

EAST AYRSHIRE COUNCIL**CABINET****MINUTES OF MEETING HELD ON WEDNESDAY 23 MARCH 2011 AT 1000 HOURS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Douglas Reid, John MacKay, Maureen McKay, Hugh Ross, Jim Todd, Robert McDill, Jim Roberts, Barney Menzies and Kathy Morrice; and Church Representatives Maria Dorrian and Iain Rennie; Parent Representative David Fraser; and Teacher Representative Bryce Wilson.

ATTENDING: Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Neighbourhood Services; Alex McPhee, Executive Director of Finance and Corporate Support; Graham Short, Executive Director of Educational and Social Services; Eddie Fraser, Head of Service: Community Care; Martin Rose, Head of Human Resources; Craig McArthur, Head of Finance; Kay Gilmour, Head of Service: Community Support; David Mitchell, Head of Legal, Procurement and Regulatory Services; and Gillian Hamilton, Administrative Officer.

APOLOGIES: Councillors Iain Linton and Jim Buchanan.

CHAIR: Councillor Douglas Reid, Leader of the Council.

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES**HEALTH AND SAFETY PERFORMANCE REPORT: 2010/11: QUARTER 3 (OCTOBER - DECEMBER 2010) (Item 4E, Page 1299, 07/12)**

- 1E.** There was submitted a report dated 9 March 2011 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which provided information on Health and Safety Performance in Quarter 3 (October - December 2010) of 2010/11.

Councillors Maureen McKay, Hugh Ross and Barney Menzies joined the meeting.

Cabinet agreed:-

- (i) to note the position in relation to Health and Safety Performance at Quarter 3, 2010/11;
- (ii) to note the pro-active and reactive management actions taken in respect of the matters identified in the report; and
- (iii) otherwise, to note the contents of the report.

POLICY FOR HEALTH, SAFETY AND WELFARE AT WORK

- 2E.** There was submitted a report dated 14 March 2011 (circulated) by the Chief Executive which sought approval for revisions to the Council's Policy on Health, Safety and Welfare at Work, in accordance with the statutory requirements of the Health and Safety at Work Etc Act 1974, Section 2(2).

Cabinet agreed:-

- C** (i) to recommend to Council that the revised Policy for Health, Safety and Welfare at Work be approved; and **C**
- (ii) otherwise, to note the contents of the report.

HEALTH AND SAFETY ROADMAP (Item 1E, Page 944, 07/12)

- 3E.** There was submitted a report dated 16 March 2011 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which recommended the vision for health and safety within the Council and set out the means by which the vision could be achieved thereby ensuring a record of workplace health and safety that reflects our position as an exemplar Scottish Local Authority.

Cabinet agreed:-

- (i) to approve the content and implementation of the Roadmap appended to the report;
- (ii) that the Depute Chief Executive/Executive Director of Neighbourhood Services submit progress reports on a quarterly basis to Cabinet;
- (iii) to note the clarification offered by Officers during consideration of this item that Paragraph 4.5.1 of the report was meant to reflect the intention of the Council to work with the external Occupational Health provider to ensure that their service was appropriately focussed on addressing identified workforce issues, and not to suggest the Council would seek to interfere with the proper exercise of any Occupational Health practitioner's professional judgement in any particular case; and
- (iv) otherwise, to note the contents of the report.

AVENUE CHILDCARE SERVICES

- 4E.** There was submitted a report dated 23 February 2011 (circulated) by the Executive Director of Educational and Social Services which sought approval for a further three year Service Level Agreement and annual funding for Avenue Childcare Services.

Cabinet agreed:-

- (i) to remit to Officers to negotiate a further three year Service Level Agreement with Avenue Childcare Services;
- (ii) to approve recurring revenue of £85,630 linked to an inflationary increase, as appropriate; and
- (iii) otherwise, to note the contents of the report.

