

EAST AYRSHIRE COUNCIL**GOVERNANCE AND SCRUTINY COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 19 FEBRUARY 2010 AT 1000 HRS
HELD IN THE ROBERT BURNS SUITE, BURNS MONUMENT CENTRE,
KAY PARK, KILMARNOCK**

PRESENT: Councillors Tom Cook, Willie Coffey, John McGhee, John Campbell, Alan Brown, Stuart Finlayson, Jimmy Kelly, Eric Ross, Elaine Dinwoodie and Drew Filson.

ATTENDING: 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; Bill Walkinshaw, Head of Democratic Services; Malcolm Roulston, Head of Information Technology; David Mitchell, Head of Legal, Procurement and Regulatory Services; Andrew Sutherland, Head of Service: Schools; and Lynn Young, Administrative Officer.

APOLOGY: Councillor Helen Coffey.

CHAIR: Councillor Tom Cook, Chair.

PREVIOUS MINUTES

1. There were submitted and approved as a correct record, the Minutes of the Meeting held on 15 January 2010 (circulated).

1.1 MATTERS ARISING**1.1.1 Winter Maintenance Arrangements (Item 1.1.1, Page 997, 07/12)**

Noted, as advised by the Chair, that a report on the outcome of the Governance and Scrutiny Workshop 2010 would be submitted to the next meeting of the Governance and Scrutiny Committee to be held on Friday 19 March 2010.

MATTERS ARISING UPDATE REPORT

2. There was submitted and noted a report dated 5 February 2010 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which provided the Committee with a consolidated response to information requests made by Members at previous meetings.

Noted further information provided by the Executive Director of Neighbourhood Services in relation to disposal costs associated with recycling centres

Councillor Kelly joined the meeting during consideration, but prior to determination of the above item.

SCRUTINY**AWARDING OF CONTRACTS - PERIOD FROM 5 DECEMBER 2009 TO
5 FEBRUARY 2010**

3. There was submitted and noted a report dated 2 February 2010 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support, which provided, for

information, details of tenders which had been accepted on behalf of the Council for the period 5 December 2009 to 5 February 2010.

During discussion, the Head of Legal, Procurement and Regulatory Services provided clarification, in response to an issue raised by Councillor Ross, relative to the estimated costs of the supply and installation of bespoke furniture for the Chambers Contract, and it was agreed that the Head of Legal, Procurement and Regulatory Services provide Councillor Ross with the tender specification document relative to the contract.

EMPLOYEE STATISTICAL INFORMATION

4. There was submitted and noted a report dated 3 February 2010 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which provided a range of employee statistics including Staffing Watch and Absence for the Council for the period 1 October to 31 December 2009.

During discussion, Members raised issues relative to the undernoted matters, which were responded to by the appropriate Officers, namely:-

- the level of short term and long term absence within the Council; and the Depute Chief Executive/Executive Director of Corporate Support confirmed that when an employee is off with a stress related illness, the reasons for the stress are immediately identified and an immediate referral made to Occupational Health. Absence interviews and follow-up interviews would be held regularly with the employee concerned and, if appropriate, various interventions and counselling would be offered;
- the Depute Chief Executive/Executive Director of Corporate Support provided a detailed explanation on issues relating to musculo-skeletal absence and to ergonomic tests which are undertaken by the Health and Safety Department and advised that she would provide information to a future meeting on musculo-skeletal absences; and confirmed that consideration would be given to the provision of an "Ergonomic Team" located within Departments;
- the Head of Service: Schools confirmed that information on the number of teachers employed as at 1 April 2009 and at 31 March 2010, and the percentage rates of absence for the same period would be presented to a future meeting of the Governance and Scrutiny Committee, and in similar terms in respect of Building and Works employees from the Acting Head of Building and Works; as well as information in connection with the occasions where supply teachers have been required or not to cover teacher absence;
- the Head of Service: Schools clarified current legislation provisions in terms of supply teachers on the supply register;
- the Depute Chief Executive/Executive Director of Corporate Support confirmed that in future, information in terms of the duration of externally funded posts and how long each post had been occupied be included in the Employee Statistical Information report; and in relation to the 34 employees currently employed through External Funding this information be provided to members of the Governance and Scrutiny Committee; and
- the Depute Chief Executive/Executive Director of Corporate Support provided a detailed explanation in connection with the number of employees active on the Job Development register; and confirmed that from 31 March 2010, the Council would continue to work with the employees active on the Job Development register.

FINANCE AND STRATEGY REPORT TO PERIOD 9 (13 DECEMBER 2009)

5. There was submitted a report dated 1 February 2010 (circulated) by the Executive Head of Finance and Asset Management which advised of the projected financial position for the year based on expenditure to 13 December 2009 (Period 9) and which provided information by the Executive Directors.

