

EAST AYRSHIRE COUNCIL**CABINET****MINUTES OF SPECIAL MEETING HELD ON WEDNESDAY 23 JUNE 2010 AT
1003 HOURS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Douglas Reid, Iain Linton, John MacKay, Maureen McKay, Jim Buchanan, Hugh Ross, Jim Todd, Robert McDill, Jim Roberts, Barney Menzies and Kathy Morrice; Church Representative Maria Dorrian; 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; Martin Rose, Head of Human Resources; David Mitchell, Head of Legal, Procurement and Regulatory Services; John Griffiths, Head of Leisure Services; Alan Neish, Head of Planning and Economic Development; John Bryson, Head of Roads and Transportation; Eddie Fraser, Head of Service: Community Care; Andrew Sutherland, Head of Service: Schools; Robert McCulloch, Outdoor Amenities Manager; Dot Grieve, Principal Officer, Community Learning and Development; John McRobert, Roads Operations Manager; and Christine Baillie, Senior Administrative Officer.

CHAIR: Councillor Douglas Reid, Leader of the Council.

CHAIR'S REMARKS

1. The Chair advised that, in terms of Standing Order 18, an additional item would be considered at 11A on the Agenda as a decision was required as a matter of urgency in accordance with Section 50B(4)(b) of the Local Government (Scotland) Act 1973, as amended.

PROMOTING LIFELONG LEARNING**CONSULTATION REPORT - EDUCATION PROVISION AT CROSSROADS
PRIMARY SCHOOL (Item 6, Page 1229, 07/12)**

- 2E. There was submitted an excerpt from the Minutes of the Governance and Scrutiny Committee held on 18 June 2010 (circulated) together with two further responses recently received in response to the consultation report (circulated at the meeting).

The Executive Director of Educational and Social Services, in accordance with the recommendations from the Governance and Scrutiny Committee, gave a detailed explanation of the issues identified by the Governance and Scrutiny Committee.

Cabinet, having noted the report by the Executive Director of Educational and Social Services in accordance with the recommendations of Governance and Scrutiny Committee as outlined in the extract from the Minutes of meeting held on 18 June 2010 and following on from the Cabinet's consideration of the proposal at its meeting

on 16 June 2010, agreed, to determine in accordance with Section 11(1) of the Schools (Consultation) (Scotland) Act 2010:-

- (i) that Crossroads Primary School close as a separate educational establishment from 16 August 2010, or as soon as possible thereafter;
- (ii) that upon closure of Crossroads Primary School, the pupils be assimilated into Galston Primary School from 17 August 2010, or as soon as possible thereafter; and
- (iii) 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.

Cabinet agreed that the Church, Teacher and Parent Representatives remain and participate in the undernoted item.

**REPORT FROM THE MEMBER/OFFICER WORKING GROUP TO REVIEW
CABINS AND DAY CENTRES (Item 23, Page 337, 07/12)**

- 3E.** There was submitted a report dated March 2010 (circulated) by the Executive Director of Educational and Social Services which informed Cabinet of the outcome of the Member/Officer Working Group in relation to the review of Cabins and Day Centres and which sought approval for recommendations.

Councillor Jim Buchanan, seconded by Councillor Douglas Reid, moved:-

- (i) to approve the Member/Officer Working Group recommendations in respect of Catrine Day Centre, Dalrymple Day Centre, Patna Day Centre and Galston Cabin;
- (ii) to continue consideration of Glebe Road Cabin to allow Officers to consult fully with all user groups of the Cabin on all possible options;
- (iii) that a report on the outcome of (ii) above be submitted to an early meeting of Cabinet; and
- (iv) that the remaining facilities be considered as part of the Officer review which would be undertaken in respect of a review of facilities, locality by locality.

Councillor Maureen McKay, seconded by Councillor Barney Menzies, moved as an amendment to continue consideration of this item and to establish a short term action group to reconsider the issues within the paper as a whole, given the period of time that had elapsed since the establishment of the original Member/Officer Working Group, in order that the issues can be considered within the current timeframe and to allow for direct consultation with current users of all the facilities.

On a division by a show of hands, the motion was carried by 9 votes to 3.

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

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES

WORKFORCE PLANNING - SEVERANCE ARRANGEMENTS

(Item 9, Page 3119, 96/99)

4. There was submitted a report dated 28 May 2010 (circulated) by the Executive Director of Finance and Corporate Support which set out for Cabinet's considerations the principles and processes which would be implemented in order to carry out reductions in the Council's workforce.

