

EAST AYRSHIRE COUNCIL**CABINET****MINUTES OF MEETING HELD ON WEDNESDAY 3 JUNE 2009 AT 1000 HOURS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Douglas Reid, Iain Linton, John MacKay, Maureen McKay, Jim Buchanan, Jim Todd, Robert McDill, Jim Roberts and Kathy Morrice; and Church Representative Bill McGregor and Teacher Representative Iain Harvey.

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; Chris McAleavey, Head of Housing; Martin Rose, Head of Human Resources; David Mitchell, Head of Legal, Procurement and Regulatory Services; Andrew Sutherland, Head of Service: Schools Support; Susan Taylor, Head of Service: Children, Families and Criminal Justice; Eddie Fraser, Head of Service: Community Care; John Bryson, Head of Roads and Transportation and Gillian Hamilton, Administrative Officer.

APOLOGIES: Councillor Hugh Ross; Church Representatives John McHugh and Dr Ivy Barclay; and Parent Representative David Fraser.

CHAIR: Councillor Douglas Reid, Leader of the Council.

LIFELONG LEARNING**SUPPORT FOR LOOKED AFTER YOUNG PEOPLE PREPARING FOR SQA
EXAMINATIONS**

- 1E.** There was submitted a report dated 14 May 2009 (circulated) by the Executive Director of Educational and Social Services which advised of the strategies in place to support Looked After Children (LAC) and Young People in East Ayrshire as they prepare for Scottish Qualification Authority (SQA) examinations.

Cabinet agreed:-

- (i) to note the support given to ensure attendance of LAC pupils at SQA examinations;
- (ii) that the Executive Director of Educational and Social Services would report on pupil performance in the examinations in due course; and
- (iii) otherwise, to note the contents of the report.

COMMUNITY WELLBEING**KINSHIP CARE**

- 2.** There was submitted a report dated 21 May 2009 (circulated) by the Executive Director of Educational and Social Services which sought approval of the

implementation arrangements in East Ayrshire of the national policy relating to Kinship Carers.

Cabinet agreed:-

- (i) to approve the proposal to introduce a flat rate kinship care payment as detailed in Section 4.5 of the report;
- (ii) to note that additional work was taking place to identify the resources required in providing the broader range of support as detailed in Section 4.6 of the report;
- (iii) to approve the implementation arrangements as detailed in Section 4.7 of the report; and
- (iv) otherwise, to note the contents of the report.

SOCIAL WORK SUSTAINABILITY

3.1 Declaration of Interest

Councillor Maureen McKay declared a non-financial interest in the undernoted item by reason of her employment with an external agency and indicated that as she did not consider this to be significant it was her intention to remain and participate in consideration of the item.

3.2 Consideration of Item

There was submitted a report dated May 2009 (circulated) by the Executive Director of Educational and Social Services which provided a quarterly report of progress in the Social Work Sustainability Programme and which specifically (i) sought agreement for outline proposals in respect of the development of Adult Services; (ii) provided a progress report in respect of Children's Services; and (iii) sought agreement for revised management arrangements in Community Care, Children's Services and Learning Partnerships.

Cabinet agreed:-

- (i) to approve the proposals for revised management arrangements as detailed in Section 6 of the report;
- (ii) to approve the deletion of five FTE Children's Services Co-ordinator posts;
- (iii) to note that implementation of proposals in relation to staffing, as detailed in Section 6 of the report, were subject to Trade Union Consultation, and grades were subject to Job Evaluation;
- (iv) to note progress in respect of the Homecare workstream as detailed in Section 3 of the report;
- (v) to approve the proposal as detailed in Section 4.12 of the report, for a partnership review of Adult Services;
- (vi) to agree option (iii) in Section 4.13 of the report as the strategic option for models of care to be progressed;
- (vii) that the proposals for transitional arrangements as detailed in Section 4.14 of the report be developed for future consideration of Cabinet;

- (viii) that a report on the Option Appraisal of future delivery of Day Services as detailed in Section 4.15 of the report be developed for future consideration of Cabinet;
- (ix) to note that a proposal paper on Kinship Care had also been presented to Cabinet on 3 June 2009;
- (x) to note the actions as detailed in Section 5.7 of the report in respect of the development of Corporate Parenting Services;
- (xi) that the Executive Director of Educational and Social Services by Autumn 2009 report to Cabinet on proposals for the development of Children's Services including any risk and financial implications;
- (xii) to note that further detailed reports would be brought forward to Cabinet in respect of Children's Services and Adult Services in due course; and
- (xiii) otherwise, to note the contents of the report.

KICK START COUNCIL HOUSE BUILDING BID SUBMISSION

4. There was submitted a report dated 2 June 2009 (circulated) by the Executive Director of Neighbourhood Services which sought retrospectively Cabinet's agreement (i) to the terms of a revised submission made to the Scottish Government on 29 May 2009 for funding to assist in the provision of new Council housing across East Ayrshire, in accordance with the approved East Ayrshire Strategic Housing Investment Plan 2009/10-2013/14; (ii) to transfer part of the site of the former St Matthew's Primary School, Macdonald Drive, Kilmarnock amounting to 0.75 acres or thereby from the General Services Account to the Housing Revenue Account; and (iii) to appoint Atrium Homes as the Council's agent to manage the design and build project in respect of the initial phase of the Council's house building programme.

