

EAST AYRSHIRE COUNCIL**GOVERNANCE AND SCRUTINY COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 15 FEBRUARY 2008 AT 1000 HRS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Tom Cook, Helen Coffey, Willie Coffey, Maureen McKay, John Campbell, John Knapp, Alan Brown, Stuart Finlayson, Barney Menzies and Eric Ross.

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; Jackie Donnelly, Executive Head of Social Work; David Mitchell, Head of Legal, Procurement and Regulatory Services; Julie Jamieson, Chief Accountant; Joseph McLachlan, Corporate Account Manager; Robin Baker, Financial Controller; Julie McGarry, Administration Manager; and Robert Beaton, Administrative Officer.

APOLOGY: Councillor Drew Filson.

CHAIR: Councillor Tom Cook, Chair.

PREVIOUS MINUTES

1. There were submitted and approved as a correct record, the Minutes of the Meeting held on 18 January 2008 (circulated).

PERFORMANCE AND BEST VALUE**STATUTORY PERFORMANCE INDICATORS 2008/09 -
DIRECTION 2007 (Item 3, Page 109, 07/11)**

2. There was submitted a report dated 23 January 2008 (circulated) by the Executive Head of Finance and Asset Management which advised Committee of the Publication of Information (Standards of Performance) Direction 2007, for the financial year 2008/09 by the Accounts Commission.

It was agreed:

- (i) to note the publication by the Accounts Commission of the Direction 2007;
- (ii) to note the new and changed Indicators for 2008/09;
- (iii) to note the planned trial runs for the amended 2008/09 Indicator(s) in the Direction 2007; and
- (iv) that the Executive Director of Neighbourhood Services make available to all Members of the Committee performance information received from private sector housing organisations.

Councillor Eric Ross joined the meeting at this point.

2006/07 STATUTORY PERFORMANCE INDICATORS - COUNCIL PROFILES

3. There was submitted a report dated 1 February 2008 (circulated) by the Executive Head of Finance and Asset Management which provided Committee with summary information relating to the Council's relative position in respect of the 2006/07 Statutory Performance Indicators (SPIs) as reported by Audit Scotland.

It was agreed:

- (i) to note East Ayrshire Council's improving relative performance in the 2006/07 Statutory Performance Indicators, as reported in Audit Scotland's SPI Council Profiles document;
- (ii) that the Executive Directors take appropriate management and performance improvement related action designed to drive up third and fourth quartile SPIs into the upper and second quartiles for 2007/08 and beyond, whilst maintaining the 50 SPIs currently in the upper/second quartiles;
- (iii) that future reports show rankings from the previous financial year; and
- (iv) otherwise, to note the contents of the report.

EAST AYRSHIRE JOINT FUTURE PARTNERSHIP - JOINT PERFORMANCE INFORMATION AND ASSESSMENT FRAMEWORK (JPIAF) EVALUATION 2006/07

4. There was submitted a report dated 6 February 2008 (circulated) by the Executive Director of Educational and Social Services which (i) informed Committee of the outcomes of the evaluation of East Ayrshire Joint Future Partnership's JPIAF submission for 2006/07; (ii) sought the endorsement of Committee for the steps being taken by the Partnership to address the recommendations for improvement and action identified within the evaluation; and (iii) advised Committee of the new arrangements for reporting on the performance of Joint Future Partnerships for 2007/08.

It was agreed:

- (i) to endorse the steps being taken by the Partnership to address the recommendations for improvement and action identified in the evaluation; and
- (ii) otherwise, to note the contents of the report.

SCRUTINY

AWARDING OF CONTRACTS FOR THE PERIOD NOVEMBER 2007 TO JANUARY 2008

5. There was submitted and noted a report dated 31 January 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which provided, for information, details of tenders which had been accepted.

ATTENDANCE AND ABSENCE 2006/07

6. There was submitted a report dated January 2008 (circulated) by the Executive Director of Educational and Social Services which advised Committee of the pupil attendance and absence in East Ayrshire Schools.

It was agreed:

- (i) that the Executive Director of Educational and Social Services continue to report annually on attendance and absence;
- (ii) that future reports should contain information on the lengths of absence for pupils; and
- (ii) otherwise, to note the contents of the report.

GENERAL

WORK PROGRAMME: QUARTERLY UPDATE

7. There was submitted and noted a report dated 1 February 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which provided a quarterly update of the Governance and Scrutiny Committee's Work Programme.

CALLED-IN ITEM

CONSIDERATION OF A CALLED-IN DECISION OF CABINET: PARENT COUNCILS OF CROSSROADS PRIMARY SCHOOL AND SORN PRIMARY SCHOOL: DEPUTATIONS (Item 1E, Page 238, 07/11)

8. The Committee considered the called-in decision of the Cabinet meeting held on 24 January 2008, relating to the Parent Councils of Crossroads Primary School and Sorn Primary School: deputations (copies of the call-in notice, related Cabinet report and procedure to be followed had all been circulated).

The Committee heard Councillor Eric Jackson, Provost Stephanie Young, Councillors Rose-Ann Cuninghame, Gordon Cree and Neil McGhee the signatories to the call-in request, who further explained the reasons for the call-in.

The Committee then heard Councillor Douglas Reid, Chair of Cabinet, and David Mitchell, Head of Legal, Procurement and Regulatory Services, who outlined the reasons for the Cabinet's decision and responded to the terms of the call-in request.

Members of the Committee then put questions to, and sought clarification on matters raised, from the Members as signatories to the call-in request and also from Councillor Reid and the Head of Legal, Procurement and Regulatory Services.

The Chair informed all parties present of the final stages of the call-in process and Councillors Eric Jackson, Provost Young, Councillors Cuninghame, Cree, McGhee and Reid and the Head of Legal, Procurement and Regulatory Services then returned to the public gallery.

The Committee then proceeded to consider and deliberate the matter.

Councillor Willie Coffey, seconded by Councillor Alan Brown, moved that the reasons for the call-in were not justified and that no case was made for referral back to Cabinet on this matter.

Councillor John Knapp, seconded by Councillor Stuart Finlayson, moved as an amendment to refer the matter back to Cabinet to reconsider its decision and allow the Parent Councils of Crossroads and Sorn Primary Schools to make their own presentations to Cabinet.

On a division by a show of hands, the amendment was carried by five votes to four.

The recommendation of the Committee would be submitted to Cabinet in the form of a report by the Chair, which would provide details of the presentations and issues raised associated with the call-in.

EXCLUSION OF PRESS AND PUBLIC

9. The Committee 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.

SCRUTINY

GENERAL SERVICES REVENUE BUDGET 2007/08 AS AT 16 DECEMBER 2007 (PERIOD 9)

10. There was submitted a report dated 10 January 2008 (circulated) by the Executive Head of Finance and Asset Management which advised of the projected financial position for Revenue Services based on expenditure to 16 December 2007 (Period 9) and information provided by Executive Directors.

It was agreed:

- (i) to note the utilisation of Departmental balances as highlighted in Section 5.1 of the report; and
- (ii) otherwise, to note the contents of the report.

The meeting terminated at 1140 hrs.