

**EAST AYRSHIRE COUNCIL****CABINET****MINUTES OF MEETING HELD ON WEDNESDAY 16 SEPTEMBER 2009 AT 1000 HOURS IN THE LORENY COFFEE BAR, SHORTLEES COMMUNITY EDUCATION CENTRE, KILMARNOCK**

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

**ATTENDING:** Fiona Lees, Chief Executive; 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; 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; Alan Neish, Head of Planning and Economic Development; Eddie Fraser, Head of Service: Community Care; Kay Gilmour, Head of Service: Community Support; and Christine Baillie, Senior Administrative Officer.

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

**CHAIR'S REMARKS**

1. The Chair welcomed Bryce Wilson from Doon Academy to his first Cabinet meeting, and advised that Bryce had been nominated as the Teacher Representative to serve on Cabinet when it was dealing with Education business, following the resignation of Iain Harvey.

**LIFELONG LEARNING****EARLY EDUCATION AND CHILDCARE FUNDING TO OUT OF SCHOOL CARE GROUPS 2009/2010 (Item 4E, Page 655, 07/12)**

- 2E. There was submitted a report dated 3 September 2009 (circulated) by the Executive Director of Educational and Social Services which sought approval for the allocation of funds to out of school care organisations from September 2009 to 31 March 2010.

Cabinet agreed:-

- (i) to approve £55,137 to support out of school services to 31 March 2010 in accordance with the revised Out of School Funding Formula set out in Appendix 1;
- (ii) that the outcome of the further phase of review be considered by Cabinet as part of the budget setting proposals for 2010/11 onwards; and
- (iii) otherwise, to note the contents of the report.

**FRAMEWORK FOR LEARNING COMMUNITIES AND ASSOCIATED ROLL OUT OF AN INTEGRATED ASSESSMENT FRAMEWORK (Item 3.2, Page 755, 07/12)**

- 3E.** There was submitted a report dated 3 September 2009 (circulated) by the Executive Director of Educational and Social Services which provided Members of Cabinet with information in respect of a Framework for Learning Communities and the associated roll out of an integrated assessment framework for children and young people and which sought endorsement for those proposals.

Cabinet agreed:-

- (i) to endorse the proposals contained within the report; and
- (ii) otherwise, to note the contents of the report.

Councillor Jim Roberts, Church Representative Bill McGregor, Teacher Representative Bryce Wilson and Parent Representative David Fraser left the meeting at this point.

**COMMUNITY WELLBEING**

**JOINT INSPECTION OF SERVICES TO PROTECT CHILDREN AND YOUNG PEOPLE IN THE EAST AYRSHIRE COUNCIL AREA 2009**

- 4.** There was submitted a report dated 3 September 2009 (circulated) by the Executive Director of Educational and Social Services which advised of the HMIE Joint inspection of services to protect children and young people in the East Ayrshire Council area which was scheduled to take place between Monday 26 October 2009 and 13 November 2009.

Cabinet agreed:-

- (i) to note the HMIE new three year inspection cycle for joint inspections to protect children and the revised quality indicators; and
- (ii) otherwise, to note the contents of the report.

**AYRSHIRE CRIMINAL JUSTICE PERFORMANCE INSPECTION BY THE SOCIAL WORK INSPECTION AGENCY**

- 5.** There was submitted a report dated 3 September 2009 (circulated) by the Executive Director of Educational and Social Services which advised of the final outcome of the performance inspection which had been undertaken by the Social Work Inspection Agency of the Ayrshire Criminal Justice Social Work Partnership in December 2006/January 2007.

Cabinet agreed:-

- (i) to note that the findings had been reported to the Ayrshire Criminal Justice Joint Committee which had delegated authority to manage the Criminal Justice Social Work Services across Ayrshire;
- (ii) to note the progress made in improving the delivery of Criminal Justice Social Work Services in East Ayrshire as noted by the Social Work Inspection Agency in July 2009; and
- (iii) otherwise, to note the contents of the report.

**STEWARTON SPORTS FACILITIES (Item 3, Pages 601, 602, 07/12)**

6. There was submitted a report dated 9 September 2009 (circulated) by the Executive Director of Neighbourhood Services which updated Members on progress with the development of new sports facilities in Stewarton and which sought approval for the selection of a preferred site for the new sports hall and full size synthetic grass pitch.

Cabinet agreed:-

- (i) to note the selection of Strandhead Park as the preferred site for the new indoor and outdoor sports facilities in Stewarton;
- (ii) to note the indicative design and cost proposals as outlined in the report;
- (iii) to remit to the Executive Director of Neighbourhood Services and the Executive Head of Finance and Asset Management to progress the project in line with this report; and
- (iv) otherwise, to note the contents of the report.

**KICK START COUNCIL HOUSE BUILDING BID SUBMISSION  
(Item 5, Page 556, 07/12)**

7. There was submitted a report dated 10 September 2009 (circulated) by the Executive Director of Neighbourhood Services which sought authority to submit to the Scottish Government a bid for funding to assist in the provision of new Council housing across East Ayrshire on sites at Creelshaugh Road, Fenwick, Drumbrochan, Cumnock and Newlands Drive and Lammermuir Road, Kilmarnock as identified on the plans attached to the report as Appendices 1 to 4, in accordance with the approved East Ayrshire Strategic Housing Investment Plan 2009/10 - 2013/14 and which sought authority in the event of the submission being successful to appoint both Atrium Initiatives and Shire Housing Association as the Council's agents to manage the design and build projects in respect of the second phase of the Council's house building programme.