Cabinet having considered the revisions to the current severance arrangements, agreed:-

- (i) that the maximum number of added years be set at five in accordance with the table set out in Paragraph 4.6 of the report and that these provisions be effective from 1 April 2011;
- (ii) that the Enhanced Redundancy Scheme be maintained;
- (iii) to note that any changes proposed to the Council's Statement of Policy in respect of Employers' Discretions under the Local Government Pension Scheme would require to be submitted to Cabinet and were subject to consultation with the Trade Unions;
- (iv) that where formal notification to the Department of Business Enterprise and Regulatory Reform was required then this be actioned as appropriate by the Head of Human Resources;
- (v) that delegated authority be given to the Head of Human Resources to approve all non-teaching redundancies where they come within the criteria of the Council's Redundancy Payments Scheme and there are no added years element or strain on the fund costs; and
- (vi) otherwise, to note the contents of the report.

WORKFORCE PLANNING - REVISED REDEPLOYMENT POLICY AND PROCEDURES (Item 8, Page 128, 07/12)

5. There was submitted a report dated 28 May 2010 (circulated) by the Executive Director of Finance and Corporate Support which recommended to Cabinet proposed changes to the Council's Redeployment Policy and Procedures.

Cabinet agreed to approve the changes detailed in the report to the Council's Redeployment Policy and Procedures, subject to Trade Union consultation.

REVISED COMPETENCY FRAMEWORK

6. There was submitted a report dated 28 May 2010 (circulated) by the Executive Director of Finance and Corporate Support which recommended to Cabinet approval for a revised Competency Framework to be incorporated into, and rolled out within, the existing East Ayrshire General Employee Review (EAGER) process.

Cabinet agreed:-

- (i) to approve the revised Competency Framework;
- (ii) to approve the inclusion of the Competency Framework within the existing EAGER process;

- (iii) to note the arrangements for roll-out of the revised EAGER process and associated training; and
- (iv) to note the arrangements for enhanced links between the competencies identified in the framework and proposed training offered by the Organisational Development Section.

EXTENSION OF CONTRACT FOR VEHICLE TRACKING SYSTEM

7. There was submitted a report dated 17 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought approval from Cabinet to extend the current Vehicle Tracking contract with Masternaut, from 31 August 2010 to 31 March 2011, in line with the Council's Standing Orders Relating to Contracts and Tendering.

Cabinet agreed:-

- (i) to approve the recommendation to extend the current contract with Masternaut from 1 September 2010 until 31 March 2011 under the Council's Standing Orders Relating to Contracts and Tendering, Section 20(2) under the terms outlined in Paragraph 3.1 of the report; and
- (ii) that the decision be implemented ahead of any consideration by the Governance and Scrutiny Committee on the grounds of urgency, in that to delay the decision would financially prejudice the Council's position.

GRANT FUNDING APPLICATIONS

8.1 EAST AYRSHIRE (SOUTH) FORUM ON DISABILITY

There was submitted a report dated 14 June 2010 (circulated) by the Executive Director of Finance and Corporate Support which informed Cabinet of a grant funding request received from the East Ayrshire (South) Forum on Disability and which made recommendations accordingly.

Cabinet agreed:-

- (i) to the funding request of £2,810 for the East Ayrshire (South) Forum on Disability; and
- (ii) otherwise, to note the contents of the report.

8.2 EAST AYRSHIRE ACCESS PANEL (NORTH DISTRICT) AND CUMNOCK AND DOON VALLEY ACCESS PANEL

There was submitted a report dated 17 June 2010 (circulated) by the Executive Director of Finance and Corporate Support which informed Cabinet of a joint grant funding request from the East Ayrshire Access Panel (North District) and Cumnock and Doon Valley Access Panels and which made recommendations accordingly.

Cabinet agreed:-

- (i) to approve the total funding request of £8,490 for the East Ayrshire Access Panel (North District) (£4,848) and Cumnock and Doon Valley Access Panel (£3,642) as detailed in Paragraph 4.4 of the report; and
- (ii) otherwise, to note the contents of the report.

