

**EAST AYRSHIRE COUNCIL****CABINET****MINUTES OF MEETING HELD ON WEDNESDAY 1 SEPTEMBER 2010 AT 1000 HOURS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Douglas Reid, Iain Linton, John MacKay, Maureen McKay, Jim Todd, Robert McDill, Barney Menzies and Kathy Morrice; Church Representative Ian 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; Graham Short, Executive Director of Educational and Social Services; Alex McPhee, Executive Director of Finance and Corporate Support; Bill Walkinshaw, Head of Democratic Services; David Mitchell, Head of Legal, Procurement and Regulatory Services; Alan Neish, Head of Planning and Economic Development; and Christine Baillie, Senior Administrative Officer.

**APOLOGIES:** Councillors Jim Buchanan, Hugh Ross and Jim Roberts; and Church Representative Maria Dorrian.

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

**CHAIR'S REMARKS**

1. The Chair welcomed Ian Rennie to his first Cabinet meeting. Ian had been nominated as the Church of Scotland Representative to serve on Cabinet when it was dealing with education business.

**STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES****FINANCE AND SERVICE STRATEGY REPORT BASED ON PERIOD 4  
(25 JULY 2010)**

- 2E. There was submitted a report dated 26 August 2010 (circulated) by the Executive Director of Finance and Corporate Support which advised Members of the projected financial position for the year based on expenditure to 25 July 2010 (Period 4) and information provided by Executive Directors.

Cabinet agreed:-

- (i) to approve the budget transfer noted at Paragraph 2.7 of the report;
- (ii) that the additional transport related costs which related to the decant of Gargieston Primary School be met from central funding as detailed in Paragraph 2.8 of the report;
- (iii) to note that the contract figure exceeded the accepted tender value by more than 10% in respect of the Muirkirk Primary School project as detailed at Paragraph 4.1 of the report;
- (iv) to approve the additional costs associated with the proposals for the Gauchalland Depot site as detailed at Paragraph 4.3 of the report;

- (v) to approve expenditure of £0.578m on the Sports Pavilion at Knockentiber to be funded from the Sports Pavilions capital allocation as detailed at Paragraph 4.4 of the report; and
- (vi) otherwise, to note the contents of the report.

Church Representative Ian Rennie, Parent Representative David Fraser and Teacher Representative Bryce Wilson left the meeting at this point.

## **DELIVERING COMMUNITY REGENERATION**

### **EAST AYRSHIRE TOURISM STRATEGY ANNUAL PERFORMANCE MONITORING REPORT**

3. There was submitted a report dated 25 August 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which updated Cabinet on progress which related to the implementation of the East Ayrshire Tourism Strategy and Action Plan.

Cabinet agreed:-

- (i) to note the contents of the report in relation to performance monitoring of the East Ayrshire Tourism Strategy and Action Plan;
- (ii) that the Depute Chief Executive/Executive Director of Neighbourhood Services continue to bring forward performance monitoring reports on an annual basis; and
- (iii) to refer the report to the Governance and Scrutiny Committee for its consideration.

### **EUROPEAN UNION STRUCTURAL FUNDS POST 2013**

4. There was submitted a report dated 7 July 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services (i) which informed Cabinet of the debate that had commenced regarding the new budget for European Structural Funds after 2013; and (ii) which sought approval to support a position paper on EU funding that had been approved by the Industrial Communities Alliance and to pursue this support through the CoSLA's Regeneration and Sustainable Development Executive Group.

Cabinet agreed:-

- (i) to support the current position paper prepared by the Industrial Communities Alliance "The European Structural Funds after 2013";
- (ii) to pursue this support through the Regeneration and Sustainable Development Executive Group on CoSLA;
- (iii) that the Depute Chief Executive/Executive Director of Neighbourhood Services also bring to the attention, and seek support from, all local MP's, MSP's and MEP's; and
- (iv) otherwise, to note the contents of the report.

Councillor Maureen McKay and Barney Menzies joined the meeting during discussion of the above item.

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

5. 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 the Paragraph of Schedule 7A of the Act as shown against each item".

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

#### **SEVERANCES (PARA 1)**

6. There was submitted a report dated 19 August 2010 (circulated) by the Executive Director of Finance and Corporate Support which sought approval of severance arrangements on the grounds of redundancy in respect of three employees within the Housing Service of the Department of Neighbourhood Services.

Cabinet agreed to approve the severance arrangements as detailed in Appendix A to the report.

#### **DEVELOPMENT AT 6-14 JOHN FINNIE STREET AND 24-26 STRAND STREET, KILMARNOCK (PARA 9)**

7. There was submitted a joint report dated 26 August 2010 (circulated) by the Executive Director of Finance and Corporate Support and the Solicitor to the Council which sought Cabinet approval to enter into a Development Agreement 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.

Cabinet agreed:-

- (i) to authorise the Solicitor to the Council to enter into a Development Agreement with the company identified within the report, for the development and purchase of an office development to be built on the former Opera House site at 6-14 John Finnie Street and 24-26 Strand Street, Kilmarnock, on the terms and conditions specified in the report and contained within the draft Development Agreement for Sale 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;
- (ii) to approve the further allocation of £1.513m to the project budget from the overall Kilmarnock Town Centre Regeneration Fund budget;
- (iii) to remit to the Executive Director of Finance and Corporate Support authority to vire up to 10% of the total budget cost of £8.113m, if required, from the Kilmarnock Town Centre Regeneration Fund budget, subject to the reporting requirement set out in Paragraph 4 of the report; and
- (iv) otherwise, to note the contents of the report.

Councillor Jim Todd joined the meeting during discussion of the above item.

The meeting terminated at 1139 hours.