

EAST AYRSHIRE COUNCIL

CABINET

**MINUTES OF SPECIAL MEETING HELD ON WEDNESDAY 22 JUNE 2011 AT
1000 HOURS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Douglas Reid, Iain Linton, John MacKay, Maureen McKay, Jim Buchanan, Robert McDill, Neil McGhee (as Substitute for Councillor Barney Menzies), Jim Roberts, and Kathy Morrice.

ATTENDING: Fiona Lees, Chief Executive; Elizabeth Morton, Depute Chief Executive/Executive Director of Neighbourhood Services; Alex McPhee, Executive Director of Finance and Corporate Support; Bill Walkinshaw, Head of Democratic Services; Craig McArthur, Head of Finance; Martin Rose, Head of Human Resources; David Mitchell, Head of Legal, Procurement and Regulatory Services; Alan Neish, Head of Planning and Economic Development; John Bryson, Head of Roads and Transportation; Eddie Fraser, Head of Service: Community Care; James Lally, Best Value and Performance Officer; and Christine Baillie, Senior Administrative Officer.

APOLOGIES: Councillors Hugh Ross, Jim Todd and Barney Menzies.

CHAIR: Councillor Douglas Reid, Leader of the Council.

ORDER OF BUSINESS

1. The Chair at his discretion and in terms of Standing Order 19, agreed to alter the order of business to that shown below.

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES

**REVIEW OF MANAGEMENT STRUCTURES - EXECUTIVE SUMMARY AND
PROGRESS REPORT (Item 8E, Page 1501, 07/12)**

2. There was submitted a report dated 15 June 2011 (circulated) by the Chief Executive which (i) provided an executive summary of the outcome of the reviews of the Finance Service, the Planning and Economic Development Service and the Internal Audit Service; (ii) advised of overall progress against the management review programme; (iii) advised of a number of cross cutting activities that had been identified during the course of the management reviews completed to date; and (iv) proposed further examination and business review of these areas all in accordance with the Council's Efficiency Strategy (SRRB2).

Cabinet agreed:-

- (i) to note the proposed structural changes to the Finance Service and the Planning and Economic Development Service, as outlined within the separate reports to Cabinet, on the outcome of these reviews;
- (ii) to note the review of the Internal Audit Service, as outlined within the separate report to Cabinet;

- (iii) that the two outstanding Phase 1 reviews (Central Support Services and Waste Management, Outdoor Amenities and Street Cleaning Services), be carried forward into the second phase of the review programme;
- (iv) to note the excellent overall progress made against the ambitious management review programme;
- (v) to note that a wider business review of the Council's customer contact arrangements would be incorporated into the Council's Efficiency Strategy (SRRB2); and
- (vi) otherwise, to note the contents of the report.

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 1 of Schedule 7A of the Act".

REVIEW OF MANAGEMENT STRUCTURES - PLANNING AND ECONOMIC DEVELOPMENT

4. There was submitted a report dated 10 June 2011 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which advised of the outcome of the review of management structures within Planning and Economic Development and which made recommendations for the future management arrangements of this service.

Cabinet agreed:-

- (i) to approve the proposed structural changes to the Planning and Economic Development Service as outlined within the report and detailed at Appendix 3 of the report;
- (ii) to approve the exceptions to the guiding principles which were previously agreed by Cabinet;
- (iii) to approve the additions and deletions to the establishment identified in Section 11.4 of the report;
- (iv) to approve the financial implications as detailed in Section 12 of the report;
- (v) to approve the proposals for utilising the additional funding of £217,000 received from the Scottish Government following the transfer of the economic development functions from Scottish Enterprise to Local Government as outlined in Section 6.4.9 of the report;
- (vi) that the income budget be reduced by £0.200m;
- (vii) to approve, subject to final Council approval, the cross service structural proposals as detailed in Section 7 of the report; and
- (viii) otherwise, to note the contents of the report.

