

**MINUTE**  
**of**  
**CABINET**

**Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 24 October 2019.**

**Present:**

Councillor Tony Buchanan (Leader)  
Councillor Caroline Bamforth  
Councillor Alan Lafferty

Councillor Colm Merrick  
Councillor Paul O’Kane

Councillor Buchanan, Leader, in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Phil Daws, Head of Environment (Strategic Services); Robert Spencer, Principal Accountant (Revenue); Gerry Mahon, Chief Officer – Legal and Procurement; and Paul O’Neil, Committee Services Officer.

**Apology:**

Councillor Danny Devlin.

**DECLARATIONS OF INTEREST**

**1065.** There were no declarations of interest intimated.

**ESTIMATED REVENUE BUDGET OUT-TURN 2019/20**

**1066.** The Cabinet considered a report by the Chief Financial Officer, detailing the projected revenue budget out-turn for 2019/20 and providing details of the expected year-end variances for each department, together with summary cost information for each of the undernoted services as at 31 August 2019:-

- (i) Objective and Subjective Summaries;
- (ii) Education;
- (iii) Contribution to Integration Joint Board;
- (iv) Environment Department;
- (v) Environment Department – Support;
- (vi) Chief Executive’s Office;
- (vii) Chief Executive’s Office – Support;
- (viii) Corporate and Community Services Department – Community Resources;
- (ix) Corporate and Community Services Department – Support;
- (x) Other Expenditure and Income;

- (xi) Joint Boards;
- (xii) Contingency – Welfare;
- (xiii) Health and Social Care Partnership; and
- (xiv) Housing Revenue Account.

Whilst noting that as at 31 August 2019, the estimated year-end position showed a net favourable variance on net expenditure of £782,000 based on current information, the report highlighted that for General Fund services the projected underspend was £842,000. Details of a number of service virements and operational adjustments for which approval was sought were also outlined in the report.

The report concluded by highlighting that a number of operational variances required management action to ensure that expenditure would be in line with budget at the end of the financial year. At this time, it was expected that management action would lead to all overspends being recovered, that all underspends were consolidated wherever possible and that spending up to budget levels did not take place.

The Cabinet, having noted the probable out-turn position, agreed:-

- (a) to approve the service virements and operational adjustments set out in the notes in the report;
- (b) that management action be taken to remedy any forecast overspends; and
- (c) that all departments continue to closely monitor their probable out-turn position.

## **HOUSING SERVICES PERFORMANCE REPORT 2018/19 AND ANNUAL ASSURANCE STATEMENT (SCOTTISH SOCIAL HOUSING CHARTER)**

**1067.** The Cabinet considered a report by the Director of Environment, advising of the Council's performance in respect of the Annual Return on the Scottish Social Housing Charter (SSHC) or "the Charter" to the Scottish Housing Regulator (SHR), in relation to performance in 2018/19. The report also sought approval for the Annual Assurance Statement which outlined Housing Services' compliance with the Charter standards and the Council's statutory obligations, and was a new annual requirement introduced this year by the SHR. A copy of Housing Services' annual performance report was appended to the report.

The report explained that the Scottish Social Housing Charter (SSHC) required each landlord to provide the SHR with details of performance against 37 performance indicators and information for 32 contextual indicators by 31 May each year. This was known as the "Annual Return on the Charter" (ARC). The SHR used the information to produce a summary landlord report for every social landlord in Scotland and this information was published on the regulator's website by the end of August each year. Furthermore, the regulator also produced an Engagement Plan for each landlord, which outlined the areas of scrutiny they would focus on based on the previous year's reported performance.

Whilst noting that the Council had performed above the Scottish Council average in approximately 70% of the performance indicators measured by the SSHC, the report highlighted that the Council performed above the Scottish average for all landlords in key areas such as maintaining its homes, completing adaptations and tenancies sustained. A number of improvement areas had been identified and an Assurance Statement which

addressed the areas required for improvement was also appended to the report, it being noted that in terms of improving performance the Council would focus on void property repairs and standards together with the provision of emergency homeless accommodation.

The Cabinet:-

- (a) noted the performance for 2018/19 as outlined in the Annual Return on the Charter (ARC) submitted to the SHR, which would be published via the Council's Housing Services annual performance report as outlined in the report; and
- (b) approved the Annual Assurance Statement prepared by the Council's Housing Services self-evaluation detailing compliance with the Charter's standards and with the Council's statutory obligations for submission to the SHR by 31 October 2019.

