

EAST AYRSHIRE COUNCIL

CABINET

MINUTES OF MEETING HELD ON WEDNESDAY 22 AUGUST 2007 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors Douglas Reid, Iain Linton, John MacKay, Jim Buchanan, Hugh Ross, Jim Todd, Robert McDill, Eric Jackson, Jim Roberts and Kathy Morrice; and Church Representatives Bill McGregor, John McHugh and Dr Ivy Barclay.

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; Kay Gilmour, Head of Community Support; Bill Walkinshaw, Head of Democratic Services; Robin Gourlay, Head of Facilities Management; David Mitchell, Head of Legal, Procurement and Regulatory Services; Euan Couperwhite, Head of Resources and Christine Baillie, Administrative Officer.

CHAIR: Councillor Douglas Reid, Chair.

CHAIR'S REMARKS

1. The Chair welcomed Members to the first meeting of Cabinet and also introduced and welcomed Church Representatives Bill McGregor, John McHugh and Dr Ivy Barclay.

LIFELONG LEARNING

NON-ELECTED MEMBER REPRESENTATION - CHURCH REPRESENTATIVES (Item 2, Page 25, 03/07)

2. There was submitted a joint report dated 6 August 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Educational and Social Services which advised of the proposed appointment of a third Church/denominational representative to serve on the Cabinet when it was determining education business.

Cabinet agreed to approve the nomination submitted by Dr Ivy Barclay, Winton Place EU Congregational Church, to serve as the third Church Representative/denominational representative on the Cabinet when it was determining education business.

2007/08 CAPITAL PROGRAMME AND SCHOOL FUND VIREMENTS (Item 10, Page 2660, 03/07)

- 3E. There was submitted a report dated 30 July 2007 (circulated) by the Executive Director of Educational and Social Services which sought approval to virements in the Capital and Schools Fund Programmes and for the proposed allocation of a further £668,000 from the Scottish Executive under the Schools Fund Programme.

Cabinet agreed:-

- (i) to approve the proposed virement of funds within the 2007/08 Capital Programme and School Fund Programme as detailed below:-

Capital Programme - Reallocation of Funding

| Project | Funding Required | Funding Surplus |
|--|-------------------------|------------------------|
| 2006/2007 Unallocated Balance B/Forward | £0 | £23,046 |
| Greenmill Primary - Heating Distribution Pipework | £0 | £125,000 |
| Kirkstyle Primary - Window Replacement - Final Phase | £148,046 | £0 |
| | £148,046 | £148,046 |

School Fund - Reallocation of Funding

| Project | Initial Allocation | Revised Allocation |
|---|---------------------------|---------------------------|
| Various Establishments - Retention | £85,000 | £0 |
| Auchinleck Academy - CCTV | £170,000 | £100,000 |
| Cumnock Academy - Window Replacement | £0 | £145,000 |
| James Hamilton Academy - Window Replacement | £400,000 | £300,000 |
| Hillhead Primary/Cairns Nursery - CCTV | £0 | £110,000 |
| | £655,000 | £655,000 |

- (ii) to approve the proposed spending of the additional Schools Fund resources of £668,000 received from the Scottish Executive by progressing the Window Replacement Programme at Loudoun Academy, Auchinleck Academy and Cumnock Academy, with priority to be given to the completion of Loudoun Academy's replacement programme for the main buildings with further work to be done at Auchinleck Academy, and any remaining resources to be used at Cumnock Academy. (within the constraints of the tendering process it is anticipated that funding will be evenly distributed amongst the three schools);
- (iii) otherwise, to note the contents of the report.

NEW EARLY YEARS, CHILDCARE AND PLAY CAPITAL FUND FOR 2007/08

- 4E.** There was submitted a report dated 1 August 2007 (circulated) by the Executive Director of Educational and Social Services which advised of a decision by Ministers to establish a new capital fund in 2007/08 and which sought approval to allocate 20% of the capital grant to voluntary, community and private sector groups/organisations which provided a key role in service delivery in East Ayrshire.

Cabinet agreed:-

- (i) to note the establishment of the new Early Years, Childcare and Play Capital Fund;
- (ii) to approve the allocation of 20% of the capital grant to voluntary, community and private sector groups/organisations and to invite proposals from those organisations which provided a key role in service delivery in East Ayrshire;

- (iii) to remit to the Executive Director of Educational and Social Services the responsibility to develop and implement the proposals for the spend of the capital grant in consultation with the Spokespersons for Lifelong Learning;
- (iv) that the Executive Director of Educational and Social Services submit a further report to Cabinet on the spend of the capital grant; and
- (v) otherwise, to note the contents of the report.

