

EAST AYRSHIRE COUNCIL**CABINET****MINUTES OF SPECIAL MEETING HELD ON WEDNESDAY 2 JULY 2008 AT 0900 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Douglas Reid, Iain Linton, Jim Buchanan, Hugh Ross, Jim Todd, Robert McDill, Eric Jackson, Jim Roberts and Kathy Morrice; Church Representatives Bill McGregor, John McHugh and Dr Ivy Barclay; and Parent Representative David Fraser.

ATTENDING: Fiona Lees, Chief Executive; 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; Kay Gilmour, Acting Executive Head of Social Work; Tom Williams, Acting Head of Service: Community Support; Bill Walkinshaw, Head of Democratic Services; Robin Gourlay, Head of Facilities Management; Chris McAleavey, Head of Housing; Malcolm Roulston, Head of Information Technology; David Mitchell, Head of Legal, Procurement and Regulatory Services; Martin Rose, Head of Personnel; Karl Doroszenko, Development Planning and Regeneration Manager; Dot Grieve, Principal Officer, Community Learning and Development; and Christine Baillie, Administrative Officer.

APOLOGIES: Councillor John MacKay and Teacher Representative Iain Harvey.

CHAIR: Councillor Douglas Reid, Chair.

CHAIR'S REMARKS

1. The Chair advised that as the Non-Elected Members were not able to be in attendance until 0930 hours, he intended, at his discretion and in terms of Standing Order 19, to alter the order of business to that shown below.

COMMUNITY PLANNING AND EQUALITIES**EAST AYRSHIRE COMMUNITY PLANNING PROCESS - 2007/08 ANNUAL PERFORMANCE REPORT**

2. There was submitted a report dated 18 June 2008 (circulated) by the Chief Executive which presented to Cabinet the 2007/08 Annual Performance Report for Community Planning in East Ayrshire.

Cabinet agreed:-

- (i) to note the progress made in respect of implementing Community Planning within East Ayrshire;
- (ii) to note and endorse the 2007/08 Annual Performance Report;
- (iii) to remit to Officers to consolidate the information contained in the 2007/08 Annual Performance Report into the Council's wider Public Performance Report; and

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

COMMUNITY WELLBEING

EAST AYRSHIRE CHILD PROTECTION BUSINESS PLAN AND EAST AYRSHIRE CHILDREN AND YOUNG PERSON'S SERVICES PLAN

3. There was submitted a report dated 19 June 2008 (circulated) by the Executive Director of Educational and Social Services which provided Members of Cabinet with information regarding the East Ayrshire Child Protection Business Plan and the East Ayrshire Children and Young Person's Services Plan 2008-2011 and which sought approval for recommendations accordingly.

Cabinet agreed:-

- (i) to approve the proposal to align the Children and Young Person's Services Plan 2008-2011 with a three year Child Protection Business Plan 2008-2011; and
- (ii) otherwise, to note the contents of the report.

SOCIAL SERVICES BUDGET SUSTAINABILITY

4. There was submitted a joint report dated 26 June 2008 (circulated) by the Executive Director of Educational and Social Services and the Executive Head of Finance and Asset Management which proposed a range of actions designed to achieve a breakeven position in the 2008/09 Social Services budget and which proposed further areas of work to be undertaken to ensure sustainability in the Social Services budget from 2009/10 onwards.

Cabinet agreed:-

- (i) to approve the proposals detailed in Paragraph 4 of the report which would result in a breakeven position for the Social Services budget in 2008/09;
- (ii) to approve the Strategy described in Paragraph 5 of the report;
- (iii) to approve a review of the areas outlined in Paragraph 6 of the report with, where possible, and as appropriate, interim reports on progress being submitted to future meetings of Cabinet prior to the outcomes and financial implications being reported; and
- (iv) otherwise, to note the contents of the report.

ENVIRONMENT AND REGENERATION

FOOD STANDARDS AUDIT OF FOOD LAW ENFORCEMENT WITHIN EAST AYRSHIRE COUNCIL

5. There was submitted a report dated 20 June 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised of the outcome of the Food Standards Agency Audit of Food Law Enforcement including Food Hygiene, Food Standards and Feedingstuffs enforcement within East Ayrshire.

Cabinet agreed:-

- (i) to note the outcome of the Food Standards Agency Audit in terms of strengths and improvements;
- (ii) to endorse the Action Plan as agreed with the Food Standards Agency; and
- (iii) otherwise, to note the contents of the report.

