

**EAST AYRSHIRE COUNCIL****CABINET****MINUTES OF MEETING HELD ON WEDNESDAY 16 JUNE 2010 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, Barney Menzies and Kathy Morrice; Church Representatives Bill McGregor and Maria Dorrian; Parent Representative David Fraser; and Teacher Representative Bryce Wilson.

**ALSO PRESENT:** Councillor Drew Filson in his capacity as Chair of the Community Health Partnership.

**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; Chris McAleavey, Head of Housing; Malcolm Roulston, Head of Information Technology and Asset Management; John Griffiths, Head of Leisure Services; John Bryson, Head of Roads and Transportation; Eddie Fraser, Head of Service: Community Care; Euan Couperwhite, Head of Service: Resources; Colin Houston, Chief Auditor; Angie Bennett, Leisure Development Officer; Dot Grieve, Principal Officer, Community Learning and Development; Craig Young, Team Leader, Litigation and Advice; and Christine Baillie, Administrative Officer.

**ALSO ATTENDING:** Katie Kelly, Partnership Facilitator (East); and Christine MacLean, Head Teacher, Gargieston Primary School and Nursery Class.

**APOLOGIES:** Councillors Hugh Ross and Jim Roberts.

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

**CHAIR'S REMARKS**

1. The Chair advised that this was Bill McGregor's last official Cabinet meeting as Church Representative and went on to say that "it was with very mixed feelings that we mark Bill's retirement from the Cabinet of East Ayrshire Council. On the one hand, everyone was very pleased to see him entering what we know will be a long, happy and very full retirement. In fact, it was his third retirement - once as Head Teacher of James Hamilton Academy, once as General Secretary of the Head Teachers Association of Scotland and now as a Church Representative on our Cabinet. However, we know we are losing a very valued and committed colleague, and friend.

Bill has devoted his life to the education of children of Ayrshire generally and East Ayrshire in particular. In fact, colleagues may not have been aware that he was part of an education dynasty, having been depute to the great John Pollock legendary leader of the EIS, when he was Head Teacher at Mainholm Academy in Ayr. He was a distinguished Head Teacher at James Hamilton Academy which over the years built up a reputation as a successful school of the highest standard then, he was good enough to devote his spare time in retirement to the work of this Cabinet

which he attended unfailingly. We always looked forward to his observations and comments on papers, particularly when they varied somewhat of that of the Teacher Representative. I guess, the habits of old Head Teachers die hard.”

Everyone wished Bill well for a long and happy retirement.

The Chair then presented Bill with a small gift as a token of the Council's appreciation.

Bill McGregor then intimated his thanks to Elected Members and Officers and wished them all success for the future.

## **PROMOTING LIFELONG LEARNING**

### **CONSULTATION REPORT - EDUCATION PROVISION AT CROSSROADS PRIMARY SCHOOL (Item 1E, Pages 1059, 1060, 07/12)**

- 2E.** There was submitted a report dated 3 June 2010 (copy enclosed) by the Executive Director of Educational and Social Services which informed Cabinet of the responses and comments which had been received from stakeholders during the public consultation exercise on the future of education provision at Crossroads Primary School and the extent of its catchment area and which recommended an appropriate course of action.

Cabinet, having considered the Consultation Report which had been published on 24 May 2010 and which was appended to the Executive Director's report, agreed that given they were minded to:-

- (a) agree that Crossroads Primary School close as a separate educational establishment from 16 August 2010, or as soon as possible thereafter;
- (b) agree that upon the closure of Crossroads Primary School, the pupils be assimilated into Galston Primary School from 17 August 2010, or as soon as possible thereafter; and
- (c) agree that the present delineated catchment area of Crossroads Primary School be added unchanged into to that of Galston Primary School to create an enlarged delineated catchment area for said Galston Primary School;

that this report be referred to the Governance and Scrutiny Committee for consideration at its meeting on 18 June 2010 with a recommendation that they report any views/further recommendations back to the special meeting of Cabinet to be held on 23 June 2010, so that a final determination on the proposal could be made in terms of Section 11(1) of the Schools (Consultation) (Scotland) Act 2010 at that time.

Cabinet otherwise noted the contents of the report.

