

EAST AYRSHIRE COUNCIL**CABINET****MINUTES OF MEETING HELD ON WEDNESDAY 17 DECEMBER 2008 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Douglas Reid, Iain Linton, Jim Buchanan, John Knapp, Hugh Ross, Jim Todd, Robert McDill, Jim Roberts and Kathy Morrice.

ATTENDING: Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Corporate Support; William Stafford, Executive Director of Neighbourhood Services; Alex McPhee, Executive Head of Finance and Asset Management; Martin Rose, Head of Human Resources; David Mitchell, Head of Legal, Procurement and Regulatory Services; Chris McAleavey, Head of Housing; Kay Gilmour, Head of Community Support; Karl Doroszenko, Development Planning and Regeneration Manager; and Gillian Hamilton, Administrative Officer.

APOLOGY: Councillor John MacKay.

CHAIR: Councillor Douglas Reid, Chair.

COMMUNITY PLANNING AND EQUALITIES**DISABILITY EQUALITY SCHEME - PROGRESS REPORT**

(Item 8, Page 222, 07/12)

1. There was submitted a report dated 17 December 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which provided a progress report on the Disability Equality Scheme.

Cabinet agreed:-

- (i) to approve the Disability Equality Scheme Progress Report 2008; and
- (ii) that a report on progress with Disability Discrimination Act compliance be submitted to a future Cabinet meeting.

COMMUNITY WELLBEING**FUEL POVERTY AND INCOME MAXIMISATION**

2. There was submitted a report dated 1 December 2008 (circulated) by the Executive Director of Neighbourhood Services which informed of the activities underway across the Authority to tackle fuel poverty; to demonstrate the impact of rising fuel prices on the numbers in fuel poverty; to identify potential areas for growth in current services and activities and sought approval to implement these where appropriate.

Cabinet agreed:-

- (i) to note the work currently being carried out to tackle fuel poverty;
- (ii) to approve the nine recommendations as set out in Section 4 of the report; and
- (iii) otherwise, to note the contents of the report.

**REPLACEMENT CHILDREN'S HOME: OUTCOME OF MARKET TESTING
(Item 1, Page 522, 07/12)**

3. There was submitted a joint report dated 10 December 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Educational and Social Services which informed Members of the outcome of a market testing exercise for a replacement children's home and set out recommendations accordingly.

Cabinet agreed:-

- (i) to approve the recommendation that the Council build and operate the proposed replacement children's home; and
- (ii) otherwise, to note the contents of the report.

Councillor Jim Roberts joined the meeting during consideration of the above matter.

ENVIRONMENT AND REGENERATION

**UPDATE ON THE DEVELOPMENT OF A LONG TERM WASTE TREATMENT
SOLUTION FOR AYRSHIRE**

4. There was submitted a report dated 21 November 2008 (circulated) by the Executive Director of Neighbourhood Services which informed of the progress being made towards the identification and development of a long term waste treatment facility for residual municipal wastes arising in Ayrshire.

Cabinet agreed:-

- (i) to support the Council's continued joint working with its partner authorities;
- (ii) to support the appointment of a dedicated Project Manager with the formation of a Project Board in accordance with PRINCE2 project methodology;
- (iii) to endorse the Council's proposals regarding the appointment of external consultants via an OGC mini competition exercise to assist the process of option appraisal to confirm the optimum means of delivery and funding of a long term waste treatment solution for Ayrshire;
- (iv) that the costs of the proposed Project Manager and external consultants be met from the Scottish Government's Zero Waste Fund; and
- (v) otherwise, to note the contents of the report.

**CATRINE ENVIRONMENTAL HERITAGE PROJECT
(Item 8.2, Page 308, 07/12)**

5. There was submitted a report dated 28 November 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval of Cabinet to authorise the extension of the scope of the contract between East Ayrshire Council and Austin Smith Lord dated 26 June 2007 which related to the Catrine Environmental Heritage Project, in compliance with the Council's Standing Orders Relating to Contracts and Tendering.

Cabinet agreed:-

- (i) to authorise the Head of Planning and Economic Development to negotiate an extension to the contract with ASL in terms of Item 20(2) of the Council's Standing Orders Relating to Contracts and Tendering; and
- (ii) to authorise the Solicitor to the Council/Head of Legal, Procurement and Regulatory Services to extend the ASL contract by an additional maximum of £50,000.

MANAGEMENT AND RESOURCES

SUPPLIER DEVELOPMENT PROGRAMME

6. There was submitted a report dated 28 October 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval for a nominated officer or Elected Member from East Ayrshire Council to become a Director of the Supplier Development Programme (SDP).

Cabinet agreed:-

- (i) that East Ayrshire Council should seek to become a member of the Supplier Development Programme Ltd; and
- (ii) to recommend to Council that Councillor Hugh Ross be appointed as a member of the Board of Directors of the Supplier Development Programme.

