

EAST AYRSHIRE COUNCIL**CABINET****MINUTES OF MEETING HELD ON WEDNESDAY 15 DECEMBER 2010 AT 1000 HOURS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Douglas Reid, Iain Linton, John MacKay, Hugh Ross, Jim Todd, Robert McDill, Jim Roberts and Kathy Morrice; Church Representative Ian Rennie; 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; Craig McArthur, Head of Finance; Chris McAleavey, Head of Housing; David Mitchell, Head of Legal, Procurement and Regulatory Services; Alan Neish, Head of Planning and Economic Development; John Bryson, Head of Roads and Transportation; Julie McGarry, Administration Manager; and Gillian Hamilton, Administrative Officer.

APOLOGY: Parent Representative David Fraser.

CHAIR: Councillor Douglas Reid, Leader of the Council.

ORDER OF BUSINESS

1. The Chair at his discretion and in terms of Standing Order 19, agreed to alter the order of business to that shown below.

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES**FINANCE AND SERVICE STRATEGY REPORT**

- 2E. There was submitted a report dated 9 December 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 14 November 2010 (Period 8) and information provided by Executive Directors.

Councillor Iain Linton joined the meeting during consideration of this item.

Cabinet agreed:-

- (i) to approve the budget virement adjustments detailed at paragraphs 2.6, 2.8, 2.9 and 3.1 of the report;
- (ii) to approve the reallocation of £0.200M from the Corporate Office capital budget allocation to the Cumnock Office Development project as detailed at paragraph 4.1 of the report;
- (iii) to note the contract figure exceeding the accepted tender value by more than 10% in respect of the Stewarton Townhouse alteration and refurbishment;
- (iv) to note the review and future report as detailed at paragraph 2.14 of the report (as opposed to paragraph 5.2 as indicated in recommendation 5.1 of the report);

- (v) to note that the Depute Chief Executive/Executive Director of Neighbourhood Services would provide members with an analysis of attendance at each individual visitor attraction facility; and
- (vi) otherwise, to note the contents of the report.

KILMARNOCK TOWN CENTRE ON-STREET PARKING: UPGRADE OF BACK OFFICE SYSTEMS AND RENEWAL OF PAY AND DISPLAY TICKET MACHINES MAINTENANCE AGREEMENT (Item 13, Page 2337, 03/07)

3. There was submitted a report dated 2 December 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought approval for the Head of Roads and Transportation to enter into negotiations to procure a back office system upgrade for pay and display ticket machines and renew the Comprehensive Maintenance Agreement with Metric Group Ltd who were the sole suppliers of the service for these machines.

Cabinet agreed:-

- (i) to authorise the Head of Roads and Transportation to enter into negotiations with Metric Group Ltd to provide a web based back office and statistical system;
- (ii) to authorise the Head of Roads and Transportation to enter into negotiations with Metric Group Ltd to renew the Comprehensive Maintenance Agreement for a three year period; and
- (iii) otherwise, to note the contents of the report.

DELIVERING COMMUNITY REGENERATION

PROPOSED REVOCATION OF ONE-WAY ORDER TO PERMIT TWO-WAY TRAFFIC FLOW ON GLAISNOCK STREET, CUMNOCK

4. There was submitted a report dated 22 November 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought approval to revoke the existing one-way traffic restriction and reintroduce two-way traffic flow on Glaisnock Street, Cumnock between Townhead Street and Ayr Road.

Cabinet agreed:-

- (i) to approve the Amendment Order to revoke one-way traffic on the northern section of Glaisnock Street, Cumnock; and
- (ii) otherwise, to note the contents of the report.

CUMNOCK CONSERVATION AREA REGENERATION SCHEME (CARS) - APPROVAL OF GRANT FUNDING PROCESS

5. There was submitted a report dated 23 November 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought agreement for the process of approval and dispersal of grant applications under the Cumnock Conservation Area Regeneration Scheme and for decisions on grant applications and grant dispersal to be delegated to the Head of Planning and Economic Development.

Cabinet agreed:-

- (i) to approve the CARS grant approval process as detailed in paragraph 3 and Appendices 3 and 4 of the report;
- (ii) to delegate authority to the Head of Planning and Economic Development to approve grant applications for priority buildings that were within 20% of the Indicative Total Grant Allocation contained in the CARS Approved Schedule (Appendix 1 of the report); and subject to Historic Scotland's agreement, to approve grant applications for priority buildings that were within 20% of the Indicative Total Grant Allocation contained in the CARS Proposed Schedule (Appendix 2 of the report);
- (iii) to delegate authority to the Head of Planning and Economic Development to approve CARS small grant applications up to £30,000, and to disperse all grant payments under this Scheme;
- (iv) to authorise the Solicitor to the Council/Head of Legal, Procurement and Regulatory Services to issue Offers of Grant; enter into any necessary Standard Securities and to carry out all other legal work associated therewith;
- (v) to report on an annual basis the grants issued; and
- (vi) otherwise, to note the contents of the report.