### **PROPOSAL FOR A NEW BUILD GARGIESTON PRIMARY SCHOOL AND NURSERY CLASS (Item 1E, Page 906, 07/12)**

- 3E.** There was submitted a report dated 20 May 2010 (circulated) by the Executive Director of Educational and Social Services which (i) informed Cabinet of the outcome of a submission to the Scottish Government for additional funding in support of a new build Gargieston Primary School and Nursery Class and Fenwick Primary School; and (ii) sought Cabinet approval for a limited consultation exercise

on the proposal for a new build Gargieston Primary School and Nursery Class together with the need for a decant of pupils during the construction phase of the project.

Cabinet then heard from Christine MacLean, Head Teacher, Gargieston Primary School and Nursery Class.

Cabinet agreed:-

- (i) to note that Scottish Government funding had been secured to support the building of a new Gargieston Primary School and Nursery Class;
- (ii) that the Executive Director of Finance and Corporate Support provide Cabinet with a report updating the Council's Capital Investment Programme;
- (iii) to a decant of Gargieston Primary School during the period of construction;
- (iv) to remit to the Executive Director of Educational and Social Services to make the necessary arrangements for the decant of Gargieston Primary School and Nursery Class during the construction period;
- (v) that the Executive Director of Educational and Social Services consult with key stakeholders on the matters arising from the report;
- (vi) that the Executive Director of Educational and Social Services provide a report to Cabinet in due course with the results of these consultations; and
- (vii) otherwise, to note the contents of the report.

Councillor Iain Linton joined the meeting during discussion of the above item.

#### **COMMUNITY CAPACITY BUILDING TOOLKIT**

- 4E.** There was submitted a report dated 17 May 2010 (circulated) by the Executive Director of Educational and Social Services which sought approval from Cabinet for a Community Capacity Building Toolkit which would provide Officers across East Ayrshire Council with a framework for improving practice in building community capacity.

Cabinet agreed:-

- (i) to approve the introduction of the Community Capacity Building Toolkit; and
- (ii) otherwise, to note the contents of the report.

Councillor Maureen McKay left the meeting during discussion of the above item.

#### **NEW SPORTING FUTURES - 2014: CHARTER FOR SPORT (Item 11, Page 764, 07/12)**

- 5E.** There was submitted a report dated 10 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which updated Cabinet on progress with the New Sporting Futures - 2014: Charter for Sport and which provided information in relation to the national and local Legacy agenda which had been developed in the lead-up to the "XX Commonwealth Games in Glasgow".

Cabinet agreed:-

- (i) to note the progress in relation to the Charter for Sport and the range of Legacy initiatives;

- (ii) to approve amendments identified in paragraph 5.2 of the report to enable more flexibility in distributing funds as part of the Talented Athlete Programme; and
- (iii) otherwise, to note the contents of the report.

Councillor Maureen McKay rejoined the meeting during discussion of the above item.

**CORPORATE PARENTING ACTION PLAN: PROGRESS REPORT  
(Item 6, Page 840, 07/12)**

- 6E.** There was submitted a report dated 3 June 2010 (circulated) by the Executive Director of Educational and Social Services which provided an update of progress in implementing the East Ayrshire Corporate Parenting Action Plan and which advised of arrangements made to identify priorities for planning in 2010/2011.

Cabinet agreed:-

- (i) to note the progress made;
- (ii) to note the work of the Member/Officer Working Group as detailed in paragraph 5 of the report;
- (iii) to note that a partnership event was planned to revise and develop the Action Plan for 2010/11; and
- (iv) that a further progress report be provided to Cabinet in six months time.

Councillor Barney Menzies left the meeting during discussion of the above item.

**REVIEW OF THE GENDER EQUALITY SCHEME 2007-2010 AND INTERIM  
GENDER EQUALITY SCHEME 2010**

- 7E.** There was submitted a report dated 3 June 2010 (circulated) by the Executive Director of Finance and Corporate Support which provided Cabinet with a review of the Gender Equality Scheme and which submitted for approval an interim Gender Equality Scheme.

Cabinet agreed:-

- (i) to note the review of the Gender Equality Scheme 2007-2010;
- (ii) to approve the Interim Gender Equality Scheme 2010; and
- (iii) otherwise, to note the contents of the report.

