

**EAST AYRSHIRE COUNCIL**

**CABINET**

**MINUTES OF MEETING HELD ON WEDNESDAY 1 JUNE 2011 AT 1000 HOURS  
IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors Douglas Reid, Iain Linton, John MacKay, Maureen McKay, Jim Buchanan, Jim Todd, Robert McDill, Neil McGhee (as substitute for Barney Menzies), Jim Roberts and Kathy Morrice; Parent Representative David Fraser; and Teacher Representative Bryce Wilson.

**ATTENDING:** Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Neighbourhood Services; Graham Short, Executive Director of Educational and Social Services; Alex McPhee, Executive Director of Finance and Corporate Support; Chris McAleavey, Head of Housing; Martin Rose, Head of Human Resources; Malcolm Roulston, Head of Information Technology and Asset Management; David Mitchell, Head of Legal, Procurement and Regulatory Services; Eddie Fraser, Head of Service: Community Care; Andrew Kennedy, Acting Head of Service: Facilities Management; Audrey Brotherston, Curriculum for Excellence Co-ordinator and Christine Baillie, Senior Administrative Officer.

**APOLOGIES:** Councillors Hugh Ross and Barney Menzies; and Church Representatives Maria Dorrian and Iain Rennie.

**CHAIR:** Councillor Douglas Reid, Leader of the Council.

**PROMOTING LIFELONG LEARNING**

**REPORTING TO PARENTS AND CARERS: BUILDING THE CURRICULUM 5**

- 1E.** There was submitted a report dated 10 May 2011 (circulated) by the Executive Director of Educational and Social Services on revised National Guidance on Reporting to Parents and Carers and which sought agreement to adopt the guidance as East Ayrshire Council's formal policy for reporting to parents and carers.

Cabinet agreed:-

- (i) to approve the adoption of the Reporting to Parents and Carers Guidelines as formal policy; and
- (ii) otherwise, to note the contents of the report.

Councillors Maureen McKay and Neil McGhee joined the meeting during discussion of the above item.

**LITTLEMILL PRIMARY SCHOOL - CAPITAL PROGRAMME UPDATE AND  
DECANT ARRANGEMENTS (Item 7E, Pages 762, 763, 07/12)**

- 2E.** There was submitted a joint report dated 6 January 2011 (circulated) by the Executive Directors of Educational and Social Services and of Finance and Corporate Support on the current project to upgrade Littlemill Primary School and which outlined the decant arrangements for pupils during the construction phase of the project.

Cabinet agreed:-

- (i) to note the progress to date of the project;
- (ii) to endorse the decant proposals for the continued education of the Littlemill pupils; and
- (iii) otherwise, to note the contents of the report.

### **EMPLOYEE EXCELLENCE AWARDS (Item 3, Page 1159, 07/12)**

- 3E.** There was submitted a report dated 25 May 2011 (circulated) by the Executive Director of Finance and Corporate Support which submitted for Cabinet's approval, the arrangements for the 2011 Employee Excellence Awards Ceremony.

Cabinet agreed:-

- (i) to approve the proposals set out in paragraph 3 of the report;
- (ii) to remit to Executive Directors to seek sponsorship;
- (iii) to keep the status quo in terms of membership of the judging panel i.e. Councillors Douglas Reid (Chair), John Campbell, Jimmy Kelly and Tom Cook; and
- (iv) otherwise, to note the contents of the report.

### **ORDER OF BUSINESS**

- 4.** The Chair at his discretion and in terms of Standing Order 19, agreed to alter the order of business and take Item 7 as shown on the Agenda next in order that the Parent Representative and Teacher Representative could participate in consideration of those aspects of the report which directly related to the Education Service.

## **STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES**

### **GENERAL SERVICES CAPITAL INVESTMENT PROGRAMME 2011/12 - 2018/19 (Item 2, Pages 600, 601, 07/12)**

- 5E.** There was submitted a report dated 5 May 2011 (circulated) by the Executive Director of Finance and Corporate Support which advised on progress made with regard to the 10 Year Capital Investment Programme 2009/10 to 2018/19 and which sought approval for proposed amendments to the programme.