ENVIRONMENTAL IMPROVEMENT PROJECT LINKED TO TAIGLUM BURN AND SURROUNDING AREAS WITHIN DRONGAN

6. There was submitted a report dated 7 December 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which (i) explained the background to the project, to enhance the Taiglum Burn and surrounding area within Drongan; and (ii) sought approval of a funding contribution of £29,477, to be drawn from the Council's Capital Allocation for Regeneration.

Cabinet agreed:-

- (i) to note the position regarding the revised project;
- (ii) to approve a financial contribution to the project of £29,477 to be funded from the underspend against the Leader's Initiative Budget (as opposed to the Capital Allocation for Regeneration as indicated in the report), subject to the conclusion of an appropriate legal agreement with the Drongan Tenants and Residents Association (TARA);
- (iii) that the Depute Chief Executive/Executive Director of Neighbourhood Services explore the possibility of Community Service volunteers undertaking appropriate elements of the ground clearance; proposed works and future maintenance of the site in consultation with the Drongan TARA; and
- (v) otherwise, to note the contents of the report.

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES

GRANTS TO VOLUNTARY ORGANISATIONS

- 7E. There was submitted a report dated 17 November 2010 (circulated) by the Executive Director of Educational and Social Services which advised Cabinet of a grant application from IQRAA Asian Women's Group for 2010/11, and made recommendations accordingly.

Cabinet agreed:-

- (i) to approve a grant to IQRAA of £1,838; and
- (ii) otherwise, to note the contents of the report.

**RACE EQUALITY SCHEME PROGRESS REPORT 2009
(Item 3, Pages 542, 543, 07/12)**

- 8E.** There was submitted a report dated 2 December 2010 (circulated) by the Executive Director of Finance and Corporate Support which provided an annual progress report on the Race Equality Scheme 2008-2011.

Cabinet agreed to approve the Race Equality Scheme Progress Report 2009-2010.

Church Representative Ian Rennie and Teacher Representative Bryce Wilson left the meeting at this point.

**COMMUNITY PLANNING PARTNERSHIP SINGLE OUTCOME AGREEMENT:
IMPROVEMENT PLAN (Item 8, Pages 1346, 1347, 07/12)**

- 9.** There was submitted a report dated 1 December 2010 (circulated) by the Chief Executive which presented for consideration the Single Outcome Agreement Improvement Action Plan which had been developed to address areas identified for improvement in the Single Outcome Agreement Annual Performance Report.

Cabinet agreed:-

- (i) to note the progress in respect of actions identified in the SOA Improvement Plan approved by Cabinet at its meeting on 23 March 2010, as detailed within the Appendix to the report;
- (ii) to note that, where appropriate, remedial action would be taken to address areas for improvement arising from the consolidated Community Planning/SOA Annual Performance Report 2009/10;
- (iii) to note that work was being taken forward to upgrade the SOA within the context of the Community Plan Four Yearly Review Process;
- (iv) to receive further reports on progress, as appropriate;
- (v) to submit the report for the consideration of the Governance and Scrutiny Committee; and
- (vi) otherwise, to note the contents of the report.

The Chair then advised Cabinet that East Ayrshire Council have been successful in securing an investment of £4,398,914 of services to support unemployed people in East Ayrshire to access employment and to offer training to those in employment. This included an additional £1,980,459 amount of European Social Fund (ESF) and £2,418,455 of match funding from ESF delivery partners - a significant investment to assist economic recovery in East Ayrshire.

**CRAFT OPERATIVES - REVISED PAY AND GRADING
(Item 24, Page 1243, 07/12)**

- 10.** There was submitted a report dated 1 December 2010 (circulated) by the Executive Director of Finance and Corporate Support which advised on the progress of

consultations with the Trade Unions on revised pay and grading proposals for Craft Operatives, and set out future action.

Cabinet agreed:-

- (i) to note the consultations which had been held so far with the Trade Unions on the revised pay and grading for Craft Operatives and related cash conservation arrangements;
- (ii) to note that consultations would continue with the Trade Unions;
- (iii) to note that a further report would be submitted to Cabinet in January 2011 following conclusion of the consultations with the Trade Unions; and
- (iv) otherwise, to note the contents of the report.

**STRATEGIC LEADERSHIP COMPETENCY FRAMEWORK
AND ASSESSMENT CENTRES (Item 6, Pages 1235, 1236, 07/12)**

11. There was submitted a report dated 1 December 2010 (circulated) by the Executive Director of Finance and Corporate Support which recommended for approval (i) the Strategic Leadership Competency Framework, attached as Appendix 1 to the report, which would form the Competency Framework to be used for the recruitment and development of Chief Officers; and (ii) a proposal to invite Tenders for the future provision of Assessment Centres within the recruitment process for the appointment of Chief Officers and Senior Managers through the Council's procurement process.

Cabinet agreed:-

- (i) to approve the Strategic Leadership Competency Framework;
- (ii) that the Council appoint a provider of Assessment Centres in accordance with the relevant procurement procedures;
- (iii) to note that the report to Cabinet in January on the management review would detail when this process would apply; and
- (iv) otherwise, to note the contents of the report.

