

EAST AYRSHIRE COUNCIL**CABINET****MINUTES OF MEETING HELD ON WEDNESDAY 20 FEBRUARY 2008 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Douglas Reid, Iain Linton, John MacKay, Jim Buchanan, Jim Todd, Robert McDill, Jim Roberts and Kathy Morrice; Church Representatives: Bill McGregor and John McHugh; Teacher Representative: Iain Harvey; and Parent Representative: David Fraser.

ALSO PRESENT: Councillor Tom Cook, Item 2E

ATTENDING: Elizabeth Morton, Depute Chief Executive/Executive Director of Corporate Support; Graham Short, Executive Director of Educational and Social Services; William Stafford, Executive Director of Neighbourhood Services; Alex McPhee, Executive Head of Finance and Asset Management; Jackie Donnelly, Executive Head of Social Work; Bill Walkinshaw, Head of Democratic Services; David Mitchell, Head of Legal, Procurement and Regulatory Services; John Griffiths, Head of Leisure Services; Euan Couperwhite, Head of Resources; Keith Orton, Acting Chief Engineer, Roads and Transportation; Alistair Kidd, Financial Services Manager; and Christine Baillie, Administrative Officer.

APOLOGIES: Councillors Hugh Ross and Eric Jackson; and Church Representative: Dr Ivy Barclay.

CHAIR: Councillor Douglas Reid, Chair.

CHAIR'S REMARKS

1. The Chair advised that given his absence Councillor Jackson had submitted a letter to him in respect of issues he wished raised regarding certain items of business on the Agenda. Thereafter, the relevant issues were raised and addressed as each of the related Agenda items were being discussed.

LIFELONG LEARNING

OUTCOME AND RECOMMENDATIONS FROM THE CALLED-IN DECISION OF CABINET - 15 FEBRUARY 2008: PARENT COUNCILS OF CROSSROADS PRIMARY SCHOOL AND SORN PRIMARY SCHOOL: DEPUTATIONS (Item 8, Page 265, 07/11)

- 2E. There was submitted a report dated 15 February 2008 (circulated) by the Chair of Governance and Scrutiny Committee presenting the recommendation of the Governance and Scrutiny Committee of 15 February 2008 in respect of the called-in decision of Cabinet which related to the Parent Councils of Crossroads Primary School and Sorn Primary School: Deputations.

Cabinet heard from Councillor Tom Cook, Chair, Governance and Scrutiny Committee in respect of the report and from the Head of Legal, Procurement and Regulatory Services in respect of the deliberations which took place at the Governance and Scrutiny Committee on 15 February 2008.

Councillor Douglas Reid then intimated that he had considered the discussions which had taken place at the Governance and Scrutiny Committee and having had the opportunity to review the issues he confirmed his previous position that he did not accept the argument that the Council's processes were not transparent and open and stated that they were, on the contrary, fully transparent and open.

However, Councillor Reid intimated that he did believe that these were unique circumstances and, without setting a precedent, he proposed that Cabinet accede to the requests from the Parent Councils of Crossroads and Sorn Primary Schools to present their case to Cabinet.

He further proposed that on the basis of due process and natural justice the same opportunity be afforded to the Parent Councils of every other school affected by the proposals which had been the subject of consultation.

Councillor Reid also proposed that any such presentation be made by the Chair of each affected Parent Council, or nominee, and that each presentation be restricted to 10 minutes.

Councillor Linton, Depute Chair and a Spokesperson for Lifelong Learning reported that the Council had received over 2,200 responses to the consultation process and that as some of those responses had raised matters which required detailed consideration, on the advice of Officers, the final consideration of the Better Schools: Better Learning: A Strategy for Developing the School Estate would now be considered at the meeting of Cabinet to be held on 19 March 2008.

Cabinet agreed:-

- (i) to invite the Chair of the Parent Councils of all eight schools specifically affected by the proposals, or their nominee, to make a presentation to Cabinet;
- (ii) that each presentation be restricted to 10 minutes;
- (iii) to note that the presentations together with the Executive Director of Educational and Social Services' report on Better Schools: Better Learning: A Strategy for Developing the School Estate would be heard at a meeting of Cabinet to be held on 19 March 2008 and that this would be the only business to be transacted by the Cabinet; and
- (iv) to remit to the Depute Chief Executive/Executive Director of Corporate Support to make the necessary arrangements for the meeting which would include notification to Parent Councils in order that all interested parties were informed of the new arrangements.

Church Representatives Bill McGregor and John McHugh; Teacher Representative Iain Harvey and Parent Representative David Fraser all left the meeting at this point.

COMMUNITY PLANNING AND EQUALITIES

SINGLE OUTCOME AGREEMENT

3. There was submitted a report dated 12 February 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which informed on progress in respect of the development of a Single Outcome Agreement for East Ayrshire.

