

EAST AYRSHIRE COUNCIL**CABINET****MINUTES OF MEETING HELD ON WEDNESDAY 18 MAY 2011 AT 1000 HOURS
IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Douglas Reid, Iain Linton, Hugh Ross, Jim Todd, Robert McDill, Neil McGhee (as Substitute for Maureen McKay) and Barney Menzies; Church Representative Iain Rennie; 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; Bill Walkinshaw, Head of Democratic Services; Martin Rose, Head of Human Resources; David Mitchell, Head of Legal, Procurement and Regulatory Services; Euan Couperwhite, Head of Service Resources; Sam McVie, Estates Manager; Ian McArthur, Health and Safety Manager; and Christine Baillie, Senior Administrative Officer.

APOLOGIES: Councillors John MacKay, Maureen McKay, Jim Buchanan, Jim Roberts and Kathy Morrice; Church Representative Maria Dorian and Parent Representative David Fraser.

CHAIR: Councillor Douglas Reid, Leader of the Council.

PROMOTING LIFELONG LEARNING**BUILDING LEARNING COMMUNITIES - SCHOOLS PPP PROJECT
MAINTENANCE AND REPLACEMENT OF AUTHORITY PROJECT EQUIPMENT**

- 1E.** There was submitted a report dated 11 April 2011 (circulated) by the Executive Director of Educational and Social Services which advised on options available to manage and fund the lifecycle maintenance and replacement arrangements for loose furniture, fittings and equipment purchased by the Council for the schools involved in the Building Learning Communities Programme and which sought approval to proceed in line with the recommended option.

Cabinet agreed:-

- (i) to authorise the Service Manager (Contract Support) to issue an Authority Notice of Change (in accordance with Clause 9E.3.2 of the Building Learning Communities Project Agreement) to formally confirm to First Class Consortium (East Ayrshire) Limited the Council's intentions to proceed with Option 2, i.e. that the lifecycle maintenance and replacement of Authority Project Equipment and the accompanying risks be transferred to the Council;
- (ii) to authorise the Service Manager (Contract Support) to make arrangements with the Executive Director of Finance and Corporate Support for the in-house management and monitoring of the Lifecycle Fund;
- (iii) that sums drawn down from the contractor, on the dates detailed in Table 1 of the report, be ring fenced for the purpose of Lifecycle of Authority Project Equipment; and

- (iv) otherwise, to note the contents of the report.

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES

DEPARTMENTAL HEALTH AND SAFETY ACTION PLANS 2011/12 (Item 1E, Page 1572, 07/12)

- 2E.** There was submitted a report dated 9 May 2011 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which set out the key themes which would feature within the Departmental Health and Safety Action Plans for 2011/2012 and which sought approval for these Plans, which formed part of the report.

Cabinet agreed:-

- (i) to approve the content and implementation of the Departmental Health and Safety Action Plans as attached as Appendices 1-3 of the report;
- (ii) to recognise the important role Trade Unions played in developing and supporting implementation of the Health and Safety Policy and to note the Chief Executive's intention as part of the ongoing engagement with Trade Unions on Health and Safety matters, to consider yet further strengthening of existing arrangements, all to be discussed at the Chief Executive's Health and Safety Strategy Group to be held on 24 May 2011, of which Trade Unions are members, and thereafter report on this and other matters raised, to the next meeting of Cabinet when the next Health and Safety performance report is considered; and
- (iii) otherwise, to note the contents of the report.

Church Representative Ian Rennie and Teacher Representative Bryce Wilson left the meeting at this point.

PROPERTY REVIEW - NEW CUMNOCK (Item 2.3E, Page 299, 07/12)

- 3.** There was submitted a report dated 4 May 2011 (circulated) by the Executive Director of Finance and Corporate Support which provided details of a review which had been undertaken in respect of Council owned properties located within New Cumnock and which sought authority to proceed with the proposals identified within the report.

Cabinet agreed:-

- (i) that works should proceed within New Cumnock Community Centre to create accommodation suitable for use as a Local Office and that the New Cumnock Local Office be relocated from New Cumnock Town Hall to the new accommodation being provided within New Cumnock Community Centre;
- (ii) that works should proceed within New Cumnock Community Centre (a) to create a new meeting room to replace the existing meeting room which would be occupied by the Local Office; (b) to upgrade existing toilets; and (c) to carry out internal redecoration;
- (iii) that New Cumnock Town Hall be declared surplus to Council requirements and that the Executive Director of Finance and Corporate Support enter into negotiations with the New Cumnock Liaison Group regarding the possible

disposal of the property to this Group. Should the Group be unable to develop a viable plan to proceed on this basis the property be advertised for sale on the basis that if a viable sale was not achievable by the time the Local Office was relocated, the building would be demolished with the site being cleared and reinstated to provide car parking;

- (iv) that consideration be given to the identification of alternative proposals in relation to New Cumnock Swimming Pool, but if no other viable operator could be identified before the lease was terminated, the facility be demolished and the site cleared and reinstated;
- (v) that £0.200m of the costs be met on a spend to save basis and that the balance of £0.293m be allocated from the Regeneration - Other Areas fund; and
- (vi) otherwise, to note the contents of the report.