**PROPOSED LEASE OF LAND WITHIN WOODROAD PARK, CUMNOCK TO THE
WOODROAD REGENERATION FORUM LIMITED**

9. There was submitted a joint report dated 15 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services and the Executive Director of Finance and Corporate Support which sought Cabinet approval to lease the two areas of land within Woodroad Park, Cumnock, identified on the attached plan, to the Woodroad Regeneration Forum Limited for a period of 75 years for the purpose of constructing a new Visitors/Community Centre and public car park subject to court authorisation in terms of Section 75(2) of the Local Government (Scotland) Act 1973.

Cabinet agreed:-

- (i) to amend the Concessionary Rental Policy in this instance only to allow the granting of the lease in terms of that policy on the basis that part of the proposed Visitors Centre is to be used for ancillary commercial purposes;
- (ii) to authorise the Solicitor to the Council to petition the Court for authorisation to alienate the land in terms of Section 75(2) of the Local Government (Scotland) Act 2003 as it was held within the Common Good Account to allow the granting of long term leases; and
- (iii) to approve the proposal to lease two areas of land within Woodroad Park, Cumnock, to the Woodroad Regeneration Forum Limited for the construction of a new Visitors/Community Centre and public car park in accordance with the terms and conditions identified within the report and subject to obtaining the authorisation of the Court in terms of Section 75(2) of the Local Government (Scotland) Act 1973 and to instruct the Solicitor to the Council to conclude matters on behalf of the Council.

SEEMIS MOVE TO LIMITED LIABILITY PARTNERSHIP

10. There was submitted a report dated 7 June 2010 (circulated) by the Executive Director of Educational and Social Services which provided background information on the business need for SEEMIS to change its legal structure to that of a limited liability partnership and which sought Cabinet agreement that East Ayrshire Council joins this new structure as a partner.

Cabinet agreed:-

- (i) the need for SEEMIS to move its operating structure and legal status to a limited liability partnership;
- (ii) that East Ayrshire Council joins this new agreement as a partner; and
- (iii) otherwise, to note the contents of the report.

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

**REPAVE PROCESS - A71 MOORFIELD TO NORTH AYRSHIRE BOUNDARY
(Item 2E, Pages 1014 & 1015, 07/12)**

11. There was submitted a report dated 17 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought Cabinet's approval to enter into negotiations with Colas Ltd for the use of the Repave Process

to repair the westbound carriageway of the A71 between Moorfield Roundabout and North Ayrshire Boundary.

Cabinet agreed to authorise the Head of Roads and Transportation to enter into negotiations with Colas Ltd to carry out repave works to Clause 926 of the Specification for Highway Works on the A71 Moorfield to North Ayrshire Council boundary.

EFFICIENT GOVERNMENT RETURN

12. There was submitted a report dated 17 June 2010 (circulated) by the Executive Director of Finance and Corporate Support which presented the proposed Efficient Government Return for approval prior to submission to CoSLA for incorporation into a Scotland wide report for the Scottish Government.

Cabinet agreed:-

- (i) to approve the proposed Efficient Government submission; and
- (ii) otherwise, to note the contents of the report.

PROCUREMENT OF ENGINEERING SERVICES

13. There was submitted a report dated 22 June 2010 (circulated at the meeting) by the Executive Director of Finance and Corporate Support seeking approval for single contractor negotiations with Jacobs Engineering UK Ltd for structural engineering services for the new Gargieston Primary School project.

Cabinet agreed:-

- (i) to approve the negotiation of a contract with Jacobs Engineering UK Ltd for a structural engineering services for the new Gargieston Primary School project; and
- (ii) that whilst the contents of the report are subject to call in procedures in the normal way, the decision to approve the negotiation of the contract be implemented ahead of any call in due to the timescale to protect the Council's financial interests.

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

DELIVERING COMMUNITY REGENERATION

FOUR TOWNS ENQUIRY BY DESIGN REPORTS

14. There was submitted a report dated 10 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought Cabinet's views on the Four Town Enquiry Design reports produced by the Prince's Foundation for the Build Environment and which sought agreement for proposals for how the reports could be utilised to assist the Council's efforts to regenerate these communities.

Cabinet agreed:-

- (i) the reports as a detailed vision for the 4 Towns of Mauchline, Auchinleck, Cumnock and New Cumnock;

- (ii) that the reports be considered as Supplementary Planning Guidance in the new Local Development Plan;
- (iii) that the foreword in Appendix I of the report be inserted before the preface in all of the reports;
- (iv) that the dialogue started by the Enquiry by Design event be continued with community representatives of each community so that a list of priority projects could be prepared set against short, medium and long term timescales;
- (v) that it be remitted to appropriate Officers to explore delivery mechanism options in accordance with the above timescales under (iv), above, as outlined in the report; and
- (vi) otherwise, to note the contents of the report.

