

**EAST AYRSHIRE COUNCIL****CABINET****MINUTES OF MEETING HELD ON WEDNESDAY 2 JUNE 2010 AT 1000 HOURS  
IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors Douglas Reid, John MacKay, Maureen McKay, Jim Buchanan, Jim Todd, Robert McDill, Jim Roberts, David Shaw (substituting for Barney Menzies) and Kathy Morrice; Church Representative Maria Dorrian; and Parent Representative David Fraser.

**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; Bill Walkinshaw, Head of Democratic Services; David Mitchell, Head of Legal, Procurement and Regulatory Services; Eddie Fraser, Head of Service: Community Care; Andrew Kennedy, Acting Head of Facilities Management; Andrew Sutherland, Head of Service: Schools; Craig Young, Team Leader, Litigation and Advice; and Gillian Hamilton, Administrative Officer.

**APOLOGIES:** Councillors Iain Linton, Hugh Ross and Barney Menzies; Church Representative Bill McGregor and Teacher Representative Bryce Wilson.

**CHAIR:** Councillor Douglas Reid, Leader of the Council.

**CHAIR'S COMMENT**

1. The Chair welcomed back Church Representative Maria Dorrian, and also welcomed Councillor David Shaw to his first meeting of Cabinet.

**PROMOTING LIFELONG LEARNING****UPDATE ON CATERING CHARGES FOR MEALS AND FREE SCHOOL MEALS**

- 2E. There was submitted a report dated May 2010 (circulated) by the Executive Director of Educational and Social Services which presented to Cabinet an update on catering provision and sought approval for the implementation of changes to free school meal entitlement and the annual increase in charging.

Councillor Douglas Reid, seconded by Councillor Jim Roberts, moved that Cabinet:-

- (i) approve the introduction of a free two course lunch to all Primary 1 children from August 2010;
- (ii) maintain the current breakfast club service;
- (iii) transfer the current provision of free fruit from Primary 1 and 2 children to Primary 2 and 3 children;
- (iv) approve the annual increase in charges to pupils and for the equivalent value of a free meal, to £1.80 for implementation from 2 August 2010;

- (v) approve the additional increase to adults in schools for a two course meal to £2.10 which included the cost of VAT at the current 17.5% which would maintain support to the whole school approach to healthy eating;
- (vi) approve the increase from 2 August 2010 for a two course lunch club or daycare meal to £2.55;
- (vii) authorise the Executive Director of Educational and Social Services to increase other corporate and function catering prices to meet the commercial and budgetary requirements; and
- (viii) otherwise, note the contents of the report.

Councillor Maureen McKay, seconded by Councillor David Shaw, moved as an amendment that Cabinet:-

- (i) approve the introduction of a free two course lunch to all Primary 1 children from August 2010;
- (ii) maintain the current breakfast club service;
- (iii) transfer the current provision of free fruit from primary 1 and 2 children to Primary 2 and 3 children;
- (iv) approve an annual increase in charges to pupils and for the equivalent value of a free meal in line with inflation to £1.67 for implementation from 2 August 2010;
- (v) that the additional increase to adults in school for a two course meal be in line with inflation, to maintain support to the whole school approach to healthy eating;
- (vi) approve the increase from 2 August 2010 for a two course lunch club or daycare meal to £2.55 which was considered in line with inflation;
- (vii) authorise the Executive Director of Educational and Social Services to increase other corporate and function catering prices to meet the commercial and budgetary requirements; and
- (viii) otherwise, note the contents of the report.

On a division by a show of hands the motion was carried by eight votes to three.

### **CHAIR'S COMMENTS**

3. The Chair (i) intimated that Item 2 on the Agenda had been withdrawn and would be submitted to a future meeting of Cabinet; and (ii) invited Church Representative Maria Dorrian and Parent Representative David Fraser to remain and participate in the consideration of the item below.

