

MINUTE
of
EAST RENFREWSHIRE COUNCIL

Minute of Meeting held at 7.00pm in the Council Chamber, Council Headquarters, Giffnock, on 11 September 2019.

Present:

Provost Jim Fletcher	Councillor Annette Ireland
Councillor Paul Aitken	Councillor Alan Lafferty
Councillor Caroline Bamforth	Councillor David Macdonald
Councillor Tony Buchanan (Leader)	Councillor Jim McLean
Councillor Angela Convery	Councillor Stewart Miller
Councillor Danny Devlin	Councillor Paul O’Kane
Councillor Charlie Gilbert	Councillor Jim Swift
Councillor Barbara Grant	Councillor Gordon Wallace

Provost Fletcher in the Chair

Attending:

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Mhairi Shaw, Director of Education; Andy Cahill, Director of Environment; Julie Murray, Chief Officer – Health and Social Care Partnership; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Janice Collins, Head of Education Services (Equality and Equity); Eamonn Daly, Democratic Services Manager; and Linda Hutchison, Senior Committee Services Officer.

Apology:

Councillor Colm Merrick.

REQUEST TO RECORD PROCEEDINGS

1014. Provost Fletcher intimated that a request had been received to audio record the meeting. The request was approved.

DECLARATION OF INTEREST

1015. Councillor Ireland declared a non-financial interest in relation to Item 1032 by virtue of the fact she resided in Netherlee within the boundary of the proposed Netherlee Conservation Area.

MINUTE OF PREVIOUS MEETING

1016. The Council considered the Minute of the meeting held on 26 June 2019. Under reference to Item 943 (Page 880 refers), Councillor Wallace commented that the report on the East Renfrewshire Social Impact Pledge concerned how the Scottish Government was challenging local authorities to make a positive impact through better use of its assets, referring to the use made of Rouken Glen Park for a music festival as a good example. Having expressed concern that the Park remained seriously damaged after the event despite an undertaking having been given to reinstate it, he sought clarification on when that would be remedied.

The Council, having heard Provost Fletcher remind Members that in terms of Standing Orders the only questions permitted on the Minute were in relation to accuracy and that Councillor Wallace should have raised the matter through the submission of a written question:-

- (a) approved the Minute of the meeting held on 26 June 2019; and
- (b) otherwise, noted the comment made by Councillor Wallace.

MINUTES OF MEETINGS OF COMMITTEES

1017. The Council considered and approved the Minutes of the meetings of the undernoted, except as otherwise referred to in Item 1018 below:-

- (a) Planning Applications Committee – 7 August 2019;
- (b) Local Review Body – 7 August 2019;
- (c) Licensing Committee – 13 August 2019;
- (d) Cabinet – 15 August 2019;
- (e) Audit and Scrutiny Committee – 15 August 2019;
- (f) Education Committee – 22 August 2019;
- (g) Appeals Committee - 27 August 2019;
- (h) Cabinet – 29 August 2019;
- (i) Appeals Committee – 2 September 2019;
- (j) Planning Applications Committee – 4 September 2019;
- (k) Local Review Body – 4 September 2019;
- (l) Civic Hospitality Committee – 4 September 2019; and
- (m) Licensing Committee – 10 September 2019.

PLANNING APPLICATIONS COMMITTEE – 7 AUGUST 2019 – TELECOMMUNICATIONS CABINET AT POLNOON STREET, EAGLESHAM

1018. Under reference to the Minute of the meeting of the Planning Applications Committee of 7 August 2019 (Page 886, Item 951 refers), Councillor Ireland requested that it be clarified further in the penultimate paragraph of the Minute that the committee had agreed to approve Option 2, although this would result in a loss of some broadband service, because this was considered to be a solution that would minimise disruption.

The Council agreed that the Minute as amended be approved.