PROMOTING LIFELONG LEARNING

GRANT FUNDED PROJECTS 2011/2012

- 5E.** There was submitted a report dated 17 February 2011 (circulated) by the Executive Director of Educational and Social Services which advised on the outcome of the annual evaluations of grant funded projects and sought approval for future funding arrangements for 2011/2012.

Cabinet agreed:-

- (i) to approve funding to the Bellsbank Project of £25,676;
- (ii) to approve funding to the Holiday Project of £17,240;
- (iii) to establish new Service Level Agreements for each of the projects for 2011/2012; and
- (iv) otherwise, to note the contents of the report.

PATNA/ST XAVIER'S PRIMARY SCHOOL

- 6E.** There was submitted a joint report dated 21 March 2011 (circulated) by the Executive Director of Finance and Corporate Support and the Executive Director of Educational and Social Services which (i) provided an update on the proposal to construct a new Primary School at Patna, which would replace, on a single site, the existing but separate Patna and St Xavier's Primary Schools together with an integrated and refurbished community centre and library and; (ii) sought approval for the re-allocation of funds to facilitate award of the construction contract, and the continued progress of the project.

Cabinet agreed:-

- (i) to approve the re-allocation of £1.000m from savings in other Education capital projects to fund the shortfall in budget for the Patna/St Xavier's project;
- (ii) that opportunities for further savings be identified by the Project Board with final decisions being remitted to the Executive Director of Finance and Corporate Support in consultation with the Executive Director of Educational and Social Services, Spokespersons for Lifelong Learning, the Leader and Depute Leader in their roles as Spokespersons for Resources, with Local Members also to be kept suitably appraised of progress; and
- (iii) otherwise, to note the contents of the report.

Church Representatives Maria Dorrian and Iain Rennie, Parent Representative David Fraser and Teacher Representative Bryce Wilson left the meeting at this point.

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES

TREASURY MANAGEMENT AND INVESTMENT STRATEGY STATEMENT 2011/12 TO 2013/14 (Item 10, Page 1322, 07/12)

- 7.** There was submitted a report dated 16 March 2011 (circulated) by the Executive Director of Finance and Corporate Support which sought approval of the proposed Treasury Management Strategy Statement which covered the period 2011/12 to 2013/14 that incorporated an Annual Investment Strategy and set out for consideration and approval the required Prudential Indicators.

Cabinet agreed:-

- (i) to approve the Treasury Management and Investment Strategy Statement 2011/12 to 2013/14;
- (ii) to approve the Prudential Indicators as detailed in Section 3 of the report; and
- (iii) otherwise, to note the contents of the report.

IMPROVING COMMUNITY HEALTH AND WELLBEING

EDUCATIONAL AND SOCIAL SERVICES APPROVED RATES AND CHARGES 2011/12 (Item 2E, Page 1511, 07/12)

8. There was submitted a report dated 9 March 2011 (circulated) by the Executive Director of Educational and Social Services which sought approval for annual alterations to approved rates and charges for Social Work services for the financial year 2011/12.

Cabinet agreed:-

- (i) to approve the revised rates and charges detailed in Section 3 of the report, subject to a minor amendment to Paragraph 3.1.2 to reflect that in 2011/12 the threshold disregards for single people over 50 would be £161.00 per week and £245.00 for couples over 60; and
- (ii) otherwise, to note the contents of the report.

Graham Short, Executive Director of Educational and Social Services left the meeting at this point.

COMMUNITY CARE CONTRACTING 2011-2012

9. There was submitted a report dated 11 March 2011 (circulated) by the Executive Director of Educational and Social Services which outlined and sought approval for Community Care commissioning and contracting priorities for 2011/12.

Cabinet agreed:-

- (i) to approve the proposals contained in Paragraphs 4.1 to 4.5 of the report; and
- (ii) otherwise, to note the contents of the report.

Graham Short, Executive Director of Educational and Social Services re-joined the meeting at this point.

