

EAST AYRSHIRE COUNCIL**CABINET****MINUTES OF MEETING HELD ON WEDNESDAY 19 AUGUST 2009 AT 1000 HOURS IN NETHERTHIRD COMMUNITY CENTRE, RYDERSTON DRIVE, CUMNOCK**

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

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; David Mitchell, Head of Legal, Procurement and Regulatory Services; Alan Neish, Head of Planning and Economic Development; Eddie Fraser, Head of Service: Community Care; Andrew Sutherland, Head of Service: Schools; Susan Taylor, Head of Service: Children, Families and Criminal Justice; Ruth Irwin, Educational Psychologist; Catriona Cochrane, Public Relations Officer and Christine Baillie, Senior Administrative Officer.

IN ATTENDANCE: John McHugh, Former Church Representative.

APOLOGY: Councillor Jim Todd.

CHAIR: Councillor Douglas Reid, Leader of the Council.

CHAIR'S REMARKS

1. The Chair welcomed to the meeting Ruth Irwin, Educational Psychologist.

The Chair then went on to intimate the resignation of John McHugh, Roman Catholic Church Representative. He went on to say "All of us who, over the years, have been involved in Cabinet and Committee debates on Education learned of John McHugh's resignation as Roman Catholic representative with some sadness. John has been a longstanding and valued member of this Cabinet and its predecessors. Alongside his two Church Representative colleagues (of whom he has had many!) John's experience and wisdom will be greatly missed.

In truth, John is one of our most experienced members. He has supported us since the earliest days of East Ayrshire Council, and been present for our deliberation on all important matters in Education. Whenever there was a church interest he was always tireless in both seeking views and relaying these with great tact and diplomacy - always with the interest of the educational welfare of young people as his foremost consideration. Never afraid to ask a challenging question, his courtesy was unflinching. It is this courtesy and tact that has been one of his greatest strengths in supporting our work. He would be the first to admit that his work has taken him to some of the most interesting and challenging public debates in the life of the Council where he always made a positive, and supportive impact.

One of the parts of his job which is insufficiently recognised is to act as a link between the Diocese and the Education Authority. He was an excellent

ambassador, and I know the bishop will greatly miss his services and advice. So will we.

I can do no more than wish John all the best for the future and to thank him sincerely for everything he has done for East Ayrshire for the last 13 years”.

The Chair then presented John with a small gift as a token of the Council's appreciation.

John then intimated his thanks to Elected Members and Officers and in particular to Graham Short, Executive Director of Educational and Social Services and his staff and Councillor John Knapp former Vice-Chair of the Education Committee.

John McHugh then left the meeting.

COMMUNITY PLANNING AND EQUALITIES

RACE EQUALITY AND PARTNERSHIP WITH SHOW RACISM THE RED CARD

- 2E.** There was submitted a report dated May 2009 (circulated) by the Executive Director of Educational and Social Services which updated Members on the progress of East Ayrshire Council's commitment to Race Equality programmes with particular reference to a curriculum programme between East Ayrshire Council, the organisation called: "Show Racism the Red Card" and Kilmarnock Football Club and which sought approval for this joint curriculum programme to continue over the next three years.

Cabinet agreed:-

- (i) to approve the development of the curriculum race equality programme involving pupils from across East Ayrshire; and
- (ii) otherwise, to note the contents of the report.

LIFELONG LEARNING

SCHOOL HOLIDAY ARRANGEMENTS 2010/2011

- 3E.** There was submitted a report dated 30 July 2009 (circulated) by the Executive Director of Educational and Social Services which informed Cabinet of the consultation exercise carried out regarding school holiday arrangements for school session 2010/2011 and which sought agreement of Cabinet to implement the preferred school holiday option.

Cabinet agreed:-

- (i) to accept Appendix 2 of the report as the proposed school holiday arrangements for school session 2010/2011; and
- (ii) otherwise, to note the contents of the report.

PILOTING OF NURTURE CLASSES IN EAST AYRSHIRE

- 4E.** There was submitted a report dated August 2009 (circulated) by the Executive Director of Educational and Social Services which sought Cabinet approval to pilot nurture classes in East Ayrshire primary schools and develop nurturing approaches in Early Years establishments.

Cabinet agreed:-

- (i) to approve the pilot of four nurture classes and support a model of early years practice in nurture;
- (ii) that the Executive Director of Educational and Social Services submit regular updates to Cabinet on the ongoing impact of the nurture approach; and
- (iii) otherwise, to note the contents of the report.

REVISED MODEL FOR THE DELIVERY OF OUTDOOR EDUCATION IN EAST AYRSHIRE (Item 3, Page 600, 07/12)

- 5E.** There was submitted a report dated 12 August 2009 (circulated) by the Executive Director of Educational and Social Services which sought approval from Cabinet on a revised strategy for the delivery of Outdoor Education in East Ayrshire following the April 2009 Business Review.

