

EAST AYRSHIRE COUNCIL**CABINET****MINUTES OF MEETING HELD ON WEDNESDAY 10 MARCH 2010 AT 1000 HOURS IN THE ROBERT BURNS SUITE, BURNS MONUMENT CENTRE, KAY PARK, KILMARNOCK**

PRESENT: Councillors Douglas Reid, Iain Linton, John MacKay, Maureen McKay, Jim Buchanan, Hugh Ross, Robert McDill, Jim Roberts, Barney Menzies and Kathy Morrice; Church Representative Bill McGregor; Parent Representative David Fraser; and Teacher Representative Bryce Wilson.

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; Bill Walkinshaw, Head of Democratic Services; Martin Rose, Head of Human Resources; David Mitchell, Head of Legal, Procurement and Regulatory Services; Alan Neish, Head of Planning and Economic Development; Kay Gilmour, Head of Service: Community Support; Euan Couperwhite, Head of Service: Resources; Andrew Sutherland, Head of Service: Schools; Craig Young, Litigation Team Leader; Dot Grieve, Principal Officer, Community Learning and Development; Elaine Scott, Public Relations Officer; and Christine Baillie, Senior Administrative Officer.

APOLOGIES: Councillor Jim Todd and Church Representative Maria Dorian.

CHAIR: Councillor Douglas Reid, Leader of the Council.

LIFELONG LEARNING**CROSSROADS PRIMARY SCHOOL CONSULTATION
(Item 2E, Page 1030, 07/12)**

- 1E.** There was submitted a joint report dated 3 March 2010 (copy enclosed) by the Executive Director of Educational and Social Services and the Executive Head of Finance and Asset Management which (i) informed Cabinet of a revision to the Net Present Value calculation for the five options which were considered during the Options Appraisal exercise on the future of Crossroads Primary School and were subsequently contained within the Proposal Document which had been issued for public consultation; and (ii) sought Cabinet approval to extend the consultation period from 19 March 2010 to Friday 26 March 2010 to allow Officers to present the revised Net Present Value costings to interested stakeholders and provide a sufficient time period for them to make appropriate representation on the amended Proposal Document.

Having heard the Executive Director of Educational and Social Services, Cabinet agreed:-

- (i) to note that Appendix A to the report, which detailed the changes made to Section 8.1 of the Proposal Document, would be circulated, along with an explanatory letter from the Executive Director of Educational and Social

- Services, to (a) all statutory consultees; (b) placed on the Council's website, with a notice of change; and (c) all Council Libraries and Local Offices;
- (ii) that the Executive Director of Educational and Social Services circulate Appendix A and explanatory letter to all respondents who had made a submission based on the original Proposal Document, to provide those respondents with an opportunity to submit an amended response if they so wished;
 - (iii) to affirm that after amendments to the Net Present Value costings, Option 5 continued to represent best value to the Council;
 - (iv) that an extension of one week (now 26 March 2010) to the consultation period be given to allow respondents sufficient time to consider this new information;
 - (v) that the decisions taken at (i) and (ii) above be implemented in advance of any consideration by the Governance and Scrutiny Committee as to delay the decisions would prevent a final decision being made before the required date; and
 - (vi) otherwise, to note the contents of the report.

PRE-SCHOOL EDUCATION ADMISSIONS POLICY

- 2E.** There was submitted a report dated February 2010 (circulated) by the Executive Director of Educational and Social Services which sought agreement from Members of Cabinet to the proposed revisions of the Early Education and Childcare Admissions Policy.

Cabinet agreed:-

- (i) to approve the revised Policy in respect of pre-school education for children aged 3-5 years; and
- (ii) otherwise, to note the contents of the report.

EARLY EDUCATION AND CHILDCARE PROVISION FOR CHILDREN AGED 0-3 YEARS

- 3E.** There was submitted a report dated 11 February 2010 (circulated) by the Executive Director of Educational and Social Services which sought approval from Members of Cabinet to the outcome of the review carried out in respect of the current Early Education and Childcare Admissions Policy as it related to children under three years of age.

Cabinet agreed:-

- (i) to approve the outcome of the review in respect of Early Education and Day Care Services for children under three years of age; and
- (ii) otherwise, to note the contents of the report.

NAMING OF THE NEW SPECIAL SCHOOL IN KILMARNOCK (Item 2.1E, Pages 297 & 298, 07/12)

- 4E.** There was submitted a report dated 24 February 2010 (circulated) by the Executive Director of Educational and Social Services which sought approval from Members of Cabinet in respect of the name of the new special school in Kilmarnock.

Cabinet agreed:-

- (i) to approve the name of Willowbank for the new special school; and
- (ii) otherwise, to note the contents of the report.

Teacher Representative Bryce Wilson left the meeting at this point.

GRANT FUNDED PROJECTS 2010-2011

- 5E.** There was submitted a report dated 3 February 2010 (circulated) by the Executive Director of Educational and Social Services which advised Members of the Cabinet of the outcome of the annual evaluations of grant funded projects and sought approval for future funding arrangements for 2010-2011.

Cabinet agreed:-

- (i) to approve funding to the Bellsbank Project of £25,422.00;
- (ii) to approve funding to the Holiday Project of £17,070.00;
- (iii) to establish Service Level Agreements for each of the Projects for 2010-2011; and
- (iv) otherwise, to note the contents of the report.

