

EAST AYRSHIRE COUNCIL**CABINET****MINUTES OF MEETING HELD ON WEDNESDAY 13 NOVEMBER 2013 AT
1000 HOURS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Douglas Reid, Tom Cook, Eòghann MacColl, Maureen McKay, Iain Linton, Alan Brown, George Mair (Substitute for Lillian Jones), Bobby McDill and Stephanie Primrose; and Church Representatives Maria Dorrian, Andrew Keachie and Iain Rennie; and Parent Representative Jacqueline Livingston.

ATTENDING: Fiona Lees, Chief Executive; Graham Short, Executive Director of Educational and Social Services; Alex McPhee, Executive Director of Educational and Social Services; Chris McAleavey, Acting Executive Director of Neighbourhood Services; Bill Walkinshaw, Head of Democratic Services; Craig McArthur, Head of Finance; David Mitchell, Head of Legal, Procurement and Regulatory Services; Alan Neish, Head of Planning and Economic Development; Eddie Fraser, Head of Service: Community Care; Euan Couperwhite, Head of Service: Projects; Alan Ward, Acting Head of Service: Schools; Katie Kelly, Strategic Manager Vibrant Communities; and Christine Baillie, Democratic Services Team Leader.

APOLOGIES: Councillors Lillian Jones, Jim Buchanan and Kathy Morrice; and Teacher Representative Bryce Wilson.

CHAIR: Councillor Douglas Reid, Leader of the Council.

PROMOTING LIFELONG LEARNING**CONSULTATION REPORT - EDUCATION PROVISION AT JAMES HAMILTON
ACADEMY, KILMARNOCK ACADEMY, NEW FARM PRIMARY SCHOOL AND
EARLY CHILDHOOD CENTRE AND SILVERWOOD PRIMARY SCHOOL
(Item 11, Page 656, 12/17)**

- 1E.** There was submitted a report dated 7 November 2013 (circulated) by the Executive Director of Educational and Social Services which (i) informed the Cabinet of the outcome of the Governance and Scrutiny Committee's review of the Consultation Report, which had been prepared following the public consultation on the future of education provision at James Hamilton Academy, Kilmarnock Academy, New Farm Primary School and Early Childhood Centre and Silverwood Primary School; and (ii) asked Cabinet to make a final determination, in line with the requirements of the Schools (Consultation) (Scotland) Act 2010, on the proposal (a) to merge James Hamilton Academy and Kilmarnock Academy to create a new secondary school; (b) to merge New Farm Primary School and Early Childhood Centre (ECC) and Silverwood Primary School, to create a new primary school with ECC; and (c) to co-locate the new schools in a 3-18 campus to be sited on ground at Sutherland Drive, Kilmarnock.

Cabinet agreed:-

- (i) to note that there had been no further views or recommendations which had arisen from the Governance and Scrutiny Committee meeting of 7 November 2013;
- (ii) under Section 11(1) of the Schools (Consultation) (Scotland) Act 2011:-
 - (a) that education provision at James Hamilton Academy be discontinued with effect from the end of the 2016/17 academic session in June 2017, or as soon as possible thereafter;
 - (b) that education provision at Kilmarnock Academy be discontinued with effect from the end of the 2016/17 academic session in June 2017, or as soon as possible thereafter;
 - (c) that the young people attending these establishments transfer to a new build secondary school, with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter,
 - (d) that the delineated area of the new secondary school be created with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter, from the amalgamation of the delineated areas of James Hamilton Academy and Kilmarnock Academy;
 - (e) that education provision at New Farm Primary School and Early Childhood Centre be discontinued with effect from the end of the 2016/17 academic session in June 2017, or as soon as possible thereafter;
 - (f) that education provision at Silverwood Primary School be discontinued with effect from the end of the 2016/17 academic session in June 2017, or as soon as possible thereafter;
 - (g) that the young people attending these establishments transfer to a new primary School and Early Childhood Centre, with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter;
 - (h) that the delineated area of the new primary school be created with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter, from the amalgamation of the delineated areas of New Farm Primary School and Early Childhood Centre and Silverwood Primary School; and
 - (i) that the new merged secondary school and new merged primary school be co-located within a 3-18 campus located on the Sutherland Drive site;
- (iii) that an Elected Member / officer working group be created to consider the future of the 1890s Kilmarnock Academy building, taking cognisance of the heritage and iconic status to the town of Kilmarnock of this historic building;
- (iv) to remit to the Executive Director of Educational and Social Services to prepare a report to a future meeting of Cabinet detailing the management arrangements of the two new schools, with identified implementation dates, as requested by Education Scotland in their report at paragraph 4.15 of the Consultation Report. This report to be submitted to Cabinet at the earliest opportunity when the Council had received notification of the Scottish Minister's decision on the matter.