DELIVERING COMMUNITY REGENERATION

REVIEW OF HOUSING APPLICATION MEDICAL PROCESS

12. There was submitted a report dated 2 December 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought approval to implement a new assessment process and grading structure for applicants who had requested priority for medical reasons to support their application for housing.

Cabinet agreed:-

- (i) to approve the new medical process, as set out in paragraph 5 of the report, to support the Common Allocation Policy;
- (ii) to approve the addition of one Occupational Therapist post to the establishment; and
- (iii) otherwise, to note the contents of the report.

KNOCKROON DESIGN CODE (Item 10, Pages 954, 955, 07/12)

13. There was submitted a report dated 24 November 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which presented for consideration and approval, the Knockroon Design Code as Non-Statutory Supplementary Planning Guidance to be used in the assessment of all future planning applications for the Knockroon Development Site at Cumnock.

Cabinet agreed:-

- (i) to approve the Council's responses to comments received on the draft Design Code as set out in Appendix 1 to the report;
- (ii) to give authority to the Head of Planning and Economic Development to prepare a final Knockroon Design Code document incorporating the changes set out in Appendix 1 of the report and, subject to these changes, adopt the document as Non-Statutory Supplementary Planning Guidance;
- (iii) that as Non-Statutory Supplementary Planning Guidance, the Knockroon Design Code become a material consideration in the determination of all planning applications for the Knockroon Development Site; and
- (iv) otherwise, to note the contents of the report.

GALLOWAY HYDRO SCHEME - VARIATION TO CAR LICENCE

14. There was submitted a report dated 7 December 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which advised of an application made to SEPA under the Controlled Activities Regulations (CAR) by Scottish Power Generation Ltd to vary licences under the Water Environment (Controlled Activities) Scotland Regulations 2005 for the Galloway Hydro Scheme (CAR/L/1012323).

Cabinet agreed:-

- (i) to lodge a holding objection with SEPA to the proposals by Scottish Power to vary the licence under the Water Environment (Controlled Activities) Scotland Regulations 2005;
- (ii) to authorise the Head of Planning and Economic Development, in conjunction with South Ayrshire Council and other Council partners, to undertake further investigations into the proposals and prepare an assessment of the possible economic as well as environmental effects of the proposal and that these be forwarded to SEPA on completion; and
- (iii) to note in addition that a meeting would be held early in the new year involving interested local groups and local Elected Members to ensure the strongest case possible was submitted to SEPA on completion of this process.

**CORPORATE ENFORCEMENT UNIT INITIATIVES AND 2011 PLAN
(Item 11, Page 948, 07/12)**

15. There was submitted a report dated 7 December 2010 (circulated) by the Executive Director of Finance and Corporate Support on the completed initiatives carried out during 2010, the proposed initiatives to be carried out by the Corporate Enforcement

Unit in 2011, and which highlighted specific initiatives carried out in 2010 and outcomes over the year.

Cabinet, having noted thanks to Officers within the Unit for their work on all initiatives agreed:-

- (i) to note progress with the initiatives and special operations carried out by the Corporate Enforcement Unit during 2010;
- (ii) to approve the proposed programme of initiatives and operations for 2011; and
- (iii) otherwise, to note the contents of the report.

EXCLUSION OF PRESS AND PUBLIC

16. 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

NEGOTIATION OF SERVICE PROVISION - SPECIFIC VAT EXERCISE (PARA 8)

17. There was submitted a report dated 1 December 2010 (circulated) by the Executive Director of Finance and Corporate Support which sought approval to negotiate with a single supplier for the provision of specialist VAT advisory services in terms of paragraph 20(1) of the Council's Standing Orders Relating to Contracts.

Cabinet agreed:-

- (i) to approve the negotiation of contractual terms with the party identified in the report for the delivery of specific VAT advisory services in accordance with paragraph 20(1) of the Council's Standing Orders Relating to Contracts;
- (ii) that Officers check whether contact has been made by the provider with Galleon, Visions and Kilmarnock College in this regard; and
- (ii) otherwise, to note the contents of the report.

VOLUNTARY SEVERANCE AND UPDATE ON THE COUNCIL'S REDUNDANCY PAYMENTS SCHEME (PARA 1)

18. There was submitted a report dated 2 December 2010 (circulated) by the Executive Director of Finance and Corporate Support which (i) sought approval of requests for voluntary severance from seven employees from the Department of Finance and Corporate Support, one employee in the Department of Educational and Social Services and one employee in the Department of Neighbourhood Services; and (ii) advised of the number of employees who have left the Council's service under the Council's Redundancy Payment Scheme via the Head of Human Resources' delegated authority.

Cabinet agreed:-

- (i) to approve the voluntary severance arrangements as detailed in Appendices A and B to the report; and
- (ii) to note that since the Cabinet meeting of 3 November 2010 two employees have left the Council's service on the grounds of redundancy in terms of the Head of Human Resources' delegated authority as detailed in Appendix C to the report.

The meeting terminated at 1149 hours.