**DEVELOPER CONTRIBUTIONS - SUPPLEMENTARY PLANNING GUIDANCE
(Item 5, Page 142, 07/11)**

6. There was submitted a report dated 16 June 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which considered various refinements to the approach to Developer Contributions, approved on 24 October 2007, and which updated Cabinet on the preparation of the Supplementary Planning Guidance.

Cabinet agreed:-

- (i) to approve the proposed refinements to the Developer Contributions Strategy;
- (ii) that there be a review of school catchment boundaries for specific schools;
- (iii) that a draft list of projects to be funded by Developer Contributions be drawn up for consideration by Cabinet; and
- (iv) to approve the proposed steps with regard to the approval process of the Developer Contributions Policy/Supplementary Planning Guidance as detailed in Paragraph 8 of the report.

**CONSERVATION AREA REGENERATION SCHEME (CARS) FOR CUMNOCK
CONSERVATION AREA**

7. There was submitted a report dated 18 June 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval of Cabinet to enable a bid for grant assistance to establish a Conservation Area Regeneration Scheme (CARS) for Cumnock Conservation Area to be submitted to Historic Scotland.

Cabinet agreed:-

- (i) that a bid to Historic Scotland for grant assistance to establish a Conservation Area Regeneration Scheme for Cumnock Conservation Area be submitted;
- (ii) to the appointment of a consultancy team, led by a RIAS accredited architect with specialist knowledge and experience in relation to listed building repairs and Historic Scotland's grant requirements, to prepare the information identified in Paragraph 3.5 of the report, at a maximum cost of £50,000;
- (iii) to approve, in principle, to commit funding to the Cumnock CARS to enable the funding bid to be submitted, but that the level of funding be considered at a future Cabinet; and
- (iv) to approve, in principle, to the appointment of additional temporary qualified conservation staff and associated administrative support to deliver the Cumnock CARS, if the bid was successful.

GALSTON TOWN CENTRE REGENERATION
(Item 8, Page 272, 07/11)

8. There was submitted a joint report dated 18 June 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Head of Finance and Asset Management which sought approval to take forward a regeneration strategy for Galston town centre as part of the Restoring Communities Programme, with the aim of delivering on the ground improvements to the benefit of the town centre and the wider Galston community, including the refurbishment of the existing Council accommodation at 7-9 and 11 Cross Street, Galston.

Cabinet agreed:-

- (i) to approve the broad approach to the regeneration of Galston, based on the three proposals outlined in Paragraph 3 of the report;
- (ii) to approve the proposal to refurbish the Council accommodation at 7-9 and 11 Cross Street;
- (iii) to approve in principle, the acquisition of those parts of the informal car park outwith Council ownership together with the properties listed in Paragraph 3.7 of the report, either through negotiation or compulsory purchase if necessary, subject to securing a funding package and a developer partner, to which ownership would be transferred;
- (iv) to approve in principle, to funding being included as an option in the review of the capital investment plan;
- (v) that further work be carried out to develop the proposals further and ascertain detailed costs and to allow an implementation programme to be developed; and
- (vi) otherwise, to note the contents of the report.

REGENERATION PROJECTS AND BUDGET ALLOCATIONS

9. There was submitted a report dated 18 June 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which provided Cabinet with an update on the programme of priority regeneration projects being progressed by the Development, Planning and Regeneration Section; which noted indicative funding allocations to projects from the Planning and Economic Development Project Budgets; and which sought a revision in the delegated authority approved by Cabinet in relation to the approval and dispersal of grants under the Kilmarnock CARS Scheme.

Cabinet agreed:-

- (i) to note the indicative funding allocations to projects from the Planning and Economic Development Project Budgets, as per Table 1 of the report;
- (ii) to delegate authority to the Head of Planning and Economic Development to approve Kilmarnock CARS grant applications for priority buildings that were within 10% of the Indicative Total Grant Allocation contained in the revised CARS approved schedule, as detailed in Appendix 2 of the report and to disperse the grant agreements under this scheme; and
- (iii) otherwise, to note the contents of the report.

HOMECOMING 2009: EVENT PROGRAMME

- 10.** There was submitted a report dated 25 June 2008 (circulated) by the Executive Director of Neighbourhood Services which advised of the recently announced programme for the Homecoming 2009, particularly with regard to East Ayrshire events which had received funding.