KILMARNOCK CONSERVATION AREA REGENERATION SCHEME AND TOWNSCAPE HERITAGE INITIATIVE

- 15.** There was submitted a report dated 9 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought Cabinet approval to integrate fully the Kilmarnock Conservation Area Regeneration Scheme (CARS) and Kilmarnock Heritage Initiative (THI) to achieve maximum partnership funding potential.

Cabinet agreed:-

- (i) to the full integration of the Kilmarnock CARS and THI Partnership Funding allocations in order to maximise grant drawdown potential from the Heritage Lottery Fund and other project funders; and
- (ii) that the Head of Planning and Economic Development formalise this and agree any necessary adjustments to the operational requirements of the schemes with the Heritage Lottery Fund and Historic Scotland as required.

NEWMILNS FLOOD STUDY

- 16.** There was submitted a report dated 17 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which advised Cabinet on the findings of the Newmilns Flood Study and which recommended that the preferred Option for flood mitigation was the current more frequent inspection and cleaning regime of the existing trash screens and watercourses.

Cabinet agreed:-

- (i) to note the findings of the Newmilns Flood Study;
- (ii) to note the current Maintenance Measures outlined in Table 5.4 of the report and the reassurance from the Depute Chief Executive/Executive Director of Neighbourhood Services on the ongoing commitment and inspection regime in terms of this activity; and
- (iii) to continue consideration of this item and request that the Depute Chief Executive/Executive Director of Neighbourhood Services give consideration to what other additional minimal and cost achievable flood mitigation works could be carried out and report to Cabinet in August 2010.

ADJOURNMENT/RECONVENTION OF MEETING

17. The meeting adjourned at 1228 hours and reconvened at 1244 hours with the same Members and Officers present and in attendance under exception of Andrew Sutherland, Head of Service: Schools, John McRobert, Roads Operations Manager and Dot Grieve, Principal Officer, Community Learning and Development.

2010-11 BRIDGE AND CULVERT STRENGTHENING PROGRAMME

18. There was submitted a report dated 10 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought approval for the proposed 2010-11 Bridge and Culvert Strengthening Programme and the proposed programme for the construction of the replacement B741 Muck Water Bridge.

Cabinet agreed:-

- (i) to approve the 2010-11 Bridge and Culvert Strengthening Programme as set out in Paragraph 3 of the report;
- (ii) to approve the proposed programme for replacing Muck Water Bridge and that consultation is carried out on a proposed temporary closure of the road during the bridge replacement;
- (iii) that consultation with the local community on the planning of the works in relation to the bridge of box culvert construction to replace the ford and adjacent footbridge at Kilmarnock Water Bridge at Dean Road be undertaken; and
- (iv) otherwise, to note the contents of the report.

DEVELOPER CONTRIBUTIONS FUND AND DEVELOPER CONTRIBUTIONS SPORTS, LEISURE AND RECREATION FUND

19. There was submitted a report dated 7 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which (i) summarised the current budgetary position for the Developer Contributions Fund and the Developer Contributions Sports, Leisure and Recreation Fund; (ii) recommended amendment to the accounting mechanisms for holding the funds and for their disbursement; (iii) recommended opportunities for some of the currently available funds to be used to support eligible projects within the Council's Capital Programme and issues in relation to Moscow Community Hall; and (iv) recommended additional governance arrangements for decision making in relation to the approval of grant funding from the Developers Contributions.

Councillor Douglas Reid, seconded by Councillor Iain Linton, moved approval of the undernoted recommendations:-

- (i) to approve the establishment of only two area based Developer Contribution Funds reflecting the new Planning Committee areas of the:-
 - Northern Local Planning Committee; and
 - Southern Local Planning Committee;
- (ii) to approve the amalgamation of the separate Developer Contributions Fund and the Developer Contributions Sports, Leisure and Recreation into a single

fund for each Planning Committee area, for each Planning Committee area, with unallocated balances being made available to support each relevant strategic project in the capital programme and/or eligible community led sports, leisure and recreation projects;