Councillor Barney Menzies rejoined the meeting during discussion of the above item.

**FINANCE AND SERVICE STRATEGY REPORT**

- 8E.** There was submitted a report dated 3 June 2010 (circulated) by the Executive Director of Finance and Corporate Support which advised Members of the unaudited financial position for the year ended 31 March 2010 and information provided by Executive Directors.

Cabinet having received a presentation from the Executive Director of Finance and Corporate Support, agreed:-

- (i) to approve the transfer of £0.964M as detailed in paragraph 2.4 of the report;

- (ii) to approve the budget virement for contaminated land indicated in paragraph 2.5 of the report;
- (iii) to approve departmental earmarked balances as noted at paragraphs 2.10 and 3.2 of the report and note that balances would be reviewed following external audit;
- (iv) to note that the earmarked balance in respect of Icelandic Banks as indicated at paragraph 2.13 would be retained;
- (v) to approve the budget virement for the Central Purchasing Unit indicated in paragraph 5.4 of the report; and
- (vi) otherwise, to note the contents of the report.

Councillor Robert McDill left the meeting during discussion of the above item.

#### **UPDATE ON CAPITAL INVESTMENT PROGRAMME 2009/10-2018/19**

- 9E.** There was submitted a report dated 20 May 2010 (circulated) by the Executive Director of Finance and Corporate Support which advised of progress made with regard to the 10 Year Capital Investment Programme for financial years 2009/10 to 2018/19 and which sought approval for proposed variations to the agreed programme.

Councillor Maureen McKay, seconded by Councillor Barney Menzies, moved approval of the recommendations as detailed in the report, together with one additional recommendation as detailed at (xii) below, namely:-

- (i) to approve the allocation of up to £8.500M for Gargieston Primary School;
- (ii) to approve re-allocation of funding of £3.944M as shown in paragraph 4.2.5 of the report to enable the replacement of Auchinleck Community Centre and Roseburn Day Centre;
- (iii) that a new Adult Day Care facility should be located in or near Kilmarnock Town Centre;
- (iv) to approve a match funding allocation of £0.100M for Telecare in 2010/11;
- (v) to approve utilisation of £0.080M of Regeneration Fund monies for the extension of car parking at Bellfield;
- (vi) to note that a feasibility study on environmental improvements at Shortlees Shops would be undertaken;
- (vii) to approve an allocation of £0.100M for three years from 2010/11 for the completion of the CCTV programme;
- (viii) to note that £0.430M of Private Sector Housing Grant required to be funded from Capital Grant;
- (ix) to approve the use of Corporate Accommodation funding brought forward from 2009/10 to facilitate office layout proposals at HQ designed to enable cost and efficiency improvements;
- (x) to approve the re-allocation of component renewal funding for schools shown at paragraph 4.5.1 of the report;

- (xi) to note that the total 10 year Capital Investment Programme remained at £200M; and
- (xii) that Officers be remitted to vigorously investigate support for bringing the Trotters Building in New Cumnock back into use and to further pursue appropriate partnership agreements in line with previous practice, that would satisfy the aspirations of the local community and in doing so provide evidence for that community and incomers to New Cumnock that this Authority was committed to developing its assets through its capital programme.

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

- (i) to approve the allocation of up to £8.500M for Gargieston Primary School;
- (ii) to approve re-allocation of funding of £3.944M as shown in paragraph 4.2.5 of the report to enable the replacement of Auchinleck Community Centre and Roseburn Day Centre;
- (iii) that a new Adult Day Care facility should be located in or near Kilmarnock Town Centre;
- (iv) to approve a match funding allocation of £0.100M for Telecare in 2010/11;
- (v) to approve utilisation of £0.080M of Regeneration Fund monies for the extension of car parking at Bellfield;
- (vi) to note that a feasibility study on environmental improvements at Shortlees Shops would be undertaken;
- (vii) to approve an allocation of £0.100M for three years from 2010/11 for the completion of the CCTV programme;
- (viii) to note that £0.430M of Private Sector Housing Grant required to be funded from Capital Grant;
- (ix) to approve the use of Corporate Accommodation funding brought forward from 2009/10 to facilitate office layout proposals at HQ designed to enable cost and efficiency improvements;
- (x) to approve the re-allocation of component renewal funding for schools shown at paragraph 4.5.1 of the report; and
- (xi) to note that the total 10 year Capital Investment Programme remained at £200M.