Cabinet agreed:-

- (i) to note the successful bid for funding to support the Council's planned Homecoming events;
- (ii) to note the East Ayrshire and Ayrshire events included in the national programme;
- (iii) to remit to the Executive Director of Neighbourhood Services and Depute Chief Executive/Executive Director of Corporate Support to provide further progress reports on the Homecoming programme in October and December 2008;
- (iv) to remit to the Executive Director of Neighbourhood Services and Depute Chief Executive/Executive Director of Corporate Support to write to local groups regarding the Homecoming and to seek information on organised events; and
- (v) otherwise, to note the contents of the report.

CORE FUNDING PAYMENTS TO EXTERNAL PARTNERSHIPS, SUBSCRIPTIONS TO EXTERNAL BODIES AND FUNDING FOR SPECIAL PROJECTS IN FINANCIAL YEAR 2008/2009

- 11.** There was submitted a report dated 5 June 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval to make payments to external bodies, partnerships and special projects in the financial year 2008/2009.

Cabinet agreed:-

- (i) to approve the allocations to external partnerships and special projects in accordance with the proposals set out at Paragraph 3 of the report and the appendices attached to the report; and
- (ii) to note that a further report would be submitted on the establishment of a Tourism Budget, as appropriate.

PROPOSED CORPORATE ENFORCEMENT UNIT

- 12.** There was submitted a report dated 23 May 2008 (circulated) by the Head of Legal, Procurement and Regulatory Services which presented for consideration and approval a proposal for the development of a Corporate Enforcement Unit (CEU) to support and enhance the operation of all statutory enforcement regimes across a range of Council services which involved the issuing of Fixed Penalty Notices and associated activity.

Cabinet agreed:-

- (i) to approve the permanent establishment of a Corporate Enforcement Unit on the basis outlined in the report;
- (ii) that the Head of Legal, Procurement and Regulatory Services update the Community Planning Partnership Board on the proposal.
- (ii) otherwise, to note the contents of the report.

The non-Elected Members of Cabinet then participated in the business from this point.

LIFELONG LEARNING

NAME OF NEWLY MERGED PRIMARY SCHOOL IN NEW CUMNOCK

13E. There was submitted a report dated 19 June 2008 (circulated) by the Executive Director of Educational and Social Services which sought approval for a name for the school resulting from the merger of Castle Primary School and Cairnhill Primary School.

Having noted that Paragraph 2.1 of the report should read "Castle Primary School" and not "New Cumnock Primary School", Cabinet agreed:-

- (i) that the name of the school resulting from the merger of Cairnhill Primary School and Castle Primary School would be "New Cumnock Primary School"; and
- (ii) otherwise, to note the contents of the report.

ARDBEG COMMUNITY EDUCATION CENTRE

14E. There was submitted a report dated 19 June 2008 (circulated) by the Executive Director of Educational and Social Services which sought approval from Cabinet to declare Ardbeg Community Education Centre surplus to operational requirements.

Cabinet agreed, following a proposal from the Chair:-

- (i) to continue this item to the Cabinet meeting to be held on 20 August 2008 in order that there be no interruption to the summer programme of activities presently taking place in the Centre; and
- (ii) to remit to the Executive Director of Educational and Social Services to arrange a site visit for the non-Elected Members of Cabinet and any other Elected Member of Cabinet who wished to visit the Centre prior to 20 August.

EAST AYRSHIRE EDUCATIONAL SERVICES ACCESSIBILITY STRATEGY

15E. There was submitted a report dated 26 May 2008 (circulated) by the Executive Director of Educational and Social Services which (i) presented to Cabinet the second Accessibility Strategy for Children and Young People attending school who had a disability; (ii) provided information regarding progress in respect of the 2004-2007 Strategy; and (iii) sought Cabinet approval for the new Strategy.

Cabinet agreed:-

- (i) to approve the Accessibility Strategy 2008-2011;
- (ii) to approve the implementation of the Action Plan being subsumed within the Disability Equalities Action Plan; and

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

CROSSROADS PRIMARY SCHOOL - UPDATE

- 16E.** There was submitted a report dated 11 June 2008 (circulated) by the Executive Director of Educational and Social Services which updated Members on the progress that had been made in discussions with Wallace Hendrie regarding his proposals for Crossroads Primary School and related issues and which sought approval for further action.

Cabinet agreed:-

- (i) that the Executive Director of Educational and Social Services bring a further report to Cabinet by October 2008 with a summary of any recommendations for this project and including relevant technical information on the bio-digester obtained from the site visit to Aberdeenshire referred to in the report; and
- (ii) otherwise, to note the contents of the report.