- (iii) to approve the future use of funds in the Developer Contributions Fund, in accordance with Paragraph 6 of the report;
- (iv) to approve that in relation to the negotiation of future voluntary Developers Contributions under Policy TLR5, relevant applicants be invited to contribute to the new fund covering the Northern Local Planning Committee area or the Southern Local Planning Committee area and that the funds so in gathered be made available to support eligible Sports, Leisure and Recreation projects identified in the capital programme and/or to support eligible community led sports, leisure and recreation projects within the area;
- (v) to approve the revised governance arrangements: that following appropriate assessment of the project applications, determination of grants of up to £15,000 should be by two out of four of the Depute Chief Executive/Executive Director of Neighbourhood Services, the Head of Planning and Economic Development, the Head of Leisure and the Business Tourism Manager, in consultation with Local Elected Members. Application for grant funding in excess of £15,000 would be referred to Cabinet for determination; and
- (vi) to recommend to Council, the revision of the Scheme of Delegation to incorporate the recommended revised governance arrangements.

Having indicated her support for (i) to (iv) and (vi) as detailed above, Councillor Maureen McKay, seconded by Councillor Barney Menzies, moved as an amendment that the value of grants referred to in (v) above for determination by Officers in consultation with Local Members be up to £8,000 (and not £15,000) and applications in excess of £8,000 be referred to Cabinet for determination.

On a division by a show of hands, there voted 4 for the motion and 4 for the amendment.

There being an equality of votes, the Chair exercised his casting vote in favour of the motion.

IMPROVING COMMUNITY SAFETY

TRAFFIC, TRANSPORTATION AND ROAD SAFETY PROGRAMMES 2010-11

20. There was submitted a report dated 17 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought Cabinet approval for the various traffic, transportation and road safety programmes to be implemented in 2010/2011.

Cabinet agreed:-

- (i) that the casualty reduction targets set out in the Scottish Government's Road Safety Framework to 2020 are adopted as the new local targets in the East Ayrshire Community Planning Partnership Single Outcome Agreement to be updated during 2010-11;

- (ii) to the implementation of the traffic, transportation and road safety programmes as outlined in Section 4 of the report; and
- (iii) otherwise, to note the contents of the report.

FIREWORKS DISPLAY

- 21.** There was submitted a report dated 16 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which asked Cabinet to consider the potential to generate additional income of £10,000 for the annual Fireworks Display to offset a reduction of £10,000 in the budget available.

Cabinet agreed:-

- (i) to note the findings of the review in relation to raising additional income for the Fireworks Display;
- (ii) to approve the acceptance of a financial contribution of £3,000 from Strathclyde Fire & Rescue Service;
- (iii) to approve the proposals to generate increased income as detailed in the report;
- (iv) to approve the recommendation that a voluntary contribution arrangement be introduced as detailed in Paragraph 3.2 of the report;
- (v) to approve the spend to save purchase of units for the collection of voluntary contributions at a cost of £250 per unit for use at this and future events;
- (vi) to remit to the Depute Chief Executive/Executive Director of Neighbourhood Services to report to Cabinet on the outcome of the 2010 event and proposals for the future; and
- (vii) otherwise, to note the contents of the report.

COMMUNITY HEALTH AND WELLBEING

PLAYPARK INVESTMENT PROGRAMME

- 22.** There was submitted a report dated 17 June 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought approval for a prioritised programme of playpark investment across East Ayrshire.

The Head of Leisure reported amendments to the list recommending that No 12 Minnoch Road, Bellsbank, be now No 7 and the former No 7 Ness Glen, Bellsbank, be No 12.

Councillor Maureen McKay, seconded by Councillor Barney Menzies, moved approval of the original amended priority programme as submitted to Cabinet and as detailed in Paragraph 5.2 of the report.

Councillor Robert McDill, seconded by Councillor Jim Todd, moved as an amendment, approval of the amended priority programme as detailed in Paragraph 5.2 of the report subject to the undernoted amendments:-

- (i) support for the Officer amendments, that Minnoch Road, Bellsbank, replaces Ness Glen, Bellsbank, at No 7 on the list, with Ness Glen, Bellsbank, then becoming No 12;

- (ii) that Greenside replaces Claremount, Newmilns, at No 8 on the list;
- (iii) that Claremount, Newmilns, be retained as a playpark and to remit to Officers to consider delivery mechanisms in consultation with the local Parents Action Group with a view to accessing external funding to refurbish the playpark.

On a division by a show of hands the amendment was carried by 5 votes to 2.

Cabinet noted that the proposed playpark at Craigens Road, Netherthird, would be relocated within the area as a result of changes in the locality of the existing site.