- (v) to remit to the Executive Director of Educational and Social Services to refer the recommended closures of James Hamilton Academy, Kilmarnock Academy, New Farm Primary School and Early Childhood Centre and Silverwood Primary School to Scottish Ministers, in terms of Section 15(2) of the Schools (Consultation) (Scotland) Act 2010; and
- (vi) otherwise, to note the contents of this report.

STRATEGIC PRIORITIES FOR EDUCATION AND SOCIAL SERVICES REVIEW OF ATTAINMENT TARGETS

2E. There was submitted a report dated October 2013 (circulated) by the Executive Director of Educational and Social Services which provided recommendations to Cabinet for a revised set of attainment targets which:- (i) contributed to the development of the learning environment; (ii) provided a basis for measuring added value to learners' progress in key areas of learning across East Ayrshire schools; (iii) provided a link to national standards through revised recording procedures; and (iv) provided a consistent benchmark for pupils in Broad General Education to link with transition to Senior Phase and the national measures and benchmarks associated with formal qualifications.

Cabinet agreed:-

- (i) to approve the approach to target setting in literacy, numeracy and STEM subjects as detailed in the report;
- (ii) to approve the revised targets set out in Appendix 1 to the report;
- (iii) to note the ongoing work of schools and the Education team in support of improved attainment and achievement;
- (iv) that this report be submitted to a future meeting of the Governance and Scrutiny Committee; and
- (v) otherwise, to note the contents of the report.

VALIDATED SELF EVALUATION OF THE EDUCATION FUNCTION OF EAST AYRSHIRE COUNCIL

3E. There was submitted a report dated 17 July 2013 (circulated) by the Executive Director of Educational and Social Services which described the Validated Self Evaluation model of the inspection of Education Authorities as it applied to East Ayrshire Council and which sought approval for the preliminary arrangements to support this exercise.

Cabinet agreed:-

- (i) to approve the arrangements made in preparation for the validated self evaluation exercise as noted in Section 4 of the report;
- (ii) to remit to the Executive Director of Educational and Social Services to provide further update reports, as required, on the progress of the validated self evaluation exercise;
- (iii) to note that the report would also be submitted to the Governance and Scrutiny Committee for its interest; and
- (iv) otherwise, to note the contents of the report.

STRATEGIC PLANNING, MANAGEMENT AND RESOURCES

VIBRANT COMMUNITIES UPDATE (Item 2E(f), Page 253, 12/17)

4. There was submitted a report (circulated) by the Executive Director of Educational and Social Services which updated Members on the development and implementation of the Council's new Vibrant Communities Service which included wider assets based workforce development and provided an overview of the identified priorities.

Cabinet agreed:-

- (i) to note the positive progress made by the new Vibrant Communities service in its first six months of operation;
- (ii) to remit to the Executive Director of Educational and Social Services to report on the progress of the Vibrant Communities service as part of the Council's routine performance management arrangements;
- (iii) to note that in connection with paragraph 3.4 of the report, Head Teachers and HR staff had also been included in the assets based workforce development sessions; and
- (iv) otherwise, to note the contents of the report.

UPDATE ON THE IMPACT OF THE WELFARE REFORM IN EAST AYRSHIRE (Item 5, Pages 544,555, 12/17)

5. There was submitted a joint report dated 7 November 2013 (circulated) by the Executive Director of Finance and Corporate Support, the Executive Director of Educational and Social Services and the Acting Executive Director of Neighbourhood Services which provided an update on the position in relation to the impact of Welfare Reform within East Ayrshire.