Cabinet agreed:-

- (i) to approve the proposed model of delivery of outdoor education as outlined in the report; and
- (ii) otherwise to note the contents of the report.

**NON-ELECTED MEMBER REPRESENTATION -
ROMAN CATHOLIC CHURCH REPRESENTATIVE**

- 6E.** There was submitted a joint report dated 6 August 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Educational and Social Services (i) which advised the Cabinet of the resignation of John McHugh as the Roman Catholic Church Representative; and (ii) which informed the Cabinet that the Depute Chief Executive/Executive Director of Corporate Support had made appropriate arrangements to seek a replacement Roman Catholic Church Representative to be appointed to serve on the Cabinet, as soon as possible, for the remaining life of the Cabinet and the current Council.

Cabinet agreed:-

- (i) to note the resignation of Mr John McHugh as Roman Catholic Church Representative;
- (ii) to note that the Depute Chief Executive/Executive Director of Corporate Support had made appropriate arrangements to obtain a replacement for a Roman Catholic Church Representative to serve on the Cabinet while dealing with Education business;
- (iii) to note that the representative would be appointed to serve for the remaining life of the Cabinet and the current Council, with full voting rights, subject to their remaining eligible to hold such appointment; and
- (iv) otherwise, to note the contents of the report.

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

COMMUNITY WELLBEING

A PUBLIC RELATIONS ACTION PLAN FOR SOCIAL WORK SERVICES IN EAST AYRSHIRE

7. There was submitted a report dated 3 August 2009 (circulated) by the Executive Director of Educational and Social Services which sought approval of a Public Relations Action Plan for social work services in East Ayrshire Council, with a view to developing an increased understanding of the positive and challenging work undertaken by social work staff.

The Chief Executive reported that the Action Plan sat well with the Council's Public Performance Reporting arrangements; community engagement strengths; and public protection responsibilities.

The Chief Executive further reported that in addition to developing further career opportunities for local people, East Ayrshire Council also competed effectively with larger Local Authorities in attracting qualified Social Workers, this being achieved largely through the excellent reputation East Ayrshire Council had within the Social Work/Social Care field and through the work done by East Ayrshire Council Social Work Staff at job fairs.

Cabinet, having noted the Chief Executive's comments agreed:-

- (i) to approve the draft Action Plan (attached to the report); and
- (ii) otherwise, to note the contents of the report.

ENVIRONMENT AND REGENERATION

TOWN CENTRE REGENERATION FUND BIDS - PROJECT DEVELOPMENT

8. There was submitted a report dated 6 August 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which updated Cabinet on the submission and outcome of the three bids for Kilmarnock, Cumnock and Galston town centres to Tranche 1 of the Scottish Government's Town Centre Regeneration Fund and which sought approval for the next steps in developing the schemes further.

Cabinet agreed:-

- (i) to note that £80,000 funding had now been secured from the Railway Heritage Trust;
- (ii) to note the outcome of the three bids for Kilmarnock, Cumnock and Galston town centres to Tranche 1 of the Town Centre Regeneration Fund;
- (iii) that the Depute Chief Executive/Executive Director of Corporate Support resubmit the Kilmarnock project and the Darvel project, as detailed in Paragraph 8 of the report, to Tranche 2 of the Town Centre Regeneration Fund;
- (iv) to note the requirement to accelerate the Capital Investment Programme to contribute to the cost of the Cumnock and Galston projects as detailed in Paragraph 10.1 of the report and that the programme be similarly accelerated for the Kilmarnock and Darvel projects as detailed in Paragraph 10.1 of the report, subject to the TCRF bids being successful;

- (v) to note the key stages involved in the further development of each of the projects as outlined in the relevant sections of the report;
- (vi) to agree to the engagement of professional support as required for each of the projects and the consequential financial implications;
- (vii) that the additional recurring pressure of £57,500 per year be considered as part of the 2010/11 revenue budget setting process to cover the additional maintenance requirements of the projects;
- (viii) in view of the terms of complying with deadlines for the Scottish Government's Town Centre Regeneration Fund that those matters referred to in recommendations (iii) and (vi), above, be implemented ahead of any consideration by the Governance and Scrutiny Committee on the grounds of urgency as the call-in process would prevent the timeous submission of the applications; and
- (ix) otherwise, to note the contents of the report.

**KILMARNOCK CONSERVATION AREA REGENERATION SCHEME -
GRANT APPLICATION FOR WORKS AT 39-41 JOHN FINNIE STREET,
KILMARNOCK (ATRIUM HOMES)**

9. There was submitted a report dated 10 August 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought approval of a Conservation Area Regeneration Scheme (CARS) grant in respect of the property at 39-41 John Finnie Street, Kilmarnock (Atrium Homes Ltd).