Cabinet agreed:-

- (i) to note and endorse the progress in respect of the development of the Single Outcome Agreement; and
- (ii) that the Depute Chief Executive/Executive Director of Corporate Support submit a further report on the matter to a future meeting of Cabinet.

COMMUNITY WELLBEING

THE INDEPENDENT EXAMINATION OF PROPOSALS FOR MAJOR CHANGES IN NHS SERVICES - A PUBLIC CONSULTATION

4. There was submitted a report dated 12 February 2008 (circulated) by the Executive Director of Educational and Social Services which advised of the public consultation with respect to the Independent Examination of Proposals for Major Changes in NHS Services and which sought Cabinet approval of a response to the Consultation from East Ayrshire Council as detailed in Appendix 1 to the report.

Cabinet agreed:-

- (i) to endorse the response to the public consultation which agreed with the need to introduce formal independent scrutiny of major changes in NHS services;
- (ii) to support the CoSLA position of seeking a deferment on the scrutiny model until the outcome of the Local Health Care (Scotland) Bill consultation was known; and
- (iii) otherwise, to note the contents of the report.

ENVIRONMENT AND REGENERATION

DRAFT CORE PATH PLAN

5. There was submitted a report dated 6 February 2008 (circulated) by the Executive Director of Neighbourhood Services which updated the Cabinet on work carried out so far in the development of the Core Path Plan and which sought approval to undertake a formal consultation exercise for the draft Core Path Plan.

Cabinet agreed:-

- (i) to approve the formal public consultation on the draft Core Path Plan process as outlined in the report; and
- (ii) otherwise to note the contents of the report.

CUMNOCK AREA TRANSPORT MODEL DEVELOPMENT

6. There was submitted a report dated 13 February 2008 (circulated) by the Executive Director of Neighbourhood Services which sought approval to negotiate a contract with Colin Buchanan Consultants to extend the Kilmarnock Transport Model to cover the A76 corridor including Cumnock and Auchinleck.

Cabinet agreed:-

- (i) to remit to the Executive Director of Neighbourhood Services to negotiate an appropriate contract for the extension of the Kilmarnock Transport Model to include the Cumnock/Auchinleck area and the A76 corridor with Colin Buchanan Ltd; and

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

COMPLETION OF THE EAST AYRSHIRE LOCAL TRANSPORT STRATEGY

7. There was submitted a report dated 13 February 2008 (circulated) by the Executive Director of Neighbourhood Services which sought approval for the Executive Director of Neighbourhood Services to negotiate a tender with Faber Maunsell to complete work on the Local Transport Strategy 2008-2013 and which asked Cabinet to endorse the proposed programme of stakeholder consultations programme set out in Appendix A to the report.

Cabinet agreed:-

- (i) to remit to the Executive Director of Neighbourhood Services to negotiate an appropriate contract with Faber Maunsell to complete work on the Local Transport Strategy 2008-2013; and
- (ii) to endorse the programme of stakeholder consultations programme as set out in Appendix A to the report.

MANAGEMENT AND RESOURCES

GALSTON LOCAL OFFICE AND SOCIAL WORK OFFICES

8. There was submitted a report dated 13 February 2008 (circulated) by the Executive Head of Finance and Asset Management which advised of the options considered for the Galston Local Office and Social Work Offices presently located at 11 Cross Street, Galston and seeking approval of Option 4, the refurbishment of the existing building to accommodate the Galston Local Office and Social Work Offices.

Cabinet agreed:-

- (i) to continue consideration of the refurbishment proposals until the outcome of the study commissioned by Development, Planning and Regeneration for Galston Town Centre was presented to Cabinet for consideration and in the meantime to cease all present design work in respect of Option 4; and
- (ii) to note that the Executive Head of Finance and Asset Management would provide Councillor McDill with available details of the works required.

EXCLUSION OF PRESS AND PUBLIC

9. 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 8 of Schedule 7A of the Act".

CAPITAL MONITORING REPORT TO PERIOD 10 (13/1/08)

10. There was submitted a report dated 6 February 2008 (circulated) by the Executive Head of Finance and Asset Management which advised of the projected financial position for General Services and Housing Investment Capital Programme based on information provided by Executive Directors.

Cabinet having received a presentation from the Executive Head of Finance and Asset Management and having considered the contents of the report, agreed:-

- (i) to note the re-profiling of budget allocations in respect of the Kilmarnock and Cumnock Town Centre Regeneration Projects;
- (ii) to approve the proposals to fund the projected variance on the North West Area Centre Project;
- (iii) to approve the reallocation of General Fund balances for Roads Related Works Greenbraes/Greenholm Road, Cumnock to fund the Council's share of anticipated additional costs in relation to the Galston Flood Prevention Scheme; and
- (iv) to approve the proposals to fund the projected variance on the Hillside Crescent Children's Unit Project.

The meeting terminated at 1052 hours.