

EAST AYRSHIRE COUNCIL

CABINET

**MINUTES OF MEETING HELD ON 29 SEPTEMBER 2010 AT 1000 HOURS IN
THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

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

ATTENDING: Fiona Lees, Chief Executive; Graham Short, Executive Director of Educational and Social Services; Alex McPhee, Executive Director of Finance and Corporate Support; Bill Walkinshaw, Head of Democratic Services; Chris McAleavey, Head of Housing; Martin Rose, Head of Human Resources; David Mitchell, Head of Legal, Procurement and Regulatory Services; John Griffiths, Head of Leisure; John Bryson, Head of Roads and Transportation; Kay Gilmour, Head of Service: Community Support; Eddie Fraser, Head of Service: Community Care; and Christine Baillie, Senior Administrative Officer.

APOLOGIES: Councillor Jim Buchanan and Church Representative Maria Dorrian.

CHAIR: Councillor Douglas Reid, Leader of the Council.

PROMOTING LIFELONG LEARNING

GLEBE CABIN (Item 3E, Page 1234, 07/12)

- 1E.** There was submitted a report dated July 2010 (circulated) by the Executive Director of Educational and Social Services which informed of the outcome of the consultation process in respect of a proposal to close Glebe Cabin and which made recommendations accordingly.

Cabinet agreed:-

- (i) to approve the recommendation to close Glebe Cabin with a closure date of 30 November 2010;
- (ii) to remit to Officers to support the current users of Glebe Cabin to relocate; and
- (iii) otherwise, to note the contents of the report.

Councillor Hugh Ross joined the meeting during discussion of the above item.

Teacher Representative Bryce Wilson, Parent Representative David Fraser and Church Representative Ian Rennie left the meeting at this point.

DELIVERING COMMUNITY REGENERATION

KICK START COUNCIL HOUSE BUILDING BID SUBMISSION

- 2.** There was submitted a report dated 10 September 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which (i) advised of

the successful outcome of the submission to the Scottish Government for funding to assist in the provision of the new Council housing on two sites at Newlands Drive, and land adjacent to the Rosebank Centre, London Road, Kilmarnock in accordance with the general aims of the approved East Ayrshire Strategic Housing Investment Plans 2009/2010-2013/2014 and 2010/2011-2014/2015; (ii) sought Cabinet authority to revise the location of the four proposed houses at London Road to the other identified phase 3 site at Newlands Drive, as identified in Appendices 1 and 2 of the report; and (iii) sought Cabinet authority to include an area of ground in the site area for the Phase 2 and Phase 3 proposals at Newlands Drive, Kilmarnock, as identified on the plans attached to the report at Appendix 2.

Cabinet agreed:-

- (i) to approve the proposed amendment to the two sites for development of new Council houses from four at Rosebank and six at Newlands Drive to 10 at Newlands Drive for the reasons set out in paragraphs 5.4 to 5.7 of the report which comprised the approved Phase Three bid to total 10 units as set out in Appendices 1 and 2 of the report;
- (ii) to approve the inclusion of the area of ground set out in paragraphs 4.2 and 4.3 of the report for inclusion in the site area for Newlands Drive, as set out in Appendix 2 to the report;
- (iii) to note that a further report on progress would be submitted to a future Cabinet meeting; and
- (iv) otherwise, to note the contents of the report.

PROPOSED TENANT PARTICIPATION STRATEGY 2010-2013

3. There was submitted a report dated 13 September 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which (i) informed Cabinet of the development of a draft Tenant Participation Strategy for the period 2010-2013; (ii) informed of the results of the consultation exercise on the proposed Strategy; and (iii) sought approval of the Strategy.

Cabinet agreed:-

- (i) to approve the proposed Tenant Participation Strategy, as detailed at Appendix 1 to the report; and
- (ii) otherwise, to note the contents of the report.

REVIEW OF HOUSING ALLOCATION POLICY (Item 1, Page 391, 07/12)

4. There was submitted a report dated 21 September 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought approval for a new Housing Allocations Policy which would be common to the Council and four Registered Social Landlords which operated within East Ayrshire.