COMMUNITY PLANNING RESIDENTS' SURVEY 2011

4. There was submitted a report dated 4 May 2011 (circulated) by the Executive Director of Finance and Corporate Support which presented proposals for the commissioning of the East Ayrshire Community Planning Residents' Survey 2011.

Cabinet agreed:-

- (i) to the commissioning of a Residents' Survey 2011 and the establishment of a new Residents' Panel;
- (ii) to note that the draft questions for the survey would be circulated to Elected Members prior to being issued; and
- (iii) otherwise, to note the contents of the report.

KILMARNOCK FOOTBALL CLUB IN THE COMMUNITY

5.1 Declarations of Interest

Councillor Douglas Reid, as a shareholder, declared a financial interest in respect of this item and having deemed that the interest was significant, having considered the terms of the objective test, as outlined in Paragraph 5.3 of the Councillors' Code of Conduct, accordingly withdrew from the meeting.

Councillor Robert McDill, as a season ticket holder, declared a non-financial interest in respect of this item and having deemed that the interest was not significant, having considered the terms of the objective test, as outlined in Paragraph 5.3 of the Councillors' Code of Conduct, accordingly did not withdraw from the meeting.

Councillor Iain Linton, Depute Leader of the Council, then took the Chair for this item.

5.2 Consideration of Item

There was submitted a report dated 10 May 2011 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services on the Council's partnership work with Kilmarnock Football Club; which outlined the recent benefits of this partnership for East Ayrshire residents and which sought approval for continued joint working with the Club.

Cabinet agreed:-

- (i) to note the significant contribution that Kilmarnock Football Club made to the East Ayrshire community;
- (ii) to remit to the Depute Chief Executive/Executive Director of Neighbourhood Services to investigate the possibility of involving the Club in the Make It Kilmarnock Campaign;
- (iii) to continue to support the Club as in previous years through the partnership Football Development Officer post at a cost of approximately £15,000 each year for the next three financial years (2011/12 - 2013/14) with support for advertising and promotion at a cost of £5,000 each year for the next three financial years, as before; and
- (iv) otherwise, to note the contents of the report.

Councillor Douglas Reid rejoined the meeting at this point and resumed the Chair.

DELIVERING COMMUNITY REGENERATION

FUNDING REQUEST FROM DARVEL AND DISTRICT COMMUNITY COUNCIL AND REQUEST FOR DELEGATED AUTHORITY TO COVER GRANTS UNDER THE RESTORING COMMUNITIES PROGRAMME

6. There was submitted a report dated 27 April 2011 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services (i) which sought approval to provide grant funding of £15,000 to Darvel and District Community Council for environmental improvements at Hastings Square, Darvel, under the Restoring Communities Programme; and (ii) which asked Cabinet to recommend to Council that the Scheme of Delegation be amended to provide the Head of Planning and Economic Development with delegated authority in relation to the Restoring Communities Programme (RCP).

Cabinet agreed:-

- (i) to approve the funding request from the Darvel and District Community Council for the sum of £15,000 on the basis of the report, subject to the RCP Standard Conditions of Grants and the specific condition which related to the applicant contacting the Roads Service to agree access to the site and the protection of existing services prior to commencement of the works and a specific insurance condition as detailed in Paragraph 8.2 of the report;
- (ii) to recommend to Council that delegated authority be given to the Head of Planning and Economic Development to approve RCP grant applications up to £15,000, and that the Scheme of Delegation be amended accordingly; and
- (iii) otherwise, to note the contents of the report.

EXCLUSION OF PRESS AND PUBLIC

7. 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".

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES

UPDATE ON THE COUNCIL'S REDUNDANCY PAYMENTS SCHEME

8. There was submitted a report dated 10 May 2011 (circulated) by the Executive Director of Finance and Corporate Support which advised on the number of employees who had left the Council's service under the Council's Redundancy Payments Scheme via the Head of Human Resources' delegated authority.

Cabinet agreed to note the number of employees who had left the Council's service on the grounds of redundancy in terms of the Head of Human Resources' delegated authority as detailed in Appendix A of the report.

The meeting terminated at 1104 hours.