RE-ADMITTANCE OF PRESS AND PUBLIC

5. The Press and public were re-admitted to the meeting.

Councillor Jim Buchanan left the meeting at this point.

IMPROVING COMMUNITY HEALTH AND WELLBEING

PROVISION OF CARE HOME SERVICES FOR OLDER PEOPLE IN EAST AYRSHIRE

6. There was submitted a report dated 16 June 2011 (circulated) by the Executive Director of Educational and Social Services which (i) provided information on the current provision of Care Homes in East Ayrshire, a background to the Regulatory Framework and a summary report on performance in the sector; and (ii) sought agreement for revised arrangements to support monitoring, development and performance improvement in the sector.

Having noted that in Appendix 2 of the report the monitoring regime for Crossgates CC was weekly, Cabinet agreed:-

- (i) to note the current provision of Care Homes in East Ayrshire and the variation in quality grades;
- (ii) to note that actions taken by the Council in respect of engaging with the Care Homes where performance was noted at poor or unsatisfactory;
- (iii) to approve the revised arrangements to support monitoring, development and performance improvement in the sector and specifically the addition of two Social Workers to the Community Care establishment;
- (iv) to approve the increased investment in independent advocacy through variation in the contractual arrangements with East Ayrshire Advocacy Services as outlined at Paragraph 7.2 of the report; and
- (v) otherwise, to note the contents of the report.

Councillor Iain Linton left the meeting during discussion of this item.

RESHAPING CARE FOR OLDER PEOPLE (Item 9, Page 1529, 07/12)

7. There was submitted a report dated 16 June 2011 (circulated) by the Executive Director of Educational and Social Services (i) which advised of progress in the development of the Reshaping Care for Older People Programme; (ii) which provided information in respect of the development of the Joint Commissioning Plan 2012-2021; (iii) which sought endorsement of the Transformational Plan that set out for East Ayrshire Community Planning Partnership an investment and implementation strategy to utilise the resources allocated through the Change Fund in support of further progressing the Reshaping Care Agenda; and (iv) which sought agreement of proposals for the initial human resource and commissioning implications for the Council.

Cabinet agreed:-

- (i) to note the final Change Plan submission to the Scottish Government;
- (ii) to endorse the governance arrangement for the East Ayrshire Change Plan as outlined in Sections 3 and 4 of the report;

- (iii) to approve the human resource proposals as detailed in Section 7 of the report and to note the Council's additional investment towards reshaping care for older people;
- (iv) to approve the additional contractual payments outlined in Paragraph 6 of the report to East Ayrshire Carers Centre, Shire Housing (for Care and Repair) and Equipu (Cordial), the Pan Ayrshire Equipment Service;
- (v) to receive further reports from the Executive Director of Educational and Social Services in respect of Reshaping Care; and
- (vi) otherwise, to note the contents of the report.

DELIVERING COMMUNITY REGENERATION

NORTH WEST, KILMARNOCK (Item 1E, Page 460, 07/12)

8. There was submitted a report dated 13 June 2011 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which provided an update on three properties impacting on the quality of the built environment in North West, Kilmarnock. These were (i) Ardbeg Centre; (ii) flatted properties at 45 Ardbeg Avenue; and (iii) Morven Avenue shops.

Councillor Robert McDill, seconded by Councillor John Mackay, moved approval of the recommendations as detailed in the report, subject to the addition of the words "and local based" in recommendation (iii), as detailed below:-

- (i) to note the steps to be taken to achieve the demolition of the Ardbeg Community Centre and the finishing of the cleared site;
- (ii) to approve the use of the Department of Neighbourhood Services' unallocated balances for this purpose;
- (iii) that the cleared site be held for a period of 3 years to allow a viable and funded, and local based, new build option on the cleared site to be developed and to remit to appropriate Officers to advise interested parties accordingly;
- (iv) to note the issue of Demolition Orders to the owners of the flatted properties at 45 Ardbeg Avenue and the subsequent actions detailed at Paragraphs 4 and 6.2 of the report;
- (v) to approve the allocation of up to £0.250m from the Regeneration - Other Areas capital allocation for improvement works to the Morven Avenue shop units; and
- (vi) otherwise, to note the contents of the report.