Cabinet agreed:-

- (i) to authorise retrospectively the submission of the revised bid for funding to the Scottish Government to assist in the provision of new Council housing across East Ayrshire in accordance with the approved East Ayrshire Strategic Housing Investment Plan 2009/10-2013/14;
- (ii) subject to Scottish Government approval of the revised bid:-
 - (a) to authorise the transfer of 0.75 acres or thereby, being part of the site of the former St Matthew's Primary School at MacDonald Drive, Kilmarnock from the General Services Account (Education) to the Housing Revenue Account for the purpose of the new Council house building programme subject to the consent of the Scottish Government in terms of Section 205(2) of the Housing (Scotland) Act 1987;
 - (b) to approve the proposed demolition and reinstatement works in respect of the site of the former St Matthew's Primary School at MacDonald Drive, Kilmarnock as identified in Appendix 1 of the report to facilitate the development of new build affordable Council housing; and
 - (c) to authorise the appointment of Atrium Homes to manage the design and build process relative to the initial phase of the Council house building programme for the reasons detailed in paragraph 7.3.7 of the

report in accordance with the provisions of paragraph 20(1) of the Council's Standing Orders relating to Contracts;

- (iii) due to the timescales involved, to authorise the implementation of (i) and (ii) above, prior to any consideration by the Governance and Scrutiny Committee, as to delay implementation would seriously prejudice the Council's position in relation to achieving a site start in the current financial year;
- (iv) to note that a further report on progress will be submitted to a future Cabinet meeting; and
- (v) otherwise, to note the contents of the report.

ENVIRONMENT AND REGENERATION

TRAFFIC, TRANSPORTATION AND ROAD SAFETY PROGRAMMES

5. There was submitted a report dated 28 May 2009 (circulated) by the Executive Director of Neighbourhood Services which sought approval for the various Traffic, Transportation and Road Safety Programmes to be implemented in 2009/2010.

Cabinet agreed:-

- (i) to approve the implementation of the Traffic, Transportation and Road Safety Programmes as detailed in Section 3 of the report; and
- (ii) otherwise, to note the contents of the report.

MANAGEMENT AND RESOURCES

2009/2010 STRATEGY PERFORMANCE INDICATORS AND REVISED PERFORMANCE INDICATOR FRAMEWORK

6. There was submitted a report dated 21 May 2009 (circulated) by the Executive Head of Finance and Asset Management which advised of the proposed arrangements for the establishment of a new suite of Statutory national and local Performance Indicators for 2009/2010.

Cabinet agreed:-

- (i) to note the reduced number of specified national Statutory Performance Indicators for 2009/2010;
- (ii) to approve the 24 local Statutory Performance Indicators developed by Departments as requested by the Chief Executive;
- (iii) to note the ongoing development of the Council's broader performance management framework, to encompass new service-based indicators and Single Outcome Agreement indicators;
- (iv) to note other work in progress in this area, most notably the development and roll-out of the Council's electronic performance management system; and
- (v) otherwise, to note the contents of the report.

2009/2010 FINANCE SERVICE STRATEGY

7. There was submitted a report dated 21 May 2009 (circulated) by the Executive Head of Finance and Asset Management which provided details of the Finance Service

Strategy which provided a framework to monitor revenue and capital expenditure linked to service performance.

Cabinet agreed:-

- (i) to approve the Finance Service Strategy; and
- (ii) otherwise, to note the contents of the report.

REVISED WHISTLEBLOWING POLICY

8. There was submitted a report dated 20 May 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which presented for approval revisions to the Council's Whistleblowing Policy.

Cabinet agreed:-

- (i) to approve the revisions to the Council's Whistleblowing Policy as detailed in the report;
- (ii) to include in the revised Whistleblowing Policy additional information on disclosures which are protected; and
- (iii) otherwise, to note the contents of the report.

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 items of business on the grounds that they involved the likely disclosure of exempt information as defined the Paragraph of Schedule 7A of the Act as shown against each item"

VEHICLE HIRE FRAMEWORK AGREEMENT (PARA 6)

10. There was submitted a report dated 21 May 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval, in compliance with Standing Orders Relating to Contracts Clause 20(2), to extend the current Vehicle Hire Framework Agreement, which has been in place since June 2006, by a period of approximately 10 months until 31 March 2010.

Cabinet agreed:-

- (i) to approve the extension to the current Vehicle Hire Framework Agreement for a period up until 31 March 2010 after the completion of the annual Mini-tender and re-ranking exercise;
- (ii) to note that a benchmarking exercise would be undertaken once Scotland Excel has procured the National Framework Agreement and a report would be submitted to Cabinet outlining the procurement options at that time; and
- (iii) otherwise, to note the contents of the report.

Councillor McDill left the meeting at this point.

**INVESTIGATION INTO BUILDING AND WORKS FRAUD ALLEGATIONS
AND RELATED MATTERS (PARA 1)**

11. There was submitted a report dated 28 May 2009 (circulated) by the Head of Legal, Procurement and Regulatory Services which provided Cabinet with an executive summary report of the key issues and results of the investigation into a series of fraud allegations and related matters made against Building and Works employees.

Cabinet agreed:-

- (i) to note the report on the investigation into Building and Works fraud allegations and related matters;
- (ii) to note that the report would also be considered at the next meeting of the Council's Governance and Scrutiny Committee;
- (iii) to remit to the Chief Executive to bring forward to Cabinet, periodic reports on progress made in taking forward the Building and Works Improvement Agenda, in conjunction with the current Single Business Unit Project Plan for merging the Housing and Building and Works Services in relation to housing repairs and improvement works; and
- (iv) otherwise, to note the contents of the report.

The meeting terminated at 1254 hours.