It was agreed that the non-Elected Members be invited to remain for their interests in respect of Item 22 - Revised Senior Management Arrangements in the Department of Educational and Social Services and Item 23 - Cross-Cutting Best Value Service Review of East Ayrshire Council's Property Maintenance Arrangements.

MANAGEMENT AND RESOURCES

CROSS-CUTTING REVIEW OF THE COUNCIL'S POLICIES ON CHARGING FOR SERVICES

- 17.** There was submitted a report dated 25 June 2008 (circulated) by the Chief Executive which advised on the arrangements for undertaking a cross-cutting review of the Council's policies on charging for services and which sought agreement in respect of the remit and associated timescales for reporting on the matter.

Cabinet agreed:-

- (i) to approve the remit of the cross-cutting review as outlined in the report; and
- (ii) to approve the timescales for the key stages of the review as detailed in Paragraph 3.3 of the report and, if possible, and where appropriate, to submit interim reports to Cabinet.

CORPORATE WIDE AREA DATA/VOICE NETWORK - MILL STREET FIBRE

- 18.** There was submitted a report dated 25 June 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised Members of risk management issues in respect of elements of the Council's Wide Area Data/Voice Network (WAN) and which sought approval to mitigate these risks by adopting a "spend to save" solution by re-routing elements of the existing cable network.

Cabinet agreed:-

- (i) to endorse the proposal, as outlined within Paragraph 4 of the report, to install a new fibre cable bypassing the planned Tesco development site; and
- (ii) otherwise, to note the contents of the report.

REVISED ABSENCE MANAGEMENT PROCEDURES FOR ALL COUNCIL EMPLOYEES

19. There was submitted a report dated 23 June 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which asked Cabinet to approve proposed amendments to the Council's Absence Management Procedures, subject to consultation with Trade Unions.

Cabinet agreed:-

- (i) to approve the changes to the Council's Absence Management Procedures, subject to consultation with Trade Unions;
- (ii) to note that Absence Management was a standing item on Corporate Management Team agendas; and
- (iii) to note that quarterly and annual absence statistics will be reported to the Governance and Scrutiny Committee.

EFFICIENT GOVERNMENT

20. There was submitted a report dated 26 June 2008 (circulated) by the Executive Head of Finance and Asset Management which presented the proposed Efficient Government report to the Council 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.

EXCLUSION OF PRESS AND PUBLIC

21. 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 relevant Paragraph of Schedule 7A of the Act as shown against each item.

REVISED SENIOR MANAGEMENT ARRANGEMENTS IN THE DEPARTMENT OF EDUCATIONAL AND SOCIAL SERVICES (PARA 1)

22. There was submitted a report dated 2 June 2008 (circulated) by the Executive Director of Educational and Social Services which sought approval for revised senior management arrangements in the Department of Educational and Social Services.

Cabinet agreed, subject to consultation with the appropriate Trade Unions and any individual members of staff concerned:-

- (i) to the deletion of the post of Executive Head of Social Work;
- (ii) to the creation of the posts of Head of Service: Community Care and Head of Service: Children, Families and Criminal Justice; and
- (iii) otherwise, to note the contents of the report.

**CROSS-CUTTING BEST VALUE SERVICE REVIEW OF EAST AYRSHIRE
COUNCIL'S PROPERTY MAINTENANCE ARRANGEMENTS (PARA 11)**

23. There was submitted a report dated 26 June 2008 (circulated) by the Executive Director of Neighbourhood Services which informed Cabinet of the results of the Cross-Cutting Best Value Service Review of the Council's Property Maintenance arrangements which included Housing, Property and Building and Works.

Cabinet:-

- (i) noted the findings of the Cross-Cutting Best Value Service Review of Property Maintenance;
- (ii) approved the recommendations set out at Paragraph 4.2 of the report and as set out in more detail in the accompanying full report, subject to consultation with Trade Unions; and
- (iii) requested that a report from the Executive Director of Neighbourhood Services be brought to Cabinet by January 2009, setting out options and recommendations for utilising the HRA funding resource of £1.5m "freed up" by these charges recommended in the report.

Councillor Jackson moved an alternative proposal that recommendations (iii), (v) and (vi) detailed in Paragraph 4.2 of the report not be implemented at this time and having failed to receive a seconder, the Chair agreed that his dissent be recorded.

The meeting terminated at 1103 hours.