EDUCATION SERVICES - DRAWDOWN OF REVENUE BALANCES

5E. There was submitted a report dated 26 July 2007 (circulated) by the Executive Director of Educational and Social Services which sought approval for the drawdown of unutilised revenue balances which had been carried forward from 2005/06 and 2006/07.

Cabinet agreed:-

- (i) to approve the request for drawdown of £975,000 from departmental balances in respect of the following:-
 - £570,000 (from ringfenced schools devolved budget): to be distributed to individual establishments in respect of Learning Partnerships, Early Years, Primary, Secondary and Special.
 - £75,000: Teacher's Early Retiral Scheme.
 - £180,000: Early Years - Improvement to New Farm Nursery Class.
 - £150,000: Curriculum Development and Support; and
- (ii) otherwise, to note the contents of the report.

FUNDING OF ADDITIONAL TEACHERS IN 2007/08

6E. There was submitted a report dated 1 August 2007 (circulated) by the Executive Director of Educational and Social Services on additional funding which had been provided to employ additional teachers in session 2007/08 and which sought approval for its use.

Cabinet agreed:-

- (i) to note the additional funding of £217,800 which had been provided for additional teachers in 2007/08;
- (ii) to approve the proposal for additional 7.6 FTE of additional teaching staff (5 FTE approximately to be deployed in the pre-school sector and 2.6 FTE approximately in the primary sector) as outlined in Section 3 of the report; and
- (iii) otherwise, to note the contents of the report.

FUNDING FOR EARLY YEARS PARTNER PROVIDERS (Item 7, Page 2225, 03/07)

7E. There was submitted a report dated 3 July 2007 (circulated) by the Executive Director of Educational and Social Services which sought approval for the payment per place for Partner Providers to deliver pre-school education and care.

Cabinet having noted deletion of proposal (ii) in paragraph 1.1: Purpose of the Report agreed:-

- (i) to approve the level of £1,591 per place for Partner Providers; and
- (ii) otherwise, to note the contents of the report.

CHARGES FOR SCHOOL MEALS

8E. There was submitted a report dated 30 July 2007 (circulated) by the Executive Director of Educational and Social Services which proposed revised charges for school meals and catering services to be implemented for this school year.

Cabinet agreed:-

- (i) to approve the increase in charges to pupils and for the equivalent value of free meals to increase by 2.63% to £1.56 for implementation for this school year;
- (ii) that other charges for catering for meetings, community meals and staff catering were increased by a similar amount that ensured their financial sustainability; and
- (iii) otherwise, to note the contents of the report.

SCHOOL ESTATE MANAGEMENT PLAN 2007

9E. There was submitted a report dated 30 July 2007 (circulated) by the Executive Director of Educational and Social Services which sought approval of the 2007 School Estate Management Strategy and its submission to the Scottish Executive.

Cabinet agreed:-

- (i) to approve the 2007 School Estate Management Plan;
- (ii) that the Executive Director of Educational and Social Services submit the 2007 School Estate Management Plan to the Scottish Executive;
- (iii) that the Executive Director of Educational and Social Services produce future reports to Cabinet on the issue of surplus capacity; and
- (iv) otherwise, to note the contents of the report.

GALSTON PRIMARY, GLEBE ROAD, GALSTON AND GALSTON NURSERY SCHOOL, BREWLANDS STREET, GALSTON

10E. There was submitted a report dated 31 July 2007 (circulated) by the Executive Director of Educational and Social Services on the position regarding the former Galston Primary and Nursery School and surrounding land situated at Glebe Road and Brewland Street, Galston and which recommended appropriate action.

Cabinet agreed:-

- (i) that the property and lands occupied by Galston Primary School be declared surplus to the requirements of the Department of Educational and Social Services with effect from the date of relocation;
- (ii) that the property and lands occupied by Galston Nursery School be declared surplus to the requirements of the Department of Educational and Social Services with effect from the date of relocation;

- (iii) that the properties and lands be immediately referred to the Executive Head of Finance and Asset Management for reallocation, marketing for lease or disposal in accordance with Council policy; and
- (iv) otherwise, to note the contents of the report.

FREE SCHOOL MEAL TRIAL - P1 TO P3 PRIMARY SCHOOLS

- 11E.** There was submitted a report dated 30 July 2007 (circulated) by the Executive Director of Educational and Social Services which sought approval for East Ayrshire to participate as one of the authorities involved in trialing free school meals for P1 to P3 pupils from October 2007 to March 2008.