SOCIAL WORK STANDBY SERVICE

10. There was submitted a report dated 11 March 2011 (circulated) by the Executive Director of Educational and Social Services which sought approval to (i) notify Glasgow City Council that we wish to withdraw from the current Social Work Standby arrangements and give the required 12 months notice; and (ii) work in partnership with North Ayrshire Council and South Ayrshire Council to establish a local out of hours Social Work Service for Ayrshire and Arran.

Cabinet agreed:-

- (i) to negotiate with Glasgow City Council with a view to all three Councils giving 12 months notice in March 2011;
- (ii) that Officers develop options for a Pan-Ayrshire service either operating alongside the strategic partners or based within one of the Local Authorities;
- (iii) that a further update be presented to a future Cabinet meeting as the model is developed; and
- (iv) otherwise, to note the contents of the report.

Councillors Maureen McKay and Barney Menzies left the meeting at this point.

EXCLUSION OF PRESS AND PUBLIC

11. Cabinet resolved "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 involved the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 7A of the Act".

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES

SEVERANCES AND UPDATE ON THE COUNCIL'S REDUNDANCY PAYMENTS SCHEME

12. There was submitted a report dated 16 March 2011 (circulated) by the Executive Director of Finance and Corporate Support which (i) sought Cabinet's approval of severance arrangements relating to 3 employees in the Department of Finance and Corporate Support; 6 employees in the Department of Educational and Social Services; and one employee in the Department of Neighbourhood Services; (ii) advised on the number of employees who have left the Council's service under the Council's Redundancy Payments Scheme via the Head of Human Resources' delegated authority; and (iii) sought approval for the Chief Executive to be given delegated authority to approve all non-teaching severances where employees leave the Council's service on redundancy, efficiency of the service or rule of 85 and are being awarded compensatory added years or strain on the fund costs associated with the severance during the period 24 to 31 March 2011, inclusive.

Cabinet agreed:-

- (i) to approve the voluntary severance arrangements detailed in Appendices A and B of the report;
- (ii) to note the number of employees who will leave the Council's service on the grounds of redundancy in terms of the Head of Human Resources' delegated authority as detailed in Appendix C of the report;
- (iii) that the Chief Executive be given delegated authority to approve all non-teaching severances where employees leave the Council's service on redundancy, efficiency of the service or rule of 85 and are being awarded compensatory added years or strain on the fund costs associated with the severance during the period 24 to 31 March 2011, inclusive; and
- (iv) otherwise, to note the contents of the report.

TEACHER REFRESH SCHEME - REQUESTS FOR EARLY RETIREMENT WITH 2 YEARS ENHANCEMENT

13. There was submitted a joint report dated 10 March 2011 (circulated) by the Executive Director of Educational and Social Services and the Executive Director of Finance and Corporate Support which sought approval for 2 Teachers in the Department of Educational and Social Services to retire from the Council's service under the terms of the Teachers (Compensation for Premature Retirement) (Scotland) Regulations 1997.

Cabinet agreed:-

- (i) to approve the early retirement arrangements detailed in the Appendix to the report; and
- (ii) otherwise, to note the contents of the report.

TEACHERS REQUESTS FOR EARLY RETIREMENT

- 14.** There was submitted a joint report dated 15 March 2011 (circulated) by the Executive Director of Educational and Social Services and the Executive Director of Finance and Corporate Support which (i) informed Cabinet that 4 members of staff in the primary and secondary sectors within the Department of Educational and Social Services had been allowed to retire early without enhancement from the Council's service as per the delegated authority of the Executive Director of Educational and Social Services; and (ii) sought approval for a Depute Head of Establishment (currently Acting Head of Establishment) in the Special Sector within the Department of Educational and Social Services to retire early in the efficiency of the service.

Cabinet agreed:-

- (i) to note the early retirement arrangements detailed in the Appendix to the report; and
- (ii) otherwise, to note the contents of the report.

The meeting terminated at 1204 hours.