ANNUAL TREASURY MANAGEMENT REPORT 2018/19

1019. Under reference to the Minute of the meeting of the Audit and Scrutiny Committee of 15 August 2019 (Page 901, Item 972 refers), the Council considered a report by the Head of Accountancy (Chief Financial Officer) providing details of the Council's treasury management activities for the year ending 31 March 2019, and seeking approval of the organisations specified in the report for the investment of surplus funds.

The report explained that in line with the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management, the Audit and Scrutiny Committee was responsible for ensuring effective scrutiny of treasury management activities. The submission of the report to the committee had been in accordance with that requirement.

The Council agreed to:-

- (a) note the Treasury Management Annual Report for 2018/19; and
- (b) approve those organisations specified in the report for investment of surplus funds.

GENERAL FUND CAPITAL PROGRAMME 2019/20

1020. Under reference to the Minute of the meeting of the Cabinet of 29 August 2019 (Page 918, Item 987 refers), when it had been agreed to recommend to the Council that the proposed adjustments to the General Fund Capital Programme 2019/20 be approved, the Council considered a report by the Chief Financial Officer, recommending adjustments to the 2019/20 General Fund Capital Programme in light of issues that had arisen since the programme had been approved.

In reply to Councillor Grant, the Head of Accountancy referred to the phasing of anticipated expenditure on the proposed new Eastwood Leisure Centre. Having explained that the majority of the expenditure was expected to be incurred in 2020/21 and 2021/22 because work on the facility remained to start, she confirmed that a detailed report on the proposed facility was awaited from the Director of Environment. It was confirmed that the report submitted to the Council in February 2019 on the General Fund Capital Plan covering 2019/20 to 2026/27 included reference to funds earmarked for the project and that provision of £100k for fees in the current year, which remained to be spent, had been made.

The Council:-

- (a) approved the movements within the General Fund Capital Programme 2019/20;
- (b) noted that the shortfall of £425,000 would be managed and reported on a regular basis; and
- (c) otherwise, noted the comments made.

HOUSING CAPITAL PROGRAMME 2019/20

1021. Under reference to the Minute of the meeting of the Cabinet of 29 August 2019 (Page 988, Item 988 refers), when it had been agreed to recommend to the Council that the proposed adjustments to the Housing Capital Programme 2019/20 be approved, the Council considered a joint report by the Chief Financial Officer and Director of Environment, recommending adjustments to the 2019/20 Housing Capital Programme in light of issues that had arisen since the programme had been approved.

The Council:-

- (a) approved the movements within the Housing Capital Programme 2019/20; and
- (b) noted that income and expenditure on the programme would be managed and reported on a regular basis.

NOTICE OF MOTION

1022. In accordance with Standing Order 25, the following notice of motion had been submitted by Councillor Miller, seconded by Councillor Swift.

This council noted the aims of the Give Them Time Campaign, set up by parents, both local and national, to share experiences of applying for a further year of Nursery funding for their child to defer starting P1;

understand that the national survey found that only 19% of parents knew about their legal right to defer children born between mid August to December compared to 80% knowing that children born in January and February;

notes that East Renfrewshire Council does not offer a guaranteed right to Nursery funding for deferred children born between mid August and December and agrees that, starting with applications for 2020/21 school year, any application to defer a child's P1 start whose birthday falls between the start of the school year and February will be granted automatically, with a further one years Nursery funding provided,

agrees that this Authority will write to the Scottish Government to request Ministers engage with East Renfrewshire Council about the extra funding required within it's 2020/21 budget to finance all additional Nursery placements for children who have a legal right to defer the start of primary education under the terms of the Education Scotland Act (1980)

Councillor O'Kane, seconded by Councillor Buchanan, moved as an amendment that the motion be approved subject to the following amendment:-

Delete from "East Renfrewshire Council does not offer a guaranteed right to Nursery" to the end and insert "the issues have been discussed locally and at the Children and Young People Board of COSLA and as a result all 32 Local Authorities should now provide clearer information regarding deferral rights and application processes (this is being undertaken by the Education Department); further notes that the Council funds an extra year of early learning and childcare where this is deemed to be of benefit to the child; Council acknowledges that any change to

Annex B of Section 34 of the Education Scotland Act (1980) and provision of associated funding is the responsibility of the Scottish Parliament; Council agrees that this Authority will write to the Scottish Government to highlight the campaign and issues raised”.