Cabinet agreed to approve a CARS grant of £70,000 for a replacement shop front of traditional design and construction for 39-41 John Finnie Street, Kilmarnock, with the Head of Planning and Economic Development being authorised to increase the offer of grant by up to 10%, subject to the verification of any further additional costs by the CARS Project Officer.

**ALTERATION TO THE EAST AYRSHIRE LOCAL PLAN, OUTSTANDING
OBJECTIONS TO THE LOCAL PLAN AND OBJECTIONS RECEIVED IN
RESPECT OF AGREED MODIFICATIONS**

10. It was agreed to withdraw this item and that it be submitted to a future meeting of the Cabinet.

MANAGEMENT AND RESOURCES

EAST AYRSHIRE TWINNING ASSOCIATION

11. There was submitted a report dated 16 July 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which asked Cabinet to consider a request for financial assistance from the East Ayrshire Twinning Association.

Cabinet agreed:-

- (i) to approve the application for financial assistance for £500 in relation to general running costs;
- (ii) to remit to the Depute Chief Executive/Executive Director of Corporate Support to assist the Twinning Association in the preparation of a three year activity

plan, to include projected financial implications, in recognition of the part the Twinning Association could play in potential future twinning initiatives arising from Homecoming year events;

- (iii) to remit to the Depute Chief Executive/Executive Director of Corporate Support to consider the feasibility of developing further the links in New Zealand, made by Fenwick Weaver's Co-operative; and
- (iv) to remit to the Depute Chief Executive/Executive Director of Corporate Support to liaise with Guy Willoughby, Chief Executive, HALO Trust to discuss developing the existing friendship link with Sukhum, Abkazia.

NEGOTIATED PROCUREMENT FOR THE PROVISION OF E-COUNTING SERVICES IN RESPECT OF THE FORTHCOMING BY-ELECTION FOR WARD 9, DOON VALLEY

12. There was submitted a report dated 5 August 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which sought Cabinet approval for the negotiated provision of e-counting services in respect of the forthcoming By-Election for Ward 9, Doon Valley.

Cabinet agreed:-

- (i) to approve the negotiation of the provision of e-counting services from DRS Data Services Ltd., in accordance with Paragraph 20(1) of the Council's Standing Orders Relating to Contracts; and
- (ii) otherwise, to note the contents of the report.

'KEEP JOHNNIE WALKER IN KILMARNOCK' CAMPAIGN

13. There was submitted a report dated 5 August 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised Cabinet of the progress on the campaign and which sought approval for the provision of additional funding to continue with campaign activity over the 90 day consultation period in respect of Diageo's proposed closure of their Johnnie Walker Kilmarnock Packaging Plant.

Cabinet agreed:-

- (i) to approve the allocation of £25,000 from the General Fund Balances and £25,000 from the Kilmarnock Common Good Fund in respect of the 'Keep Johnnie Walker in Kilmarnock' Campaign;
- (ii) that the authority remitted to the Head of Democratic Services to expend approved finance continue, but that in respect of funding allocated against the Kilmarnock Common Good Fund, that he liaise with the Executive Head of Finance and Asset Management or the Financial Controller as appropriate; and
- (iii) that the Head of Democratic Services review the total expenditure on the campaign to ascertain if other elements of the campaign expenditure could be attributed to the Kilmarnock Common Good Fund and to submit a report to a future meeting of Cabinet in respect of any proposals in this regard.

The Chair asked that his appreciation of the excellent work carried out by Officers on the Campaign Team be recorded.

EFFICIENT GOVERNMENT RETURN

14. There was submitted a report dated 6 August 2009 (circulated) by the Executive Head of Finance and Asset Management which presented the proposed Efficient Government Return for approval prior to submission to CoSLA for incorporation into a Scotland wide report for the Scottish Government.

Cabinet, having noted that the figure shown in the table in paragraph 5.2 under Non Cashable £M for 2008/09 should read 5.176, agreed:-

- (i) to approve the proposed Efficient Government submission; and
- (ii) otherwise, to note the contents of the report.

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 1 of Schedule 7A of the Act".

SHARED SERVICES - REGULATORY SERVICES

16. There was submitted a report dated 19 August 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support (i) which sought approval from Cabinet to take forward the recommendations for progressing shared services across the following regulatory services: Building Standards, Environmental Health and Trading Standards; and (ii) which provided a general overview of each of the three service areas along with further details of an options appraisal exercise carried out by a team of three Senior Officers in May 2009.

Cabinet agreed:-

- (i) to note the update provided by the Depute Chief Executive/Executive Director of Corporate Support on developments generally in Shared Services;
- (ii) to the development of a Joint Ayrshire Regulatory Service, in principle, with all three services identified within the report, managed by one lead Council;
- (iii) that further work be undertaken to progress the development of the joint service, including the determination of a lead authority and that a further report be brought before Cabinet detailing the proposed arrangements for the joint service including any potential financial implications; and
- (iv) otherwise, to note the contents of the report.

The meeting terminated at 1112 hours.