Cabinet agreed:-

- (i) to use the template provided at Appendix 1 of the report as the basis for future Members' briefing information;
- (ii) to also include within the template, under Scottish Welfare Fund, information on the level of appeal received by the Council;
- (iii) to note the number of tenants impacted by the under occupancy charge, and the impact of rent arrears;
- (iv) to note the actions taken within Housing Services to offer support and advice in relation to those in arrears;
- (v) to note the actions taken to assist those affected by under occupancy to move to smaller properties, and the impact of the recent changes to the Allocation Policy in this regard;
- (vi) to note that a further report would be submitted to Cabinet proposing a response to the Members' Bill consultation outlined at Section 22 of the report;
- (vii) to note the statistical data provided in relation to Discretionary Housing Payments and Scottish Welfare Fund payments;

- (viii) to note the initial impact of the Benefit Cap in East Ayrshire;
- (ix) to note the statistical information provided in relation to financial inclusion services provided both in-house and by the Citizens Advice Bureau; and
- (x) otherwise, to note the contents of the report.

POLICY ON UNACCEPTABLE ACTIONS BY CUSTOMERS

6. There was submitted a report dated 18 October 2013 (circulated) by the Executive Director of Finance and Corporate Support which presented a Policy on Unacceptable Actions by Customers for consideration and approval by Cabinet.

Cabinet agreed:-

- (i) to approve the proposed Policy on Unacceptable Actions by Customers;
- (ii) to remit to the Executive Director of Finance and Corporate Support to make arrangements for the circulation of the policy throughout the Council; and
- (iii) otherwise, to note the contents of the report.

MINUTES OF CENTRAL JOINT CONSULTATIVE COMMITTEE - 12 SEPTEMBER 2013

7. There were submitted and noted the Minutes of the meeting of the Central Joint Consultative Committee held on 12 September 2013 (circulated).

DELIVERING COMMUNITY REGENERATION

GALSTON OFFICE PROJECT (Item 10, Page 930, 07/12)

8. There was submitted a joint report (circulated) by the Executive Director of Educational and Social Services and the Executive Director of Finance and Corporate Support which provided an update on the current position which related to the Galston Office Project.

Cabinet agreed:-

- (i) to note the update in respect of the Galston Office Project;
- (ii) that option 3, in paragraph 28 of the report, be the basis for future development;
- (iii) to remit to the Executive Director of Educational and Social Services to submit a further report to Cabinet in respect of the detail of the proposals and utilisation of the balance of Capital allocation to strategic priorities; and
- (iv) otherwise, to note the contents of the report.

GALSTON CONSERVATION AREA REGENERATION SCHEME (CARS) - APPROVAL OF GRANT FUNDING PROCESS AND DRAFT GALSTON CONSERVATION AREA APPRAISAL (Item 4, Page 96-98, 12/17)

9. There was submitted a report dated 6 November 2013 (circulated) by the Acting Executive Director of Neighbourhood Services which sought (i) agreement for the process of approval and dispersal of grant applications under the Galston CARS and for decisions on grant applications and grant dispersal to be delegated to the Head of Planning and Economic Development where they were consistent with the

Galston CARS Action Plan; and (ii) approval of the draft Galston Conservation Area Appraisal.

Cabinet agreed:-

- (i) to approve the Galston CARS Grant approval process detailed at paragraphs 11 to 20 and Appendices 4 and 5 of the report;
- (ii) to recommend to Council to delegate authority to the Head of Planning and Economic Development to approve grant applications for priority building projects that were within 20% of the Indicative Total Grant Allocation contained in the Galston CARS Approved Schedule, and shown at Appendix 2 of the report;
- (iii) to recommend to Council to delegate authority to the Head of Planning and Economic Development to approve Galston CARS grant applications up to £30,000 for all other projects, and to disperse all grant payments under this scheme;
- (iv) to authorise the Solicitor to the Council/Head of Legal Procurement and Regulatory Services to issue Offers of Grant; enter into any necessary Standard Securities; and to carry out all other legal work associated therewith for the Galston CARS;
- (v) to approve the draft Galston Conservation Area Appraisal dated August 2012 for publication as shown at Appendix 6 of the report;
- (vi) to approve the preparation and subsequent consultation by the Head of Planning and Economic Development of a draft Galston Conservation Area Management Plan and that the Management Plan reviewed the need for an Article 4 Direction;
- (vii) to the submission of the finalised Galston Conservation Area Management Plan and Article 4 Direction, if required, to a future meeting of Cabinet for approval; and
- (viii) otherwise, to note the contents of the report.