Provost Fletcher invited Councillor Miller to speak to the terms of the motion.

Councillor Miller commented that it was well known that children differed and were not all ready for school at the same time. He reported that information he had obtained suggested that were every child to defer the additional cost would be £30m, Additional costs in the event all children with birthdays from August to December deferred would be £3m. As not all of these children would defer, the cost to the Council would be lower still. Councillor Miller suggested that the Education Department seemed more concerned about the cost of the suggestion than its impact on young children. Having acknowledged there would be some cost implications if the motion was carried, he suggested that the number of children concerned would be small and that related costs could be funded from within existing budgets, as some other new initiatives had.

Councillor Miller quoted extensively from comments made by a parent who had applied for a funded deferral, had found the experience horrific, and had said that the nursery had not provided support and that officers had said everything would be fine. He commented that nowhere in the decision made were the wishes of the parents who knew their child best considered, reporting that the parent felt the decision making to be flawed and had said that one informal call to the nursery had decided the application's fate. Councillor Miller suggested this tied in with survey findings which reflected that only 16% of those applying for a funded deferral had said their local authority provided adequate information, and that only one respondent had considered the process straightforward.

Referring to equality, generally and within the Council, Councillor Miller argued that a child born at midnight on 1 January had more rights than one born 10 minutes earlier, an aim of the motion being to correct inequality and 'get it right for every individual child' as one size did not fit all. Having highlighted that the Council promoted fairer East Ren, he said he considered the current approach to be an example of age discrimination, expressing the view that the Council could not have it both ways.

Whilst referring to the enormous work done on the issue through the Give Them Time Campaign and related findings of its extensive research, Councillor Miller commented that some of the conclusions of educationalists across the UK and abroad were quite startling, citing the example of evidence from England which reflected that the attainment gap between older and younger children in the same year group persisted until age 11. He reiterated that the Council's approach was about costs not children's or parents' interests; but acknowledged there were costs associated with approving the motion, including a major one when children who deferred reached secondary 6. Councillor Miller referred to recent comments by the Head Teacher of Williamwood High School about increasing numbers of young people leaving school at the end of S5 and going onto positive destinations, arguing that if this trend continued, approval of the motion could save money over a child's entire time at school.

Councillor Miller concluded that, contrary to some educationalists' views, he agreed with parents that they know their children best and that their views should be taken into account. Having summarised other comments made by parents seeking deferral, such as about receiving incorrect information or it changing over time, he referred to one respondent who had claimed a nursery had been supportive only when the parents' intentions were made clear.

He also referred to the comments of two other respondents, both teachers, who observed a huge difference in children who deferred at age 4, and who had sought deferral for a second child who was academically and emotionally slightly behind an older sibling. Councillor Miller had been advised that the Council had not provided help to them, but that it had been suggested to them that they could self-fund the deferral but without a guarantee of their child remaining at the same nursery. Commending the motion, Councillor Miller said the Council must do better to be regarded as a modern, progressive one, given that it professed to support “fairer East Ren”.

In seconding the motion, Councillor Swift referred to the attainment gap, an approach on sport adopted in America, advantages of older pupils and the wish for children to excel, including in sport and art. He argued that pupils were disadvantaged if they progressed too early, commenting on related issues such as supporting families to help them maximise their children’s attainment and the need for some children to defer without their families being penalised financially. He acknowledged high attainment in local schools, but felt more could be done to give some pupils more space. Having referred to the legal right that currently existed to defer, Councillor Swift questioned why financial provision could not be made, citing the different approach adopted by North Lanarkshire and Falkirk Councils.