### **IMPROVING COMMUNITY SAFETY**

#### **JOINT INSPECTION OF SERVICES TO PROTECT CHILDREN AND YOUNG PEOPLE IN THE EAST AYRSHIRE COUNCIL AREA**

4. There was submitted a report dated 27 May 2010 (circulated) by the Executive Director of Educational and Social Services which advised Cabinet of the publication of the second HM Inspectorate of Education (HMIE) report on the Joint Inspection of Services to Protect Children and Young People in the East Ayrshire Council area

and which sought approval of the proposed arrangements for progressing an Action Plan with partners agencies.

Cabinet agreed:-

- (i) to note the improvements made in arrangements to protect children in East Ayrshire as confirmed in the inspection report;
- (ii) that the East Ayrshire Child Protection Committee progress the improvement actions, as part of the overall business planning approach;
- (iii) to note that the East Ayrshire Child Protection Committee reported directly to the East Ayrshire Chief Officers Group, which would approve the final Action Plan and ensure implementation of the actions;
- (iv) to note that the findings of the inspection would be reported to the Governance and Scrutiny Committee and the Community Planning Partnership Board; and
- (v) otherwise, to note the contents of the report.

Church Representative Maria Dorrian and Parent Representative David Fraser left the meeting.

## **STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES**

### **CENTRAL JOINT CONSULTATIVE COMMITTEE**

- 5. There were submitted and noted the Minutes of the meeting of the Central Joint Consultative Committee held on 13 May 2010 (circulated).

### **OUTCOME OF GRIEVANCE APPEAL BY JOINT TRADE UNIONS IN RELATION TO REVISED CONDITIONS OF SERVICE FOR LOCAL GOVERNMENT EMPLOYEES (Item 3, Page 1173, 07/12)**

- 6. There was submitted a report dated 25 May 2010 (circulated) by the Executive Director of Finance and Corporate Support which advised Cabinet of the outcome of the Joint Trade Unions Grievance Appeal in relation to the proposed revised Conditions of Service for Local Government Employees and which recommended further action in order to progress the implementation of the revised Conditions of Service.

Cabinet agreed:-

- (i) to note the views and the decision of the Appeals Panel;
- (ii) having given consideration to the decision of the Appeals Panel outlined in Section 3 of the report, that there be further consultation and negotiation between the Trade Unions and East Ayrshire Council on the disputed issues detailed within the report; that the matter be continued to the meeting of Cabinet scheduled for 18 August 2010 to allow for such further consultations and negotiations; and that the Head of Human Resources submit a report to that meeting on the outcome of those further consultations and negotiations; and
- (iii) otherwise, to note the contents of the report.

### **EXCLUSION OF PRESS AND PUBLIC**

7. 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 Paragraph 1 of Schedule 7A of the Act".

Councillor Maureen McKay left the meeting at this point.

### **TEACHER REFRESH SCHEME - REQUESTS FOR EARLY RETIREMENT WITH TWO YEARS ENHANCEMENT**

8. There was submitted a joint report dated 19 May 2010 (circulated) by the Executive Director of Educational and Social Services and the Executive Director of Finance and Corporate Support which sought Cabinet approval for two teachers in the Department of Educational and Social Services to retire from the Council's service under the terms of the Teachers (Compensation for Premature Retirement) (Scotland) Regulations 1997.

Cabinet agreed to approve the early retirement arrangements as detailed in Appendix A to the report.

### **REQUESTS FOR EARLY RETIREMENT (WITHOUT ENHANCEMENT)**

9. There was submitted a joint report dated 19 May 2010 (circulated) by the Executive Director of Educational and Social Services and the Executive Director of Finance and Corporate Support which informed Cabinet that seven teachers in the secondary sector within the Department of Educational and Social Services had been allowed to retire early without enhancement from the Council's Service as per the delegated authority of the Executive Director of Educational and Social Services.

Cabinet agreed to note the early retirement arrangements as detailed in Appendix A to the report.

The meeting terminated at 1055 hours.