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INFORMATION SHARING PROTOCOL UPDATE (Item 4, Page 1783, 03/07)

7. There was submitted a report dated 3 December 2008 (circulated) by the Executive Director of Educational and Social Services which sought approval for an updated Information Sharing Protocol between NHS Ayrshire and Arran, South Ayrshire Council, North Ayrshire Council and East Ayrshire Council.

Cabinet agreed:-

- (i) to approve the updated Information Sharing Protocol detailed in the report as a basis for further work that would be developed to ensure the efficient and effective exchange of data between the relevant agencies; and
- (ii) otherwise, to note the contents of the report.

VISITSCOTLAND: SERVICE LEVEL AGREEMENT 2008/2009 (Item 2, Pages 391 & 392, 07/12)

8. There was submitted a report dated 3 December 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval for a Service Level Agreement (SLA) with VisitScotland for the provision of tourism services in, and for the benefit, of the area.

Cabinet agreed:-

- (i) to approve the Service Level Agreement for financial year 2008/09;
- (ii) to authorise the allocation of £36,500 from within existing resources to form the basis of a dedicated tourism budget for the financial year 2008/09; and
- (iii) otherwise, to note the contents of the report.

DEVELOPER CONTRIBUTIONS - PROJECT LIST
(Item 6, Page 434, 07/12)

9. There was submitted a report dated 11 December 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support (i) which asked Members to consider a draft list of projects for inclusion in the Finalised Draft East Ayrshire Local Plan Alteration in support of various policies which related to developer contributions; and (ii) which sought approval for the projects to be fully costed in-house by appropriate project teams prior to external consultants being appointed to review the projects/costs.

Cabinet agreed:-

- (i) to approve the Developer Contribution project list subject to detailed costings, consideration of the future capital investment programme and the requirements of the agreement referred to below;
- (ii) that an agreement be negotiated with the main developers at Mauchline to ensure that the infrastructure required as a result of the allocated development be provided timeously and the main provisions of that agreement be incorporated into the Local Plan Alteration;
- (iii) that the Head of Planning and Economic Development report back to Cabinet on progress with Mauchline By-pass;
- (iv) to incorporate the project list and rates into the Finalised Draft Local Plan Alteration as a modification subject to the agreement under (ii) above;
- (v) that the projects be fully costed in-house by appropriate project teams prior to external consultants being appointed to review the projects/costs; and
- (vi) that an additional charge of £200 per house be levied to cover the various administrative and other costs associated with the operation of the fund.

FINANCE AND SERVICE STRATEGY REPORT TO
PERIOD 8 (16 NOVEMBER 2008)

10. There was submitted a report dated 4 December 2008 (circulated) by the Executive Head of Finance and Asset Management which advised Members of the projected financial position for the year based on expenditure to 16 November 2008 (Period 8) and information provided by Executive Directors.

Cabinet agreed:-

- (i) to note the revised budget allocation for the Rosebank Resource Centre Project as detailed in paragraph 2.12 of the report;
- (ii) to approve the use of funds previously allocated for a feasibility study on the former ABC cinema building for similar work at an alternative location as detailed in paragraph 2.11 of the report;
- (iii) to approve the allocation of £0.060M from the contingency fund for the Stewarton Park and Ride Scheme and the commitment of £0.140M in the 2009/10 Capital Programme as detailed in paragraph 2.13 of the report;
- (iv) to approve the commission of Network Rail to appoint a consultant for the design of the park and ride car park as detailed in paragraph 2.14 of the report;

- (v) to approve the allocation of £0.075M from the Regeneration, Asset Management and Efficiency Fund for the environmental improvement works at Portland Gait as detailed in paragraph 2.15 of the report;
- (vi) to approve the reallocation of education capital budgets in paragraph 2.16 of the report; and
- (vii) otherwise, to note the contents of the report.

EXCLUSION OF PRESS AND PUBLIC

11. 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 6 of Schedule 7A of the Act".

ENVIRONMENT AND REGENERATION

CUMNOCK TOWN CENTRE REGENERATION

(Item 11, Page 222 & 223, 07/12)

12. There was submitted a report dated 10 December 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which updated Cabinet on the progress of the Cumnock Town Centre Regeneration Project and sought approval on various matters.

Cabinet agreed:-

- (i) to note the current progress of the project, in the face of unanticipated complexities;
- (ii) to approve the masterplan for the development and to receive a report back on the consultation exercise and related issues towards the end of February 2009;
- (iii) to approve the key facets of the office design and to authorise the Depute Chief Executive/Executive Director of Corporate Support to "sign off" the Stage D design;
- (iv) to approve the purchase of the office building;
- (v) to instruct the preparation of a full appraisal on the options for the design, implementation and management of the office fit-out contract;
- (vi) that the site of the former Cleansing Yard be developed as car parking immediately, to serve the long term parking requirements in Cumnock with the cost of required demolitions funded from balances; and
- (vii) to instruct the Executive Director of Neighbourhood Services, in consultation with the Executive Head of Finance and Asset Management, to progress the necessary design and capital programming works for the development of a car park in the former Cleansing Yard.

The meeting terminated at 1154 hours.