Cabinet agreed:-

- (i) to approve East Ayrshire's participation in the Scottish Executive's free school meals pilot and to remit to the Executive Director of Educational and Social Services to put all necessary arrangements in place to ensure it was provided efficiently and effectively;
- (ii) that the Executive Director of Educational and Social Services submit a progress report to the Cabinet in January 2008 on the expenditure costs of the project at that time; and
- (ii) otherwise, to note the contents of the report.

Church Representatives Bill McGregor, John McHugh and Dr Ivy Barclay left the meeting at this point.

ENVIRONMENT AND REGENERATION

ADDITIONAL MEMORIAL CHARGES REPORT

- 12.** There was submitted a report dated 17 July 2007 (circulated) by the Executive Director of Neighbourhood Services which requested that Cabinet consider the introduction of two new charges for memorial installations.

Cabinet agreed:-

- (i) to implement the additional charges in relation to memorial installation services as follows:-
 - Tablets/Plaques and Open Books:
 - Up to 24x18 inches - £50.00
 - 24x18 to 30x24 inches - £75.00; and
- (ii) otherwise, to note the contents of the report.

WATERPROOFING OF CAR PARKING FLOOR AT FOREGATE MULTI-STOREY CAR PARK, KILMARNOCK

- 13.** There was submitted a report dated 13 August 2007 (circulated) by the Executive Director of Neighbourhood Services which sought approval to carry out the waterproofing of four floors of the Foregate Multi-Storey Car Park at an estimated cost of £130,000.

Cabinet agreed to approve the expenditure of £130,000 required to renew the coloured coating on the two ground floor levels and waterproofing the two roof levels of the Foregate Multi Storey Car Park.

WHITELEE WINDFARM

14. There was submitted a joint report dated 2 August 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Neighbourhood Services which sought approval of (a) the dispersal of community benefit contributions from Scottish Power; (b) the appointment of a Project Development Officer; and (c) the continued involvement of Council Officers on the Whitelee Access Planning Group.

Cabinet agreed:-

- (i) to note the progress made in respect of Whitelee Windfarm;
- (ii) to agree 100% allocation of the community benefit contributions for the first 31 months to the Access Action Plan and, thereafter, remit to the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Neighbourhood Services to review the proportion of contributions between the Access Action Plan and wider community projects, based on agreed Local Plan policy and to report to Cabinet with recommendations;
- (iii) to approve the joint appointment with East Renfrewshire and South Lanarkshire Councils, of a Project Development Officer for a fixed term three year period at a cost of £20,000 from the East Ayrshire Access Action Plan Fund allocation;
- (iv) to approve the continued involvement of the Developer Contributions Officer and Countryside Development Manager on the Whitelee Access Planning Group;
- (v) to note that the updated Access Action Plan would be presented to a future meeting of Cabinet for approval; and
- (vi) that the Depute Chief Executive/Executive Director of Corporate Support report to future meetings of Cabinet on (i) a review of the present Community Benefit Contribution Policy in terms of Section 75 Agreements including the Minerals Trust; (ii) Wind Farm contributions; and (iii) other Developer Contribution Funds.

EXCLUSION OF PRESS AND PUBLIC

15. 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 9 of Schedule 7A of the Act".

PROPOSED SALE OF LAND AT QUEENS DRIVE, KILMARNOCK

16.1 Declaration of Interest

Councillor Hugh Ross declared a non-financial interest in this item and took no part in the discussion or decision.

16.2 Consideration of Item

There was submitted a joint report dated 2 August 2007 (circulated) by the Executive Head of Finance and Asset Management and Solicitor to the Council on the current position regarding the Queens Drive development site and which sought approval for (i) the proposed disposal of land owned by the Council and extending to 1.561 hectares (3.865 acres) or thereby at Queens Drive, Kilmarnock to the party identified in the report; and (ii) the proposed lease of land owned by the Council extending to 1.788 hectares (4.418 acres) or thereby and land to be transferred to the Council by the party identified in the report extending to 0.984 hectares (2.431 acres) or thereby to the party identified in the report.

Cabinet agreed:-

- (i) to dispose of land extending to 1.561 hectares (3.856 acres) or thereby at Queen's Drive, Kilmarnock to the party identified in the report for the purchase price and conditions detailed in the report;
- (ii) to accept the transfer of ownership of land extending to 0.984 hectares (2.134 acres) at Queens Drive, Kilmarnock, at no cost, from the party identified in the report, and agreed that this land, together with adjoining land extending in total to 2.772 hectares (6.849 acres) or thereby, be leased to the party identified in the report for a term of 60 years for the purpose of forming a sports pitch and for no other purpose;
- (iii) to authorise the Solicitor to the Council to conclude both transactions; and
- (iv) otherwise, to note the contents of the report.

The meeting terminated at 1048 hours.