Councillor Maureen McKay, seconded by Councillor Neil McGhee, moved as an amendment:-

- (i) to note and support the steps to be taken to achieve the demolition of the Ardbeg Community Centre and the finishing of the cleared site;
- (ii) to approve the use of the Department of Neighbourhood Services' unallocated balances for this purpose;
- (iii) that the cleared site be held for a period of 3 years to allow a viable and funded, and local based, new build option on the cleared site to be developed

and to remit to appropriate officers to pro-actively provide interested parties with advice and support in accessing funding to realise local aspirations;

- (iv) to note the issue of Demolition Orders to the owners of the flatted properties at 45 Ardbeg Avenue and the subsequent actions detailed at Paragraphs 4 and 6.2 of the report;
- (v) to approve the allocation of up to £0.250m from the Regeneration - Other Areas capital allocation for improvement works to the Morven Avenue shop units;
- (vi) to note and regret the delays in addressing the environmental issues in North West Kilmarnock; and
- (vii) otherwise, to note the contents of the report.

On a division by a show of hands, the motion was carried by 5 votes to 2.

COMMUNITY SAFETY

PROPOSED EXTENSION OF 30 MPH SPEED LIMIT, A70 AYR ROAD, OCHILTREE

9. There was submitted a report dated 9 June 2011 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which sought approval to extend the existing 30 mph speed limit on route A70, Ayr Road, Ochiltree, west to the junction with the former Netherton Farm.

Cabinet agreed:-

- (i) to approve the proposal to extend the existing 30 mph speed limit on A70 Ayr Road, Ochiltree, as shown in Appendix 1; and
- (ii) otherwise, to note the contents of the report.

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES

ROADS AND TRANSPORTATION CONTRACT OUTTURNS

10. There was submitted and noted a report dated 10 June 2011 (circulated) by the Depute Chief Executive/Executive Director of Neighbourhood Services which advised of the contractual outturns on 5 Roads and Transportation contracts, U10 Carmel Water Bridge, B7073 Causeyfoot West Retaining Wall, B751 Kilmaurs Rail Bridge and Mure Place Footbridge and A71 Moorfield to Corsehouse Repave Contract.

EXCLUSION OF PRESS AND PUBLIC

11. 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 Paragraph 1 of Schedule 7A of the Act".

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES AND EQUALITIES

REVIEW OF MANAGEMENT STRUCTURES - FINANCE SERVICE

(Item 8, Page 1501, 07/12)

12. There was submitted a report dated 10 June 2011 (circulated) by the Executive Director of Finance and Corporate Support which advised Cabinet of the outcome of the review of management structures within the Finance Service and which made recommendations for the future management arrangements of this service.

Having noted that the table in Paragraph 9.3 of the report should read "Posts deleted - (31.1) and New Posts - 13.5, Cabinet agreed:-

- (i) to approve the proposed changes to the Finance Service's staffing structure as outlined in the report and detailed at Appendix 3 of the report;
- (ii) to approve the exceptions to the guiding principles as highlighted in Section 6 of the report;
- (iii) to recommend to Council the transfer of responsibility for the Payroll function to the Head of Human Resources as detailed in Paragraph 5.25 of the report, with immediate effect; and
- (iv) otherwise, to note the contents of the report.

REVIEW OF MANAGEMENT STRUCTURES - INTERNAL AUDIT

13. There was submitted a report dated 13 June 2011 (circulated) by the Chief Executive which advised of the outcome of the review of management structures within Internal Audit and which made recommendations for the future management arrangements of this service.

Cabinet agreed:-

- (i) to note the findings of the review of management structures within the Internal Audit Service;
- (ii) that there should be no change to the reporting arrangements or management structures within the Internal Audit Service; and
- (iii) otherwise, to note the contents of the report.

The meeting terminated at 1248 hours.