

Chief Executive's Department

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To: Councillors Douglas Reid (Chair), Iain Linton (Vice-Chair), John MacKay, Jim Buchanan, John Knapp, Hugh Ross, Jim Todd, Robert McDill, Jim Roberts and Kathy Morrice.

16 April 2009

Dear Member

CABINET - 22 APRIL 2009

You are requested to attend a meeting of **CABINET** to be held on **WEDNESDAY 22 APRIL 2009** at **1000 HRS** in the **MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**, in order to consider the undernoted business.

Yours sincerely



Elizabeth Morton

Depute Chief Executive/Executive Director of Corporate Support

LY/SR

B U S I N E S S

INTIMATE APOLOGIES

COMMUNITY WELLBEING

- 1. HOUSING (SCOTLAND) ACT 2006: CHANGES TO LOCAL AUTHORITY STATUTORY OBLIGATIONS (pages 1-38)** - Submit report dated 25 March 2009 ([copy enclosed](#)) by the Executive Director of Neighbourhood Services advising of proposed changes to the statutory obligations as set out within the Housing (Scotland) Act 2006 in terms of the delivery of works currently funded by Private Sector Housing Grant, and seeking approval of an East Ayrshire Scheme of Assistance for implementation, as set out in Appendix 1.

2. **IMPLEMENTATION OF SECTION 11 OF THE HOMELESSNESS ETC (SCOTLAND) ACT 2003 (pages 39-41)** - Submit report dated 7 April 2009 ([copy enclosed](#)) by the Executive Director of Neighbourhood Services advising of the implementation of Section 11 of the Homelessness Etc (Scotland) Act 2003 and the implications thereof for the Council.

ENVIRONMENT AND REGENERATION

3. **DALDORCH FOOTBRIDGE, CATRINE - UPDATE (pages 42-45)** - Submit joint report dated 7 April 2009 ([copy enclosed](#)) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Neighbourhood Services seeking approval to allocate funds to enable the Council to proceed with the purchase of the temporary replacement footbridge across the River Ayr at Daldorch, Catrine; and seeking retention of the allocated Corporate Support funds towards the future removal of the old footbridge and the construction of a new permanent footbridge to assist in sourcing external funding for the replacement bridge.
4. **REVISION OF CIRCULAR 12/1996: PLANNING AGREEMENTS (pages 46-51)** - Submit report dated 25 March 2009 ([copy enclosed](#)) by the Depute Chief Executive/Executive Director of Corporate Support seeking the homologation of a draft Council response already sent to the Scottish Government on a revised Scottish Government publication entitled 'Revision of Circular 12/1996: Planning Agreements, Consultation Paper' which was issued for consultation in December 2008.
5. **LEISURE SERVICES CAPITAL PROGRAMME (pages 52-56)** - Submit report dated 8 April 2009 ([copy enclosed](#)) by the Executive Director of Neighbourhood Services seeking approval for several projects to be implemented by Leisure Services in the 2009/10 capital programme.
6. **WAITING RESTRICTIONS AMENDMENT - WOODSTOCK PLACE, KILMARNOCK (pages 57-61)** - Submit report dated 8 April 2009 ([copy enclosed](#)) by the Executive Director of Neighbourhood Services seeking approval for the amendment of the existing no waiting restrictions at Woodstock Place, Kilmarnock, East Ayrshire.
7. **PROPOSED WAITING, LOADING AND PARKING RESTRICTIONS, LOANHEAD STREET AREA, KILMARNOCK (pages 62-66)** - Submit report dated 8 April 2009 ([copy enclosed](#)) by the Depute Chief Executive/Executive Director of Neighbourhood Services seeking approval to introduce waiting and loading restrictions on various roads in the Loanhead Street area, including restrictions to accommodate school buses and to provide legally enforceable 'School Keep Clear' markings at both Loanhead Primary School and Kilmarnock Academy.
8. **COMMERCIAL WASTE AND SPECIAL UPLIFT CHARGES (pages 67-73)** - Submit report dated 3 April 2009 ([copy enclosed](#)) by the Executive Director of Neighbourhood Services advising on the commercial waste and special household waste collection service; and seeking approval for the revised charging structure.

9. **10 YEAR BRIDGE AND CULVERT STRENGTHENING PROGRAMME (pages 74-79)** - Submit report dated 8 April 2009 ([copy enclosed](#)) by the Executive Director of Neighbourhood Services seeking agreement for (i) the 10 year Bridge and Culvert Strengthening Programme; and (ii) the proposed programme for the construction of the new bridge in Dean Road across the Kilmarnock Water to replace the Ford and adjacent footbridge, which is in poor condition.