Cabinet agreed:-

- (i) to recommend to Council that the Common Allocation Policy be approved for implementation by the Council and the identified Registered Social Landlords as set out in Appendix 1 to the report;

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- (ii) to approve the suggested targets as detailed at paragraph 6.2 of the report and agree delegated authority to the Head of Housing Services to implement;
- (iii) to approve the proposal set out at paragraph 9.3 of the report in respect of waiting time points;
- (iv) to authorise the Head of Housing Services to provide a future report to Cabinet on a replacement system for assessing medical applications;
- (v) that the Head of Housing report to Cabinet on a quarterly basis on the impact of the new Housing Allocations Policy including turnover figures and impact on the new target groups identified within the policy; and
- (vi) otherwise, to note the contents of the report.

**WINTER SERVICE PLAN AND IMPROVEMENT PLAN
(Item 8, Pages 3 & 4, 07/12)**

5. There was submitted a report dated 19 August 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which advised of the progress against the Winter Service Improvement Plan and which sought approval of the Winter Service Plan for 2010/2011.

Cabinet agreed:-

- (i) to approve the Winter Service Plan 2010/2011;
- (ii) to note the progress made against the Winter Service Improvement Plan attached at Appendix 1 to the report;
- (iii) that the Head of Roads and Transportation provide a presentation to Community Planning Partners, Community Councils and Tenants and Residents Associations; and
- (iv) otherwise, to note the contents of the report.

**ADDITIONAL FLOOD MITIGATION MEASURES FOR NEWMILNS
(Item 16, Page 1239, 07/12)**

6. There was submitted a report dated 22 September 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which (i) advised of additional cost achievable flood mitigation measures that could be considered for Newmilns; (ii) sought approval to proceed with implementation of the measures outlined in paragraphs 3 and 4 of the report; and (iii) sought approval to re-allocate £500k from Flood Prevention to Carriageway Structural Maintenance.

Cabinet agreed:-

- (i) to approve the additional flood mitigation measures for Newmilns as outlined in paragraphs 3 and 4 of the report which would support the current maintenance measures;
- (ii) to re-allocate £500k from Flood Prevention to Carriageway Structural Maintenance, within the Capital Investment Programme as approved by Cabinet on 11 February 2009; and
- (iii) otherwise, to note the contents of the report.

IMPROVING COMMUNITY HEALTH AND WELLBEING

OLDER PEOPLE STRATEGY - CONTRACTED CARE AT HOME SERVICES

7. There was submitted a report dated 15 September 2010 (circulated) by the Executive Director of Educational and Social Services which (i) provided an update on progress in relation to developing an East Ayrshire Older People Strategy; (ii) sought approval for a process of commissioning external Care at Home Contracts that fully took account of the Strategy; and (iii) sought agreement to extend the Care at Home Contracts that the Council had with our three existing independent providers for a further year.

Cabinet agreed:-

- (i) to approve the proposals and timeline for developing an East Ayrshire Older People Strategy;
- (ii) to approve the proposals in respect of extending contractual arrangements for Care at Home Services for one year; and
- (iii) otherwise, to note the contents of the report.

BLUE BADGE REFORM

8. There was submitted a report dated 15 September 2010 (circulated) by the Executive Director of Educational and Social Services which informed of the Blue Badge Reform proposals issued for consultation by the Scottish Government and which sought agreement for a response from East Ayrshire Council as outlined at Appendix 1 to the report.

Cabinet agreed:-

- (i) to note the implications for the Council in relation to the proposed changes to the Blue Badge Scheme;
- (ii) to approve the draft consultation response from East Ayrshire Council as shown at Appendix 1; and
- (iii) otherwise, to note the contents of the report.

Cabinet noted the minor typographical errors on page 146, Appendix 1.

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES

KILMARNOCK CRICKET FACILITIES

9. There was submitted a joint report dated 15 September 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services and the Executive Director of Finance and Corporate Support which sought authority for the lease of ground within Scott Ellis Playing Fields, subject to court authorisation in terms of Section 75(2) of the Local Government (Scotland) Act 1973.