EXCLUSION OF PRESS AND PUBLIC

- 6.** 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 14 of Schedule 7A of the Act".

NORTH WEST YOUTH PROJECT (Item 6E, Page 1032, 07/12)

- 7E.** There was submitted a report dated 4 March 2010 (circulated) by the Executive Director of Educational and Social Services which (i) set out issues in respect of the North West Youth Project; (ii) provided information in respect of consultation and discussion with local Elected Members; and (iii) sought approval for the recommendations.

Cabinet agreed:-

- (i) to approve the proposal to tender for a new service; and
- (ii) otherwise, to note the contents of the report.

Church Representative Bill McGregor and Parent Representative David Fraser left the meeting at this point.

RE-ADMITTANCE OF PRESS AND PUBLIC

- 8.** The Press and public were re-admitted to the meeting.

ENVIRONMENT AND REGENERATION

CORE FUNDING PAYMENTS TO EXTERNAL PARTNERSHIPS, SUBSCRIPTIONS TO EXTERNAL BODIES AND FUNDING FOR SPECIAL PROJECTS IN THE FINANCIAL YEAR 2010/2011

9. There was submitted a report dated 3 March 2010 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought Cabinet approval to make payment to external bodies, partnerships and special projects in the financial year 2010/11.

Cabinet agreed:-

- (i) to reallocate £25,000 from the Match Fund in support of Darvel Music Festival to the Grants to External Bodies Budget;
- (ii) to approve the allocations to external partnerships and special projects in accordance with the proposals set out at Sections 3 and 4 and the appendices attached to the report; and
- (iii) to note that the operation of the Match Fund budget would be subject to review.

CUMNOCK TOWN CENTRE REGENERATION PROJECT - GREENHOLM ROAD, CUMNOCK COMPULSORY PURCHASE ORDER 2010 (Item 6, Page 745, 07/12)

10. Notwithstanding that the report in terms of this matter would have been dealt with in public, having heard from the Head of Legal, Procurement and Regulatory Services that further information in respect of the project had been received since the report had been issued which required to be presented in private, it was agreed to consider this information following the Exclusion of Press and Public under Item 14.

MANAGEMENT AND RESOURCES

EXTENSION OF CONTRACT TO RATHBONE TRAINING LIMITED

11. There was submitted a report dated 18 February 2010 (circulated) by the Executive Director of Educational and Social Services which sought approval from Cabinet to extend the current Rathbone Training Limited contract from 30 June 2010 to 30 June 2011, in line with the Council's Standing Orders Relating to Contracts and Tendering.

Cabinet agreed:-

- (i) to extend the current contract with Rathbone Training Ltd until 30 June 2011; and
- (ii) otherwise, to note the contents of the report.

The Cabinet noted that Paragraph 2.2 of the report should read "It was procured in 2007 for a two year period with a potential one year extension".

COUNCIL TAX ENERGY EFFICIENCY REBATE SCHEME

12. There was submitted a report dated 29 January 2010 (circulated) by the Executive Head of Finance and Asset Management which advised Cabinet of the requirement

for, and proposed administration of, a Council Tax Rebate Scheme in respect of energy efficiency improvements.

Cabinet agreed:-

- (i) to introduce a council tax energy efficiency rebate scheme with effect from 1 April 2010;
- (ii) that an annual report on uptake be submitted to Cabinet; and
- (iii) otherwise, to note the contents of the report.

EXCLUSION OF PRESS AND PUBLIC

13. 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".

ENVIRONMENT AND REGENERATION

CUMNOCK TOWN CENTRE REGENERATION PROJECT - GREENHOLM ROAD, CUMNOCK COMPULSORY PURCHASE ORDER 2010 (Item 10, 07/12)

14. There was submitted a report (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which requested that Cabinet make a formal resolution to promote the Greenholm Road, Cumnock, Compulsory Purchase Order 2010.

Having heard the Head of Legal, Procurement and Regulatory Services, Cabinet agreed to continue consideration of the report to the next meeting of Cabinet to be held on 24 March 2010.

MANAGEMENT AND RESOURCES

SEVERANCES (PARA 1)

15. There was submitted a report dated 26 February 2010 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought Cabinet's approval of severance arrangements for six employees in the Department of Neighbourhood Services.

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

Cabinet noted arithmetical amendments to the report namely figures 22,725 should read, 3,512; figure 20,559 should read 3,204; and figure 225,057 should read 188,489.

TEACHER REFRESH SCHEME - REQUESTS FOR EARLY RETIREMENT WITH TWO YEARS ENHANCEMENT (PARA 1)

16. There was submitted a joint report dated 2 March 2010 (circulated) by the Executive Director of Educational and Social Services and the Depute Chief Executive/Executive Director of Corporate Support which sought Cabinet approval for 10 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 Appendices A and B of the report.

ENVIRONMENT AND REGENERATION

BUSINESS EXPANSION PROJECT (PARA 6)

17. There was submitted a report dated 4 March 2010 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised Cabinet of discussions with a local company regarding funding.

Having heard an update on discussions with the company from the Depute Chief Executive/Executive Director of Corporate Support, Cabinet agreed to continue consideration of the matter to allow further discussions with the Company to be undertaken; an assessment by appropriate Officers of the information provided by the Company; and thereafter, for a report by the Depute Chief Executive/Executive Director of Corporate Support to be brought to the earliest possible meeting of Cabinet.

The meeting terminated at 1205 hours.