Councillor Swift considered there to be almost no financial implications associated with the proposal, commenting that only 12 children in the current year had been affected. He supported choice and the provision of funding when children deferred, considering the current approach untenable. Regarding recent educational developments, including the new Curriculum for Excellence and how such approaches were linked to tailoring education to need, he questioned why such an approach was not taken on nursery provision when parents demonstrated this appropriate.

Whilst responding to the comments made, Councillor O’Kane thanked the Give Them Time Campaign for raising awareness on the issue amongst Elected Members and for meeting with them, encouraging all Councillors to note the Campaign’s aims and appreciate related discussion both locally and nationally. Having referred to extensive work done to ensure parents of children born between mid-August and December were made aware of their rights on deferrals, he commented on the current position, specifying the duties placed upon local authorities under the Standards in Scotland’s Schools Etc. Act 2000. That Act placed a duty on Education Authorities to provide an additional year of free, pre-school education for children with birthdays in January or February in the year they were starting primary school. He highlighted that for children whose 5th birthday fell between the start of the term in August and December, Education Authorities required to exercise discretion on granting an additional free year of pre-school education.

Councillor O’Kane clarified that each application for discretionary deferral was looked at individually, including through information from parents, and reports and plans from professionals including the nursery head teacher and others acting in a professional capacity. He stressed that when evidence showed that an additional year of early learning and child care would provide educational benefits the deferral was granted, 10 of the 19 applications for deferral made for the current academic session having been granted. Councillor O’Kane confirmed that if a parent disagreed with the decision, supplementary information was sought, with nursery staff asked to complete an assessment focussing on the child’s social and emotional development which could lead to the original decision being overturned.

Councillor O’Kane explained that if funding was not granted, parents could still exercise their right to defer, subject to meeting the associated costs. He added that, having spoken to the Give Them Time Campaign, education officers and specialists, it was clear that opinions on the benefits of deferral varied. Having commented on some research which found there to

be no effects of school entry age on educational attainment which he offered to make available to other Elected Members, he added that others argued parents know their children best and should have an automatic right to a funded, extra year of early learning. Referring to debate on this issue in the Scottish Parliament he stated that, to avoid a postcode lottery, the Act referred to would require to be amended which was in the hands of the Parliament.

Councillor O'Kane explained that COSLA had addressed the issue with all 32 local authorities. As the Council's representative on the COSLA Children and Young Peoples Board, he had supported a move to ensure all authorities provided clear and consistent information to parents about their rights to defer, confirming that this work was being progressed by the Education Department. He considered it clear that any national solution would require an element of additional funding for Councils.

Whilst referring to the Council's duty to provide 600 hours of early learning and childcare for eligible children at present, rising to 1140 hours in August 2020, regarding local early learning centres Councillor O'Kane specified that approximately 440 local children were born between August to December annually. Having clarified that approximately 55% of the children with January and February birthdays had sought deferral in the last 3 years, he estimated that if those with August to December birthdays followed the same pattern, the additional cost of providing 600 additional hours to 242 children would be almost £1.1m, the cost of 1140 hours being almost £1.6m. Both required additional funds, including possibly capital expenditure, to provide sufficient space. Having reiterated that the power to change legislation rested with the Scottish Parliament and that additional funds followed any such change, Councillor O'Kane concluded that he was unable to support the motion, but was happy to write to the Scottish Government highlighting the Give Them Time Campaign and related issues raised.

Seconding the terms of the amendment, Councillor Buchanan referred to Councillor O'Kane's comments on costs and associated issues, commenting on parents' views and acknowledging that arguments existed on both sides. He highlighted that educational provision and related performance locally were outstanding, argued that the Council delivered at every school stage, and reminded Elected Members of the nursery provision made available locally prior to it becoming a legal requirement, which had been worthwhile. Councillor Buchanan highlighted that making the suggested provision available required savings to be generated elsewhere. Regarding Councillor Swift's comments on giving children advantages, he stressed that the financial implications of many deferrals would be significant, that the purpose of making provision available in the first place would be defeated therefore, and that this would have a knock-on effect for attainment and a peer impact. His view was that a valid argument for change had not been made, given that deferrals were granted when merited.