Cabinet agreed:-

- (i) to authorise the lease of ground within Scott Ellis Playing Fields to Kilmarnock Cricket Club subject to court authorisation in terms of Section 75(2) of the Local Government (Scotland) Act 1973; and
- (ii) otherwise, to note the contents of the report.

DISPOSAL OF LAND AT OLD STATION ROAD, CATRINE

10. There was submitted a report dated 13 September 2010 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which advised of Shire Housing Association's formal notification that the Association's Board had decided not to develop the site disposed at Old Station Road, Catrine for the development of affordable new build housing and which sought authorisation to agree to Shire Housing Association assigning its interest in the missives of sale entered into with the Council to Atrium Homes to enable the proposed development of the site for affordable housing to proceed.

Cabinet agreed:-

- (i) to consent to the missives in respect of the earlier disposal of the site being assigned from Shire Housing Association Ltd, of Netherthird House, 15 Glaisnock Road, Cumnock directly to Atrium Homes, 39/41 John Finnie Street, Kilmarnock for the reasons outlined at paragraph 4.2 of the report;
- (ii) to authorise the Solicitor to the Council to finalise negotiations for the missives for the site to be assigned; and
- (iii) otherwise, to note the contents of the report.

SCOTTISH JOINT COUNCIL FOR LOCAL GOVERNMENT EMPLOYEES AND SCOTTISH JOINT COUNCIL FOR CRAFT OPERATIVES PAY INCREASE 2010/11-2012/13

11. There was submitted and noted a report dated 13 September 2010 (circulated) by the Executive Director of Finance and Corporate Support which advised of the implementation of a salary increase for employees covered by the Scottish Joint Council for Local Government Employees and the Scottish Joint Council for Craft Operatives.

The Head of Human Resources advised, and it was noted that since receipt and implementation of the CoSLA circulars, the Trade Union Side of the Scottish Joint Council had intimated to CoSLA that the matter which related to the imposition of the three year pay settlement should be submitted to ACAS for arbitration in accordance with the Constitution of the Scottish Joint Council and that the Cabinet would be advised of any consequential changes following arbitration.

MINUTES OF CENTRAL JOINT CONSULTATIVE COMMITTEE OF 9 SEPTEMBER 2010

12. There was submitted and noted the minutes of meeting of the Central Joint Consultative Committee held on 9 September 2010 (circulated).

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".

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES**VOLUNTARY SEVERANCE (PARA 1)**

14. There was submitted a report dated 15 September 2010 (circulated) by the Executive Director of Finance and Corporate Support which sought approval of severance arrangements on the grounds of redundancy in respect of one employee within Onsite Services in the Department of Educational and Social Services.

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

DEVELOPMENT 6-14 JOHN FINNIE STREET AND 24-26 STRAND STREET, KILMARNOCK (PARA 9) (Item 7, Page 1326, 07/12)

15. There was submitted a joint report dated 27 September 2010 (circulated) by the Executive Director of Finance and Corporate Support and the Solicitor to the Council which updated Cabinet on discussions relative to the proposed Development Agreement with the party identified in the report for the development and purchase of an office development to be constructed on the site of the former Opera House at 6-14 John Finnie Street and 24-26 Strand Street, Kilmarnock and which sought authority to vary the terms and conditions approved by Cabinet on 1 September 2010.

Cabinet agreed:-

- (i) to authorise the Solicitor to the Council to enter into the revised Development Agreement with the party identified in the report for the development and purchase of an office development to be built on the former Opera House site at 6-14 John Finnie Street and 24-26 Strand Street, Kilmarnock on the terms and conditions specified in the report to Cabinet on 1 September 2010, as revised in terms of this report, and contained within the revised draft Development Agreement for Sale subject to compliance with the Public Contracts (Scotland) Regulations 2006, as amended, in respect of notice publication and subject to no competent objections or challenges to the effectiveness of the proposed agreement being received; and
- (ii) otherwise, to note the contents of the report.

The meeting terminated at 1157 hours.