Councillor Douglas Reid, seconded by Councillor Iain Linton, moved approval of the recommendations as detailed in the report, namely:-

- (i) to approve the transfer of surplus funds resulting from favourable construction tenders to the unallocated balance on the 10 Year Capital Programme;
- (ii) to approve the investment of up to £0.500m in the Muirkirk IFE Wing to create an Area Centre in the facility, subject to consultation with the Community Association, with £0.250m funded on a spend to save basis from revenue savings and the remainder from the Regeneration - Other Areas capital allocation;
- (iii) to approve the allocation of £2.000m from unallocated balances to create and enhance leisure centres including floodlit synthetic grass sports pitches at

Auchinleck Academy, Doon Academy, Loudoun Academy and Bellfield Park and to note the proposed utilisation of the balance of funding for Crossroads Primary School to further enhance the Loudoun Academy Leisure Centre;

- (iv) to approve the allocation of £0.025m from unallocated balances to upgrade the Jamieson Park Pavilion;
- (v) to approve the allocation of £0.070m from unallocated balances for the extension of Muirkirk Cemetery;
- (vi) to approve the proposals in respect of public art installations;
- (vii) to approve the allocation of up to £0.500m from the Regeneration - Other Areas Capital Allocation for improvement works to Shortlees Shops;
- (viii) to note the investment of £0.493m in New Cumnock to achieve a relocation of the Local Office to the Community Centre and demolition and reinstatement of the sites at the Town Hall and Swimming Pool, if necessary, with £0.220m funded on a spend to save basis from revenue savings and the remainder from the Regeneration - Other Areas Capital Allocation;
- (ix) to approve the allocation of £0.300m from unallocated balances to provide a transit site for gypsy travellers;
- (x) to note the re-allocation of £0.175m from the Corporate Office capital allocation to meet the costs associated with the additional works at London Road Headquarters;
- (xi) to note the allocation of £0.140m from the Corporate Office capital allocation for the re-configuration of offices designed to enable cost and efficiency improvements;
- (xii) to approve the allocation of £0.500m from unallocated balances to offset increased pricing on IT equipment;
- (xiii) to approve the allocation of £0.900m to supplement the additional costs associated with the replacement to the Council's Storage Area Network;
- (xiv) to approve the proposed IT Capital Expenditure Programme for 2011/12 as detailed within Appendix 3 of the report and the anticipated capital expenditure in respect of years 2012/13 and 2013/14 as detailed within Appendix 4 of the report, subject to annual review;
- (xv) to note the proposals to bring forward a report to a future Cabinet with proposals to address issues in terms of condition and suitability within the existing school estates portfolio;
- (xvi) to approve the spend to save projects at Newmilns Primary School and Dalmellington Area Centre;
- (xvii) to approve the revised detailed capital investment programme set out in Appendices 1 and 2 of the report; and
- (xviii) otherwise, to note the contents of the report.

Councillor Maureen McKay, seconded by Councillor Neil McGhee, moved as an amendment:-

- (i) approval of the recommendations as outlined in the report and detailed above, with the exception of recommendation (x) in respect of the re-allocation of

£0.175m from the Corporate Office capital allocation to meet the costs associated with the additional works at London Road Headquarters and also under exception of recommendations (xi), (xii) and (xiii) to the extent that each of these related to additional spend at London Road Headquarters;

- (ii) to revisit the decision taken by Cabinet in 2009 to construct a new bridge at the Ford, Dean Road, Kilmarnock and to agree instead that a suitable, less technically complex and therefore cheaper alternative be identified and funded from the remaining £850,000 of currently allocated funds, with the residual balance thereafter to be utilised in support of additional community regeneration initiatives; and
- (iii) to bring forward proposals for the upgrade to shops at Morven Avenue, Kilmarnock, the demolition of the Ardbeg Centre and the demolition of the flats in North West, Kilmarnock using the savings identified at (ii) above to fund these projects.