The Executive Head of Finance and Asset Management advised that in connection with New Cumnock Nursery and Primary School, SEPA had confirmed that they had no objection in terms of added flood work and that the development would be progressed accordingly; and that in connection with the Kilmarnock Athletics facility development, SEPA had confirmed that there were no flood risk concerns and that Scottish Water had confirmed that there was no requirement to divert a main culvert in light of the proposed protection works.

During discussion, Members raised issues relative to the undernoted matters, which were responded to by the appropriate Officers, namely:-

- the Depute Chief Executive/Executive Director of Corporate Support provided a detailed explanation regarding the management of the 21 vacancies within Planning and Economic Development and that proposals would be reported to a future Cabinet meeting on the outcome of the Best Value Service Review of Planning and Economic Development;
- the Committee noted the improving performance of Planning and Economic Development following the introduction of new planning legislation and the new on-line planning system; and, following further discussion on income, noted a £750k adverse variance with the budget;
- the Head of Legal, Procurement and Regulatory Services confirmed that a report on the Kilmarnock Town Centre Development would be presented to the meeting of Cabinet to be held on Wednesday 24 February 2010 in connection with alternative developments for the site of the Opera House, John Finnie Street, Kilmarnock;
- the Chair confirmed that, at the Governance and Scrutiny Workshop held on 28 January 2010, the members of the Governance and Scrutiny Committee considered a suggestion to review the teaching of Gaelic in East Ayrshire schools, however, it had been agreed to continue consideration of the suggestion to a future meeting of the Governance and Scrutiny Committee in order that further analysis of the benefits of the provision of Gaelic teaching could be undertaken having regard to the costs involved, and that the Executive Director of Educational and Social Services would provide a report to the Committee with further information on the costs associated with Gaelic provision within East Ayrshire;
- the Executive Head of Finance and Asset Management advised that the Best Value Service Review of Administration and Support staff within schools had largely achieved the reduction in the number of school administration and support staff and that he would confirm dates when the Best Value Service Review came into effect;
- the Executive Head of Finance and Asset Management agreed to provide a breakdown of the £282,000 associated with the Talented Athlete Project to the next meeting of the Governance and Scrutiny Committee, as well as a breakdown of the costs associated with the maintenance of the floral clock and floral baskets;

- following discussion on the Scottish Government's Review of Historic European Fund, the Committee noted that the issue was being addressed and that information would be available in due course;
- the Executive Head of Finance and Asset Management confirmed that information on the utilisation of the General Fund balance would be made available to the next meeting of the Governance and Scrutiny Committee;
- the Executive Head of Finance and Asset Management confirmed that information on expenditure and locations of Dangerous Building Notices would be presented to a future meeting of Governance and Scrutiny Committee;
- the Executive Head of Finance and Asset Management provided an explanation in connection with external factors delaying submission of claims to the Scottish Government in terms of EU funding issues;
- with regard to funding approved for Town Centre activities, including Christmas events, and money held for the Moorfield entrance junction, the Executive Head of Finance and Asset Management confirmed that he would provide Members of the Governance and Scrutiny Committee with a breakdown of the costs;
- with regard to the Stewarton sports facility and the Knockentiber changing facilities, the Executive Head of Finance and Asset Management provided a detailed explanation on the design process for each development;
- following discussion on the Housing Investment Programme, the Executive Director of Neighbourhood Services confirmed that an Asbestos Register was in place for both Council employees and contractors, and further confirmed that in respect of alleged damage to asbestos within Council flats in Cumnock, as reported he would discuss the matter with Councillor Eric Ross and ensure that the issue was addressed as a matter of urgency;
- in respect of the proposed office development at Greenholm Road, Cumnock as part of the Town Centre regeneration (i) having heard the Depute Chief Executive/Executive Director of Corporate Support and the Head of Legal, Procurement and Regulatory Services regarding the demolition of the cottages at Greenholm, and following discussion, the Committee acknowledged the range of issues involved arising from the mixed ownership of the properties and vandalism, and noted the action taken in this respect, having regard to the contemporaneous circumstances and the options available to Officers in the light thereof; and (ii) noted that the Housing Service were progressing arrangements towards the property at 62 Townhead Street being made available for re-let;
- noted, as advised by the Executive Head of Finance and Asset Management that details of the procurement of vehicles would in future, feature within the periodic Finance and Service Strategy reports;
- the Executive Head of Finance and Asset Management to provide information on the utilisation of Corporate Support balances to a future meeting of the Governance and Scrutiny Committee; and
- the Executive Head of Finance and Asset Management to advise members of the Governance and Scrutiny Committee of the Contaminated Land Funding for Greenbraes, Cumnock

It was otherwise agreed to note the position with regard to the General Fund performance on key indicators and progress in relation to major projects included within the Capital Programme, as set out in the report.

The meeting terminated at 1209 hrs.