MANAGEMENT AND RESOURCES

10. **CENTRAL JOINT CONSULTATIVE COMMITTEE (pages 80-82)** - Submit Minutes of meeting held on 18 March 2009 for noting ([copy enclosed](#)).
11. **2009/10 - 2011/12 INFORMATION TECHNOLOGY CAPITAL EXPENDITURE PROGRAMME (pages 83-90)** - Submit report dated 11 March 2009 ([copy enclosed](#)) by the Depute Chief Executive/Executive Director of Corporate Support seeking approval for the Information Technology Capital Expenditure Programme for 2009/10, and providing Members with an early indication of the anticipated programme for years 2010/11 and 2011/12.
12. **AFFILIATIONS TO OUTSIDE ORGANISATIONS 2009/10 (pages 91-105)** - Submit report dated 23 February 2009 ([copy enclosed](#)) by the Depute Chief Executive/Executive Director of Corporate Support inviting Cabinet to consider the background, aims and objectives, and activities of those organisations which have sought association with, and affiliation of, the Council.
13. **BEST VALUE 2 AND EAST AYRSHIRE COUNCIL, A PATHFINDER COUNCIL (pages 106-110)** - Submit report dated 7 April 2009 ([copy enclosed](#)) by the Chief Executive informing (i) of the progress being made by the Accounts Commission and Audit Scotland in their development of an audit framework in relation to the next generation of Best Value and Community Planning Audits (Best Value 2); and (ii) of the decision of the Accounts Commission to select East Ayrshire Council as a Pathfinder Council.
14. **EMPLOYEE ATTITUDE SURVEY 2008 (pages 111-118)** - Submit report dated 9 April 2009 ([copy enclosed](#)) by the Depute Chief Executive/Executive Director of Corporate Support advising of the findings of the Employee Attitude Survey which was carried out within the Council during September 2008, and providing a comparison with the 2005 outcomes. **Please note that there will be a presentation on this item by Tom McGlew, University of Edinburgh.**
15. **ACCELERATED CAPITAL GRANT (pages 119-122)** - Submit report dated 15 April 2009 ([copy enclosed](#)) by the Executive Head of Finance and Asset Management providing Members with proposals in relation to using Accelerated General Capital Grant in 2009/2010.

16. **PROGRESS REPORT - CROSS-CUTTING BEST VALUE SERVICE REVIEW OF PROPERTY MAINTENANCE SERVICES (pages 123-134)** - Submit report dated 9 April 2009 ([copy enclosed](#)) by the Executive Director of Neighbourhood Services informing of the progress being made to implement the recommendations previously agreed in July 2008 to make changes to the Council's property maintenance arrangements, following the Cross-Cutting Best Value Service Review; and highlighting that a full Service Plan will be submitted for consideration in June 2009.

COMMUNITY PLANNING AND EQUALITIES

17. **WEST OF SCOTLAND REGIONAL EQUALITY COUNCIL - APPLICATION FOR FINANCIAL ASSISTANCE (pages 135-136)** - Submit report dated 8 April 2009 ([copy enclosed](#)) by the Depute Chief Executive/Executive Director of Corporate Support advising of a request for financial assistance which has been received from the West of Scotland Regional Equality Council and recommending accordingly.

MANAGEMENT AND RESOURCES

18. **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 Paragraphs of Schedule 7A of the Act as shown against each item".
19. **TEACHER REFRESHER SCHEME - REQUESTS FOR EARLY RETIREMENT (PARA 1) (pages 137-139)** - Submit report dated 9 April 2009 (copy enclosed) by the Executive Director of Educational and Social Services seeking approval for 18 teachers in the Department of Educational and Social Services for early retirement, with no financial enhancement, from the Council's service. **Report not enclosed - Refer to Exclusion of Press and Public paragraph above.**
20. **LEGAL, PROCUREMENT AND REGULATORY SERVICE BEST VALUE REVIEW (PARA 1) (pages 140-225)** - Submit report dated 9 April 2009 (copy enclosed) by the Solicitor to the Council/Head of Legal, Procurement and Regulatory Services presenting the findings of the Legal, Procurement and Regulatory Service Best Value Review for consideration. **Report not enclosed - Refer to Exclusion of Press and Public paragraph above.**
21. **ROADS AND TRANSPORTATION BEST VALUE REVIEW (PARA 1) (pages 226-318)** - Submit report dated 3 April 2009 (copy enclosed) by the Executive Director of Neighbourhood Services advising of the findings of the Roads and Transportation Best Value Service Review. **Report not enclosed - Refer to Exclusion of Press and Public paragraph above.**

- 22. CUMNOCK TOWN CENTRE REGENERATION PROJECT (PARA 6) (pages 319-324)** - Submit joint report dated 15 April 2009 (copy enclosed) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Head of Finance and Asset Management advising on the negotiations that have been ongoing with the tenants of Units 4, 7, 8 and 15 Glaisnock Shopping Centre, Cumnock, relative to compensation due to them following the inability of the Council to timeously implement the options to purchase provisions contained in each of their respective leases and seeking approval on the terms of settlement proposed in relation to the claims by each of the tenants in relation to the market value determined by the District Valuer again in terms of the option to purchase provisions contained in each lease. **Report not enclosed - Refer to Exclusion of Press and Public paragraph above.**