On a division by a show of hands the motion was carried by 9 votes to 2.

Parent Representative David Fraser and Teacher Representative Bryce Wilson left the meeting at this point.

## **IMPROVING COMMUNITY HEALTH AND WELLBEING**

### **ADULT SUPPORT AND PROTECTION**

6. There was submitted a report dated 19 May 2011 (circulated) by the Executive Director of Educational and Social Services which (i) advised of progress in the development of the Adult Protection Committee; (ii) provided information in respect of the Biennial Report by the Chair of the Adult Protection Committee for 2008-10 and Business Plan 2010-11; (iii) sought endorsement to develop a prevention strategy that sets out the vision for East Ayrshire Community Planning Partnership to utilise the resources allocated through Scottish Government in support of implementing Part 1 of the Adult Support and Protection (Scotland) Act 2007 in terms of a future direction of travel that promoted safeguarding; and (iv) sought agreement to alterations to the establishment within the Adult Protection Unit.

Cabinet agreed:-

- (i) to note the positive progress achieved in the initial two years of implementing the Adult Support and Protection (Scotland) Act 2007;
- (ii) to approve the Human Resource implications as detailed at paragraph 7 of the report;
- (iii) to endorse the general principles and approach for an East Ayrshire Safeguarding Strategy as outlined in paragraph 5 of the report;
- (iv) to receive further reports from the Executive Director of Educational and Social Services in respect of the development of an East Ayrshire Safeguarding Strategy as details of the plan are developed;
- (v) to refer the report to the Governance and Scrutiny Committee for its consideration; and
- (v) otherwise, to note the contents of the report.

**DELIVERING COMMUNITY REGENERATION****KICKSTART COUNCIL HOUSE BUILDING BID SUBMISSION**

7. There was submitted a report dated 12 May 2011 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought authority to submit to the Scottish Government a bid for funding to assist in the provision of the new Council Housing across East Ayrshire on the site at Grassyards Road, New Farm Loch, Kilmarnock as identified on the plan attached to the report as Appendix 1, in accordance with the general aims of the approved East Ayrshire Strategic Housing Investment Plan 2011/12-2015/16 and which sought authority in the event of the submission being successful, to appoint Atrium Initiatives as the Council's agents to manage the design and build project in respect of the fourth phase of the Council's house building programme as attached as Appendix 2 of the report.

Cabinet agreed:-

- (i) to authorise the submission of a fourth phase bid for funding to the Scottish Government and CoSLA to assist in the provision of new Council housing across East Ayrshire in accordance with the total number of new build Council houses as set out within the approved East Ayrshire Strategic Housing Investment Plan 2011/12-2015/16 to include the site at Grassyards Road, New Farm Loch, Kilmarnock;
- (ii) subject to Scottish Government approval of the fourth stage bid:-
  - (a) to authorise the transfer of 0.75 acres, or thereby, being part of the site of the former St Joseph's School at Grassyards Road, New Farm Loch, Kilmarnock from the General Services Account (Education) to the Housing Revenue Account for the purpose of the new Council house building programme subject to the consent of the Scottish Government in terms of Section 205(2) of the Housing (Scotland) Act 1987;
  - (b) to authorise the appointment of Atrium Homes or their subsidiary company Atrium Initiatives to manage the design and build process relative to the fourth phase of the Council house building programme for the reasons detailed in paragraph 8.1.7 of the report in accordance with the provision of paragraphs 20(1) of the Council's Standing Orders Relating to Contracts;
- (iii) due to the timescales involved as set out in paragraph 2.11 of the report, to implement the recommendations in (i) and (ii) above, prior to any consideration by the Governance and Scrutiny Committee as to delay implementation would seriously prejudice the Council's position in relation to achieving a site start at the end of financial year;
- (iv) to note that a further report on progress would be submitted to a future Cabinet meeting; and
- (v) otherwise, to note the contents of the report.