On a division by a show of hands, the amendment was carried by 8 votes to 2.

#### **2010/11-2012/13 INFORMATION TECHNOLOGY SERVICES CAPITAL EXPENDITURE PROGRAMME**

**10E.** There was submitted a report dated 1 June 2010 (circulated) by the Executive Director of Finance and Corporate Support which sought Members' approval for the Information Technology Capital Expenditure Programme for 2010/11 and which provided Cabinet with an early indication of the anticipated programme for years 2011/12 and 2012/13.

Cabinet agreed:-

- (i) to approve the proposed 2010/11 IT Capital Expenditure Programme as detailed within Appendix A of the report; and
- (ii) to note the anticipated Capital Expenditure in respect of years 2011/12 and 2012/13 as detailed within Appendix B to the report, which would be subject to review at forthcoming year ends.

Councillor Jim Buchanan left the meeting during discussion of the above item.

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

## **IMPROVING COMMUNITY HEALTH AND WELLBEING**

### **WORKING IN PARTNERSHIP TO IMPROVE HEALTH AND WELLBEING IN EAST AYRSHIRE**

11. Following an introduction from Councillor Drew Filson, Chair of the Community Health Partnership, Cabinet received a presentation by Katie Kelly, Partnership Facilitator (East) which outlined the progress over the last year in developing East Ayrshire Community Health Partnership which included areas of good practice and future priorities for the next 12 to 18 months.

Members then had the opportunity to ask questions on the presentation.

Councillor Jim Buchanan rejoined the meeting and Councillors Kathy Morrice and John MacKay left the meeting during the above presentation.

Councillor Barney Menzies left the meeting following the presentation.

### **COMMUNITY HEALTH IMPROVEMENT PARTNERSHIP (CHIP) (Item 9, Page 764, 07/12)**

11. There was submitted a report dated 7 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which updated Cabinet on progress of the Community Health Improvement Partnership following the mainstreaming of the initiative in 2008 and completion of the second year of the Service Level Agreement (SLA) between East Ayrshire Council and NHS Ayrshire and Arran.

Cabinet agreed:-

- (i) to note the progress of the Community Health Improvement Partnership in respect of all aspects of the SLA and particularly in relation to new areas of work;
- (ii) to remit to the East Ayrshire Community Health Partnership Committee to review and approve the future service priorities in line with the four-yearly review of the Community Plan and utilise this prioritisation process to inform the Fairer Scotland Fund aspect of the Council's Strategic Review of Revenue Budgets; and
- (iii) otherwise, to note the contents of the report.

Councillor Kathy Morrice rejoined the meeting during discussion of the above item.

### **THE RECREATION PARTNERSHIP SERVICE (Item 10, Page 764, 07/12)**

12. There was submitted a report dated 3 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which updated Cabinet on the progress of the Recreation Partnership Service following the mainstreaming of the initiative in 2008 and completion of the second year of the Service Level Agreement (SLA) between East Ayrshire Council and NHS Ayrshire and Arran.

Cabinet agreed:-

- (i) to note the progress of the Recreation Partnership Service in respect of all aspects of the SLA and particularly in relation to new areas of work;
- (ii) to remit to the East Ayrshire Community Health Partnership Committee to review and approve the future service priorities in line with the four-yearly review of the Community Plan and utilise this prioritisation process to inform the Fairer Scotland Fund aspect of the Council's Strategic Review of Revenue Budget; and
- (iii) otherwise, to note the contents of the report.

### **DELIVERING COMMUNITY REGENERATION**

#### **DISPOSAL OF LAND AT PATRICK FINN COURT, CUMNOCK (Item 11.5, Pages 2638, 2639, 04/07)**

13. There was submitted a report dated 3 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which advised Cabinet of Shire Housing Association's formal notification that the Association's Board had decided not to develop the site disposed at Patrick Finn Court, Cumnock for the development of affordable new build housing and which sought authorisation to agree to Shire Housing Association assigning its interest in the missives of sale entered into with the Council to Atrium Homes to enable the proposed development of the site for affordable housing to proceed.