Whilst supporting the motion, Councillor Macdonald stressed that inequality was the issue, arguing that a child born in East Renfrewshire should receive no less than one born in North Lanarkshire for example. He accepted that funded deferment should, ideally, be determined by legislation as it was an equality issue, arguing that it would be ridiculous to suggest that issues such as disability or gender equality rights were determined by local authorities, whereas providing equality to young children in this case had been left to them. He believed strongly that the Council should be progressive, as many suggested it was on issues, rather than react to any legislative change on this matter, demonstrating that it stood for fairness and equality and lived up to the expectations of Getting it Right for Every Child (GIRFEC).

Councillor Macdonald expressed the view that by continuing to adopt the current discretionary approach for those children whose birthdays fell between August and December, the Council was enabling age discrimination and inequality to continue and supporting the local authority

lottery that existed on this. Having thanked the Leader and Convener for Education and Equalities for discussing the issue with him at length, he reported that they had clarified they were not convinced that the policy change proposed was fair and just, expressing hope they would reconsider.

Councillor Macdonald challenged the validity of the costs the Education Department had provided to him which had confirmed that the cost of an additional 1140 hours provision per annum would be £6,053 per pupil for a funded provider or £6,555 for a Council run nursery. For £1.5m, this equated to 247 and 228 deferments respectively. Given that only 10 of the 19 funded applications in 2019/20 had been approved, he questioned why the department expected the figure to multiply 13-fold, instead estimating the additional cost to be £115k to £124k per annum if the application rate remained unchanged. He argued that the actual increase was offset by approximately a further £60k per annum as only 10 applications had been approved.

However he also stressed that the deferral decision should not be taken on a monetary basis but rather on the basis of equality and best interests of the child. Referring to the terms of a motion he had moved previously and which had been approved subject to a modest amendment proposed by Councillor O’Kane, calling for the Scottish Government to adopt the UN Convention on Rights of the Child, he urged members to progress this agenda further now. He considered it absurd not to honour the rights of all children with birthdays between August to February by automatically funding deferment if parents applied which he stated would be for valid reasons about their children not being ready for school. He expressed the view that, ideally, parents would wish their child to progress with their friends, adding that a decision to defer in the best interests of their child was heart wrenching for many, the only thing they were requesting being financial support to afford their child additional time to develop and cope with entry into primary school for their benefit. He argued that such children should not be the victims of age discrimination and that parents should not be penalised based on their ability to fund a deferral.

Also speaking in support of the motion, Councillor Aitken commented that it was easy to get lost in terminology used on this issue. He argued that funding for deferment was required because all children were different, that some needed to wait until they were aged 5½ before starting P1, and that children aged 4 who deferred should not be disadvantaged. Referring to Councillor O’Kane’s comments, he stated that legislation was not required on the matter as the authority already had discretion to grant deferrals, suggesting that the issue was simply one of not meeting costs. He shared with Elected Members much fuller testimony from the constituent Mother referred to by Councillor Miller earlier in the meeting. Having quoted extensively what she had said on a range of issues, he encouraged Elected Members to vote in favour of the policy change which he considered the right decision for the area’s youngest citizens.

Councillor Ireland referred to the example cited of the provision made in North Lanarkshire, highlighting that no reference had been made to Fife Council’s decision not to make this provision available. Having thanked the Give Them Time Campaign for its work and acknowledged there were personal issues for some families on this matter, she highlighted the option that already existed for the Education Authority to consider the individual needs of those with birthdays between August and December and fund provision when merited. She commented on the playful pedagogy approach and the importance of children having a smooth transition from nursery to primary school, welcoming promotion of information on rights by the Give Them Time Campaign and COSLA. Councillor Ireland argued that some quick, easy changes could be made, such as the Education Department working with the Council’s Communications Team to promote information and access to application forms for example which would also improve transparency. She welcomed the amendment.