EXCLUSION OF PRESS AND PUBLIC

- 23.** 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 Paragraphs of Schedule 7A of the Act as shown against each item".

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES

CRAFT OPERATIVES - REVISED PAY AND GRADING (PARA 1)

- 24.** There was submitted a report dated 21 May 2010 (circulated) by the Executive Director of Finance and Corporate Support which submitted to Cabinet proposals on a revised pay and grading scheme for Craft Operatives within Housing Asset Services.

It was noted that the Trade Unions had agreed to withdraw their grievance on the decision to terminate the current Incentive Bonus Scheme given that the proposals would be issued to them for consultation following Cabinet's consideration.

Cabinet agreed:-

- (i) for the purposes of consultation with the Trade Unions, the pay and grading proposals for Craft Operatives;
- (ii) that preservation arrangements should be discussed with the Trade Unions as set out in Paragraph 4 of the report;
- (iii) that a further report be submitted to Cabinet following the consultations with the Trade Union;
- (iv) to accept the recommendation by the Governance and Scrutiny Committee to review the decision to give notice to terminate the Bonus Scheme and to note that the matter would be addressed within the further report referred to at (iii), above; and
- (v) otherwise, to note the contents of the report.

PROPOSED SALE OF GROUND AT SKERNIELAND ROAD, FENWICK (PARA 9) (Item 10, Pages 1103 & 1104, 07/12)

- 25.** There was submitted a joint report dated 14 June 2010 (circulated) by the Executive Director of Finance and Corporate Support and the Solicitor to the Council which provided an update on the proposed disposal of an area of ground at Skernieland

Road, Fenwick, which sought approval and instructions on a request from the prospective purchaser to amendments to the terms and conditions of the disposal as detailed within the report.

Cabinet agreed:-

- (i) to approve the sale of 2.46 hectares (6.093 acres) or thereby, of ground at Skernieland Road, Fenwick, to the party identified in the report on the revised terms and conditions as detailed in Paragraph 8 of the report and on the remaining terms and conditions previously approved by Cabinet on 24 January 2008, 21 October 2009 and 31 March 2010, subject to the consent of the Scottish Government in terms of Section 12(7) of the Housing (Scotland) Act 1987, to the District Valuer reviewing the revised arrangements and authorising the Solicitor to the Council to conclude matters on behalf of the Council; and
- (ii) to provide within the current contract as requested by the purchaser, that the purchaser be permitted to proceed to provide affordable housing for sale without the need for further referral to Cabinet, subject to Paragraphs 8.3 and 8.4 of the report.

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

EXTENSION OF TAXI HIRES CONTRACT (PARA 10)

- 26.** There was submitted a report dated 17 June 2010 (circulated) by the Executive Director of Finance and Corporate Support which sought agreement from Cabinet, in accordance with the Council's Standing Orders, to formalise a six month extension of the current Taxi Hire Term Contract.

Cabinet agreed:-

- (i) to approve a six month extension of the current corporate Taxi Hire Contract with the party identified in the report, in accordance with Para 20(2) of the Council's Standing Orders Relating to Contracts; and
- (ii) to endorse in principle, the development and implementation of the proposed Serious Organised Criminal Groups screening strategy to be applied to the tender of the Taxi Hire Contract and all other future tendering exercises where Serious Organised Criminal Groups may be regarded as a potential threat to the operational integrity of the Council.

IMPROVING COMMUNITY HEALTH AND WELLBEING

SOCIAL WORK COMPLAINTS REVIEW PANEL (PARAS 3 & 7)

27.1 MINUTES

There were submitted and noted for information the Minutes of a meeting of the Social Work Complaints Review Panel held on 4 June 2010 (circulated).

27.2 REPORT

There was submitted a report dated 18 June 2010 (circulated) by the Social Work Complaints Review Panel which invited Members (i) to consider a report from the Social Work Complaints Review Panel following a Hearing held on Friday 4 June

2010; and (ii) to accept the findings and recommendations contained within the report not to uphold the complaint made by the complainant.

Cabinet agreed:-

- (i) to accept the Social Work Complaints Review Panel not to uphold the complaint;
- (ii) to recommend to the Department of Educational and Social Services that it ensures that it considers, in accordance with Charging for Residential Accommodation Guidance 6.066, the feasibility of recovering the assessed charge from the complainant's mother at this time; and
- (iii) otherwise, to note the contents of the report.

The meeting terminated at 1447 hours.