**HOUSING INVESTMENT PROGRAMME 2011/12 - 2015/16  
(Item 17, Pages 1225, 1226, 07/12)**

8. There was submitted a joint report dated 25 May 2011 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services and Executive Director of Finance and Corporate Support which updated Cabinet on the previously agreed Housing Investment Programme as presented to Cabinet on 16 June 2010 and which proposed a revised Housing Investment Programme Strategy for 2011/12 to 2015/16 that took account of budgetary fluctuations to ensure continuing support for the Council's commitments in terms of the Standard Delivery Plan to April 2015 and ongoing maintenance of the Housing stock thereafter.

Cabinet agreed:-

- (i) to approve the proposals for the Five Year Housing Investment Programme for the period 2011/12 to 2015/16 in anticipation that implementation of these would achieve the delivery of the Scottish Housing Quality Standard by 2015;
- (ii) to note that regular reports on progress in delivering the programme would be submitted to members through the budget scrutiny arrangements throughout the year; and
- (iii) otherwise, to note the contents of the report.

**STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES**

**PROVISION OF SERVICES TO GYPSY TRAVELLERS**

9. There was submitted a report dated 3 May 2011 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services (i) on the work of the short term Officers' Working Group convened to ensure that East Ayrshire Council was adequately fulfilling its public duty in respect of Gypsies/Travellers; (ii) which presented for approval a draft policy for Managing Gypsy/Traveller Unauthorised Encampments in East Ayrshire; and (iii) on work that had taken place to identify a site within East Ayrshire for a transit site for Gypsies/Travellers and which recommended a preferred site for approval.

Councillor Douglas Reid, seconded by Councillor Iain Linton moved approval of the recommendations as detailed in the report, together with an additional recommendation shown at (iv) below, namely :-

- (i) to agree the draft procedure and service responsibilities for Managing Unauthorised Encampments in East Ayrshire as set out in Appendix 1 of the report;
- (ii) to note the outcome of the assessment of potential locations for a Gypsy/Traveller Transit Site and agree that further work be carried out to confirm the suitability of the preferred site at Furnace Road, Muirkirk;
- (iii) to note that the Council would identify a designated Officer who would be responsible for the management and monitoring of the site(s) and would act as a liaison officer with both the travelling community and the wider community; and
- (iv) otherwise, to note the contents of the report.

Councillor Jim Roberts having moved an alternative proposal and having failed to receive a seconder, asked that his dissent to the decision be recorded.

Councillor Jim Roberts left the meeting at this point.

### **EXCLUSION OF PRESS AND PUBLIC**

10. 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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 7A of the Act".

### **REVIEW OF MANAGEMENT STRUCTURES - INFORMATION TECHNOLOGY AND ASSET MANAGEMENT (Item 8E, Page 1501, 07/12)**

11. There was submitted reports dated 16 May 2011 (circulated) by the Chief Executive and the Executive Director of Finance and Corporate Support (i) which provided Cabinet with an executive summary of the outcomes of the review of management structures within the Information Technology and Asset Management Service and which recommended that Cabinet approve the recommendations as detailed in the accompanying report on the future management arrangements of this services; and (ii) which advised Cabinet of the outcome of the review of management structures within the Information Technology and Asset Management service and which made recommendations for the future management arrangements of this service.

Cabinet agreed:-

- (i) to approve the proposed structural changes to the Information Technology and Asset Management Service, as outlined within the Executive Director's accompanying report and detailed at Appendix 3 of the report;
- (ii) to approve the exceptions to the guiding principles which were previously agreed by Cabinet;
- (iii) that the Service be re-titled Corporate Infrastructure Service; and
- (iv) otherwise, to endorse the contents of the report.

Councillors Jim Buchanan and Jim Todd left the meeting during discussion of the above item.

The meeting terminated at 1315 hours.