**GALSTON REGENERATION PARTNERSHIP - TESCO SECTION 75
AGREEMENT FUNDING ALLOCATION PROCESS**

- 10.** There was submitted a report dated 6 November 2013 (circulated) by the Acting Executive Director of Neighbourhood Services which sought the establishment of a Galston Regeneration Partnership between the Council and the Galston Community Development Trust (GCDT) as a mechanism for allocating the funding secured by the Galston TESCO Section 75 Agreement.

Cabinet agreed:-

- (i) that the Council, with co-ordination being provided through the Vibrant Communities team, enter into a partnership (to be known as the Galston Regeneration Partnership (GRP)) for the purposes of advancing the regeneration of Galston town centre and allocating the Tesco Section 75 Agreement "Regeneration Contribution" to agreed projects;
- (ii) to authorise the Solicitor to the Council to:-

- (a) draft the written constitution of the GRP as detailed in paragraphs 12 to 17 of the report; and, subject to the approval of the GCDT as partner, to complete same; and
- (b) prepare and sign an agency agreement relative to the GRP permitting the Council as agent, to employ staff and enter into contracts and legal agreements in the name of the Council as agency on behalf of the GRP, and to perform such other functions on behalf of the GRP as the Solicitor to the Council deemed necessary, as detailed in paragraph 16 of the report;
- (iii) to authorise the Head of Finance to establish accounting procedures and records for the GRP and to monitor and administer all funds dispersed/received in relation to the GRP in compliance with any grant conditions, as detailed in the report;
- (iv) to request that the Council nominate the four local elected members to represent the Council on the GRP Executive Committee;
- (v) the approval of project funding proposals, by Galston Regeneration Partnership to utilise the Tesco Section 75 Agreement "Regeneration Contribution", be delegated to the Galston Regeneration Partnership Executive Committee;
- (vi) to recommend that the Galston Regeneration Partnership Executive Committee adopt the principles contained in the Council's existing Community Grants Scheme application and assessment processes, as the mechanism for assessing all project funding proposals;
- (vii) to recommend to Council to delegate authority to the Head of Planning and Economic Development to disperse any allocation of the Tesco Section 75 Agreement "Regeneration Contribution" agreed by the Galston Regeneration Partnership; and
- (viii) to authorise the Solicitor to the Council/ Head of Legal Procurement and Regulatory Services to issue letters of approval allocating the Tesco Section 75 Agreement "Regeneration Contribution" funding and to carry out all other legal work associated therewith.

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LAUNCH OF THE SCOTTISH GOVERNMENT'S TOWN CENTRE ACTION PLAN

11. There was submitted a report dated 8 November 2013 (circulated) by the Acting Executive Director of Neighbourhood Services which advised Cabinet of the publication of the Scottish Government's 'Town Centre Action Plan', which contained a series of proposals that had been designed to regenerate Scotland's town centre. This publication was formally launched by Derek MacKay MSP, Minister for Local Government and Planning at an event in Bank Street, Kilmarnock on 7 November 2013 and formal endorsement of its content was sought from Cabinet.

Councillor Douglas Reid, seconded by Councillor Alan Brown, moved approval of the recommendations as detailed in the report, namely:-

- (i) to note the launch and publication of the Town Centre Action Plan, and the progress which had been made in East Ayrshire against each of the key themes highlighted in the report;

- (ii) to welcome and endorse the Scottish Government's overall approach to town centre regeneration, as set out in the report; and
- (iii) otherwise, to note the contents of the report.

Councillor Maureen McKay, seconded by Councillor George Mair, moved as an amendment:-

- (i) to note the launch and publication of the Town Centre Action Plan, and the progress which had been made in East Ayrshire against each of the key themes highlighted in the report; and
- (ii) otherwise, to note the contents of the report.

On a division by a show of hands, the motion was carried by 7 votes to 2.

The meeting terminated at 1213 hours.