Cabinet agreed:-

- (i) to note that in connection with paragraph 6.1.5 of the report, the planning applications would require to be determined by the relevant Local Planning Committee as the applications related to land in the ownership of the Planning Authority;
- (ii) to authorise the submission of the second phase bid for funding to the Scottish Government and CoSLA to assist in the provision of new Council housing across East Ayrshire in accordance with the total number of new build Council houses as set out within the approved East Ayrshire Strategic Housing Investment Plan 2009/10 - 2013/14 to include the sites at Creelshaugh Road, Fenwick, Drumbrochan, Cumnock and Newlands Drive and Lammermuir Road, Kilmarnock;
- (iii) subject to Scottish Government approval of the second stage bid, to authorise the appointment of Atrium Homes or their subsidiary company Atrium Initiatives and Shire Housing Association Ltd to manage the design and build process relative to the second phase of the Council house building programme for the reasons detailed in paragraph 6.1.9 of the report in

accordance with the provisions of paragraph 20(1) of the Council's Standing Orders Relating to Contracts;

- (iv) due to the timescales involved, that authorisation be given to implement recommendation (ii) above, prior to any consideration by the Governance and Scrutiny Committee as to delay implementation would seriously prejudice the Council's position in relation to achieving a site start next financial year;
- (v) to note that a further report on progress would be submitted to a future Cabinet meeting; and
- (vi) otherwise, to note the contents of the report.

## **ENVIRONMENT AND REGENERATION**

### **SPORTS PAVILION PROGRESS REPORT**

- 8.** There was submitted a report dated 3 September 2009 (circulated) by the Executive Director of Neighbourhood Services which updated the Cabinet on progress with the capital programme project to upgrade sports pavilions.

Cabinet agreed:-

- (i) to note the progress made with the designs and costings for new pavilions at Knockentiber and Netherthird;
- (ii) to remit to the Executive Head of Finance and Asset Management to negotiate a lease of the Knockentiber Playbarn to the Kilmarnock Sports Acrobatics Club once agreement had been reached to terminate the current lease;
- (iii) to note that improvement works were planned for Cocklebie Park, Stewarton, Lugar and Western Road, Galston pavilions utilising the remainder of the allocated capital programme sum; and
- (iv) otherwise, to note the contents of the report.

### **HOWARD PARK AND STREETSPOUT CAGES - UPDATE REPORT**

- 9.** There was submitted a report dated 31 August 2009 (circulated) by the Executive Director of Neighbourhood Services which updated Cabinet on the projects to improve facilities in Howard Park and provide new Streetsport Cages in Mauchline and Gargieston, Kilmarnock.

Cabinet agreed:-

- (i) to note the programme of work currently underway in Howard Park, Kilmarnock;
- (ii) to note the preference for Beechgrove Park, Mauchline as the site for the Streetsport Cage, subject to the results of the consultation exercise;
- (iii) to allocate funds to a playpark in Gargieston rather than a Streetsport Cage; and
- (iv) otherwise, to note the contents of the report.

## **MANAGEMENT AND RESOURCES**

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

10. 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".

### **BUSINESS DEVELOPMENT SUPPORT THROUGH FORMING PARTNERSHIPS TO PROVIDE FACTORY ACCOMMODATION IN CUMNOCK (PARA 9)**

11. There was submitted a report dated 8 September 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised of recent discussions with the management of two local businesses in respect of possible Council support to facilitate the continuation of operations and possible future expansion at their current locations and which sought authority to progress with negotiation of provisional terms and conditions, subject to the further approval of Cabinet.

Cabinet agreed:-

- (i) to approve the principle of the Council seeking to purchase the property identified in the report, with a view to refurbishing and sub-dividing it to create factory and storage accommodation which met current local business expansion needs; and
- (ii) to authorise the Solicitor to the Council, the Executive Head of Finance and Asset Management and the Head of Planning and Economic Development to undertake all necessary investigations and negotiations to develop a full business case which would be the subject of a further report to Cabinet, seeking formal approval of the outcome of these negotiations and discussions.

### **SEVERANCES (PARA 1)**

12. There was submitted a report dated 3 September 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought Cabinet's approval of severance arrangements for six employees in the Departments of Educational and Social Services and Neighbourhood Services.

Cabinet agreed:-

- (i) having heard an update from the Head of Human Resources in connection with the employee detailed in paragraph 2.2 of the report, to note that the employee had now been redeployed within the Department of Educational and Social Services and would, therefore, not leave the Council's service at this time;
- (ii) to note that as a consequence of recommendation (i) above the financial implications detailed in paragraph 2.5 and Appendix A of the report should now read £152,133 during financial year 2009/10; and

- (iii) to approve the severance arrangements for the four other employees as detailed in paragraph 2 of the report and the employee as detailed in paragraph 3 of the report and as outlined in Appendix A to the report.

The meeting terminated at 1050 hours.