPLICATION (pages 47-49)** - Submit report dated 3 August 2010 ([copy enclosed](#)) by the Executive Director of Finance and Corporate Support asking Cabinet to consider a request for funding from the Ethnic Minorities Law Centre and making recommendations accordingly.
- 7. "MAKE IT KILMARNOCK" LOCAL TASKFORCE - 2010/11 EXPENDITURE (pages 50-52)** - Submit report dated 4 August 2010 ([copy enclosed](#)) by the Chief Executive seeking Cabinet's approval for expenditure within the Local Taskforce budget for 2010/11.
- 8. REPORT ON THE REVIEW OF THE VEHICLE TRACKER SYSTEM - MASTERNAUT (pages 53-74)** - Submit report dated 19 March 2010 ([copy enclosed](#)) by the Executive Director of Finance and Corporate Support presenting the outcome report by Members of the Governance and Scrutiny Committee on their review of the Vehicle Tracker System - Masternaut and inviting Cabinet to agree, or otherwise, the recommendations contained within the report.

9. **CHARGES FOR SERVICES - ENVIRONMENTAL HEALTH AND TRADING STANDARDS (pages 75-89)** - Submit report dated 30 July 2010 ([copy enclosed](#)) by the Executive Director of Finance and Corporate Support seeking Cabinet approval for revised charges for certain services in Environmental Health and Trading Standards provided within Legal, Procurement and Regulatory Services.
10. **MINUTES OF CENTRAL JOINT CONSULTATIVE COMMITTEE (pages 90-92)** - Submit minutes of special meeting held on 24 June 2010 (copy enclosed).

DELIVERING COMMUNITY REGENERATION

11. **SKILLS DEVELOPMENT SCOTLAND - SERVICE DELIVERY AGREEMENT (pages 93-100)** - Submit report dated 28 June 2010 ([copy enclosed](#)) by the Executive Director of Finance and Corporate Support presenting to Cabinet for consideration and endorsement the draft Service Delivery Agreement (SDA) between East Ayrshire Council and Skills Development Scotland.
12. **A FRAMEWORK FOR ALLOTMENT PROVISION (pages 101-104)** - Submit report dated 11 August 2010 ([copy enclosed](#)) by the Depute Chief Executive/Executive Director of Neighbourhood Services seeking approval for a Framework for Allotment Provision in East Ayrshire.
13. **EXCLUSION OF PRESS AND PUBLIC** - Recommend that Cabinet pass the following Resolution:- "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 involve the likely disclosure of exempt information as defined in the Paragraph of Schedule 7A of the Act as shown against each item".

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14. **LOCAL GOVERNMENT PENSION SCHEME (SCOTLAND) REGULATIONS EMPLOYERS DISCRETION (pages 105-106)** - Submit report dated 6 July 2010 by the Executive Director of Finance and Corporate Support asking Cabinet to consider a request from a former employee for the Council to use its discretion under the Pension Regulations to authorise early payment of deferred pension benefits on compassionate grounds. **Report not enclosed - Refer to Exclusion of Press and Public paragraph above.**
15. **EARLY RETIREMENTS (pages 107-109)** - Submit report dated 2 August 2010 by the Executive Director of Finance and Corporate Support (i) updating Cabinet on the successful redeployment of two former Community Wardens in the Department of Neighbourhood Services; and (ii) seeking Cabinet's approval of early retirement requests received from three employees within the Information Technology and Asset Management Services of the Department of Finance and Corporate Support. **Report not enclosed - Refer to Exclusion of Press and Public paragraph above.**

16. **DEVELOPMENT AT 6-14 JOHN FINNIE STREET AND 24-26 STRAND STREET, KILMARNOCK (PARA 9) (pages 110-121)** - Submit joint report dated 12 August 2010 by the Executive Director of Finance and Corporate Support and the Solicitor to the Council seeking Cabinet approval to enter into a Development Agreement with Klin Holdings Limited for the development and purchase of an office development to be constructed on the site of the former Opera House at 6-14 John Finnie Street and 24-26 Strand Street, Kilmarnock, subject to compliance with the Public Contracts (Scotland) Regulations 2006 as amended in respect of notice publication and subject to no competent objections or challenges to the effectiveness of the proposed agreement being received. **Report not enclosed - Refer to Exclusion of Press and Public paragraph above.**

ADDITIONAL ITEM - GARGIESTON PRIMARY SCHOOL - GROUND SURVEY RESULTS AND DECANT ARRANGEMENTS - Submit report dated 17 August 2010 (copy enclosed) by Executive Director of Educational and Social Services.