

EAST AYRSHIRE COUNCIL

CABINET

MINUTES OF SPECIAL MEETING HELD ON WEDNESDAY 29 JULY 2009 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors Douglas Reid, Iain Linton, John MacKay, Hugh Ross, Jim Todd and Robert McDill.

ATTENDING: Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Corporate Support; Bill Stafford, Executive Director of Neighbourhood Services; David Mitchell, Head of Legal, Procurement and Regulatory Services; Robin Baker, Financial Controller; Caroline Gordon, Public Relations Officer; and Lynn Young, Administrative Officer.

APOLOGIES: Councillors Jim Buchanan, Jim Roberts and Kathy Morrice.

CHAIR: Councillor Douglas Reid, Leader of the Council.

CHAIR'S REMARKS

1. The Chair expressed the Cabinet's deepest sympathies at the death of Councillor Jim Sutherland and intimated that the Cabinet's thoughts were with Councillor Sutherland's family at this sad time.

MANAGEMENT AND RESOURCES

**EDINBURGH MILITARY TATTOO DUMFRIES HOUSE:
THURSDAY 20 AUGUST 2009**

2. There was submitted a joint report dated 23 July 2009 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support and the Executive Director of Neighbourhood Services which advised of the confirmation of a free "Taste of the Tattoo" performance to be held at Dumfries House and which sought approval for funding provision to support the costs of the event.

Having noted that the audience would include Primary 7 pupils from East Ayrshire and not Primary 6 as detailed in the report, Cabinet agreed to support the Taste of the Tattoo event in the sum of £10,000 of cash contribution, plus additional costs of £2,000 for the provision of transport for school children to attend the event, and to supplement this by a further £3,000 support in kind.

EXCLUSION OF PRESS AND PUBLIC

3. 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 MINUTE OF AGREEMENT WITH ZURICH ASSURANCE LIMITED IN CONNECTION WITH THE PROPOSED SUB-DIVISION AND RE-LETTING OF THE FORMER WOOLWORTHS UNIT AT 8/10 KING STREET AND 21 BURNS MALL, KILMARNOCK

4. There was submitted a joint report dated 22 July 2009 (circulated) by the Solicitor to the Council and Executive Head of Finance and Asset Management which sought approval to enter into a Minute of Agreement with Zurich Assurance Ltd in connection with the proposed sub-division and re-letting of the former Woolworths Unit at 8/10 King Street and 21 Burns Mall, Kilmarnock.

Cabinet agreed:-

- (i) that Landlord's Consent be granted to undertake the proposed alterations associated with the sub-division of Unit 8/10 King Street and 21 Burns Mall, Kilmarnock, to create two units subject to the Head Tenant obtaining all necessary statutory consents;
- (ii) that Landlord's Consent be granted to allow the Head Tenant to enter into sub-leases with the potential tenants detailed within the report in respect of the new units being created;
- (iii) to authorise the Solicitor to the Council to enter into a formal Minute of Agreement with Zurich Assurance Ltd to regulate the procedure for paying the Council's share of the costs associated with the sub-division and re-letting of the unit at 8/10 King Street and 21 Burns Mall, Kilmarnock;
- (iv) to approve the allocation of the actual funding required from the Renewals and Repairs Fund;
- (v) to instruct that the decision be implemented ahead of any consideration by the Governance and Scrutiny Committee on the grounds of urgency on the basis that the call-in process could result in serious prejudice to the Council's position; and
- (vi) otherwise, to note the contents of the report.

The meeting terminated at 1023 hours.