Cabinet agreed:-

- (i) to consent to the missives in respect of the earlier disposal of the site being assigned from Shire Housing Association Ltd of Netherthird House, 15 Glaisnock Road, Cumnock directly to Atrium Homes of 39/41 John Finnie Street, Kilmarnock for the reasons outlined at paragraph 4.2 of the report;
- (ii) to authorise the Solicitor to the Council to finalise negotiations for the missives for the sites to be assigned; and
- (iii) otherwise, to note the contents of the report.

#### **CUMNOCK AND DOON VALLEY GIFT FURNITURE SCHEME**

14. There was submitted a report dated 3 June 2010 (copy enclosed) by the Depute Chief Executive/Executive Director of Neighbourhood Services which provided Cabinet with the outcome of the annual evaluation of grant funded project - The Cumnock and Doon Valley Gift Furniture Scheme and which sought approval of future funding arrangements for the period 2010/11.

Cabinet agreed:-

- (i) to approve funding of £9,890 for the Cumnock and Doon Valley Gift Furniture Scheme for the period 2010/11; and
- (ii) otherwise, to note the contents of the report.

#### **A76 PARTNERSHIP GROUP FIVE POINT ACTION STRATEGY**

15. There was submitted a report dated 10 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services (i) which updated Cabinet on the work of the A76 Partnership Group; (ii) which sought approval for the leaflet prepared by the Partnership Group, which set out a Five Point Action Plan to improve safety and accessibility in the A76 corridor; and (iii) which sought approval for the Partnership to arrange a press release to launch the Five Point Action Plan, to submit the Action Plan to the Minister and which requested that the Action Plan be included in the trunk roads programme.

Cabinet agreed:-

- (i) to note the progress that had been made by the A76 Partnership Group in preparing a leaflet setting out the issues along the route and a strategy for addressing them;
- (ii) to approve the A76 leaflet and the Five Point Action Plan set out in the leaflet; and
- (iii) that the A76 Partnership Group launch the leaflet, submitting it to the Minister and requesting that provision is made for the Five Point Action Plan in the trunk road programme.

#### **PROHIBITION OF WAITING, LOADING AND STOPPING RESTRICTIONS AT BEECH AVENUE, BIRCH PLACE, LIME PLACE AND GRASSYARDS ROAD, KILMARNOCK**

16. There was submitted a report dated 28 May 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought approval to introduce new waiting, loading and stopping restrictions on Beech Avenue, Birch Place, Lime Place and Grassyards Road, Kilmarnock.

Cabinet agreed:-

- (i) to approve the proposal for waiting, loading and stopping restrictions, as shown in Appendix 1 to the report; and
- (ii) otherwise, to note the contents of the report.

#### **HOUSING INVESTMENT PROGRAMME 2010/11-2014/15**

17. There was submitted a joint report dated 7 June 2010 (circulated) together with an Appendix detailing the anticipated phased expenditure in relation to the Council House Building Programme (circulated at the meeting) by the Depute Chief Executive/Executive Director of Neighbourhood Services and the Executive Director of Finance and Corporate Support which proposed a Housing Investment Programme Strategy for 2010/11-2014/15 that would be capable for redressing annual budgetary fluctuations and fully support the Council's commitments in terms of the Standard Delivery Plan.

Cabinet agreed:-

- (i) to approve the proposals for the 5 Year Housing Investment Programme for the period 2010/11-2014/15;
- (ii) to note that regular reports on progress in delivering the programme would form part of Finance and Service Strategy reports submitted to Cabinet and Governance and Scrutiny Committee; and
- (iii) otherwise, to note the contents of the report.

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

- 18.** 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**

#### **BUILDING AND WORKS IMPROVEMENT AGENDA**

- 19.** There was submitted a report dated 11 June 2010 (circulated) by the Chief Executive which provided Members with a summary of the progress and outcomes of the work undertaken in Building and Works.

Cabinet agreed to note the substantial progress made and the outcomes of all the work carried out in Building and Works under the Improvement Agenda.

The meeting terminated at 1424 hours.