### **STRATEGIC HOUSING INVESTMENT PLAN 2020-25 AND COUNCIL NEW BUILD PROGRAMME**

**1068.** The Cabinet considered a report by the Director of Environment, seeking approval for the proposed Strategic Housing Investment Plan 2020/21 to 2024/25 for submission to the Scottish Government. The report also provided an update on the Council's new build housing programme. A copy of the Strategic Housing Investment Programme (SHIP) was appended to the report.

The report explained that the Scottish Government required councils to supplement their Local Housing Strategy with an annual review of the SHIP setting out their affordable housing priorities for the next 5 years. It was noted that the SHIP was a 5 year plan, which would take the Council beyond the Resource Planning Assumption announced in 2019. Details of the subsidies both the Council and Registered Social Landlords received for each property that was built was outlined in the report.

Whilst noting that the proposed SHIP detailed how the Council intended to spend its resource planning allocation from the Scottish Government, the report explained that demand for new social rented housing, especially new Council housing, continued to exceed supply. To address this, the proposed SHIP could deliver 561 units of social rented housing and 50 'Rent off the Shelf' purchases across the 5 year period of the programme.

Furthermore, the need to identify available sites was an ongoing challenge and to assist with this, additional staffing resources had been made available. However, it was noted that private ownership of a number of sites meant that development timescales could not always be controlled by the Council.

The Cabinet:-

- (a) approved the Strategic Housing Investment Plan 2020/21 to 2024/25 for submission to the Scottish Government;
- (b) noted that a further report would be submitted to a future meeting of the Cabinet in relation to the resulting Strategic Local Programme Agreement with the Scottish Government, which would confirm the programme of housing projects being funded locally over the next 2 years; and

- (c) noted the progress made to date with the Council house new build programme, the proposals for future developments and the significant challenges in delivery.

#### **WRITE-OFF OF IRRECOVERABLE FORMER TENANT RENT AND COURT EXPENSES**

**1069.** Under reference to the Minute of the meeting of the Cabinet of 26 January 2017 (Page 2197, Item 2361 refers), when the new rent arrears policy had been approved, the Cabinet considered a report by the Director of Environment, seeking approval to write-off former tenant rent and court expenses which could not be recovered through the debt collection process.

The Cabinet agreed to:-

- (a) write-off the sum up to the value of £54,316.90 of irrecoverable former tenant rent and court expenses, whilst acknowledging that the sums could be pursued and recovered in future should additional information and opportunities arise;
- (b) note that £36,765.81 of this amount was written-off against the Housing Revenue Account (HRA) with the remaining £17,551.09 being written-off against the Non-HRA as this was accrued by homeless households placed in temporary accommodation; and
- (c) note that the write-off of these historic unrecoverable debts would have no net impact on the Council's accounts as provision had been made for the debt, in full, in previous years.

#### **REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000**

**1070.** The Cabinet considered a report by the Chief Officer – Legal and Procurement, seeking approval to the amendment of the Council's procedure on covert surveillance to reflect the addition of a further authorising officer and to report on surveillance activity undertaken by the Council during the period 2017-19. A copy of the revised procedure on covert surveillance was appended to the report.

The report explained that the Regulation of Investigatory Powers (Scotland) Act 2000 (referred to as RIPSAs) came into effect on 2 October 2000 the purpose of which was to ensure that public authorities made only lawful use of directed surveillance and covert human intelligence sources. The Act regulated these activities by requiring that surveillance operations be justified and authorised by a senior officer of the authority.

Whilst noting that as a result of staff changes it was now considered prudent to add a further authorising officer to the list of those able to fulfil this function so as to ensure adequate availability and minimise delay to planned surveillance activities, the report proposed that in accordance with the terms of the Regulation of Investigatory Powers (Prescription of Offices) etc and Specification of Public Authorities (Scotland) Order 2010, that the Data and Information Manager be added to the list.

The report also provided details of the use of directed surveillance and Covert Human Intelligence Sources (CHIS) during the preceding 3-year period which highlighted an upward trend in the use of direct surveillance which was accounted for by the involvement of Trading

Standards (Scotland) (TSS) who were delegated as East Renfrewshire Council Officers for trading standards purposes. It was noted that the surveillance activities focussed on national operations around the online sale of counterfeit goods.

The Cabinet:-

- (a) noted the use of directed surveillance and Covert Human Intelligence Sources (CHIS) during the period 2017-19; and
- (b) approved the revised Procedure on Covert Surveillance which was appended to the report.

CHAIR