Councillor Bamforth also thanked the Give Them Time initiative for highlighting the position on provision, and referred to extensive background reading available. Referring to some research Councillor Miller had commented on, she reported that this related to statistical analysis of tests in England which revealed that age was not a predictor of attainment. Adding that the position in England differed from Scotland, she explained that general research indicated that by age 7 most children had caught up with each other, arguing in favour of focussing on the few who did not, as promoted by GIRFEC, which focussed on individual children.

Councillor Bamforth reported that, if deferral became more widespread, there could be an 18 month age gap between pupils in some classes, referring to added pressures this would bring to schools and teachers and adding that this might increase anxiety levels amongst children. She highlighted that if the motion was supported, many children would be eligible to leave school at age 16 without any qualifications, this being a reason why pupils were sometimes slotted back into their own peer groups in England. Councillor Bamforth argued that the effect of approving the motion would follow children throughout their entire school career, reporting also that some parents had asked her if they could defer their children's entry into primary school to assist them with placing requests where these had been refused. She supported deferral where merited in line with GIRFEC, welcomed increased transparency, and supported involving quality improvement officers in decision making.

Provost Fletcher invited Councillor Miller to sum up.

In doing so, Councillor Miller stated that he considered some of the comments made incredulous, commenting that both Councillors O'Kane and Bamforth had congratulated the Give Them Time Campaign, but neither had supported the motion nor mentioned involving parents in deferral assessments, adding that some MSPs supported legislative change on the issue. He highlighted that the Convener with responsibility for equalities had not mentioned that issue. Having acknowledged excellent educational provision within the authority, he argued that a better approach could still be adopted and that it was not expected that all who could defer would do so. Referring to comments made by those supporting the amendment about the funding, he stated there had been no mention made of parents.

In accordance with Standing Order 32(b), Councillors Miller, Swift and McLean requested a roll call vote.

On the roll being called, Councillors Aitken, Gilbert, Grant, Macdonald, McLean, Miller, Swift, and Wallace voted for the motion.

Provost Fletcher, Deputy Provost Cunningham and Councillors Bamforth, Buchanan, Convery, Devlin, Ireland, Lafferty and O'Kane voted for the amendment.

There being 8 votes for the motion and 9 for the amendment, the amendment was declared carried and motion as amended was approved as follows:-

This council noted the aims of the Give Them Time Campaign, set up by parents, both local and national, to share experiences of applying for a further year of Nursery funding for their child to defer starting P1;

understand that the national survey found that only 19% of parents knew about their legal right to defer children born between mid August to December compared to 80% knowing that children born in January and February;

notes that the issues have been discussed locally and at the Children and Young People Board of COSLA and as a result all 32 Local Authorities should now provide clearer information regarding deferral rights and application processes (this is being undertaken by the Education Department); further notes that the Council funds an extra year of early learning and childcare where this is deemed to be of benefit to the child; Council acknowledges that any change to Annex B of Section 34 of the Education Scotland Act (1980) and provision of associated funding is the responsibility of the Scottish Parliament; Council agrees that this Authority will write to the Scottish Government to highlight the campaign and issues raised.

STATEMENTS BY REPRESENTATIVES ON JOINT BOARDS/COMMITTEES

1023. The following statements were made:-

Councillor Bamforth - Integration Joint Board

Councillor Bamforth referred to business considered at the most recent meeting of the Health and Social Care Partnership Integration Joint Board (IJB) at which a presentation had been made by some of the authority's care experienced young people on Team Work Makes Champions and achievements of the Champions Board since its establishment. She emphasised that the IJB had been impressed regarding the strong relationship between the young people and their corporate parents and how they had genuinely influenced change.

Regarding the Council's care at home service, Councillor Bamforth reported that the IJB was continuing to monitor implementation of the action plan, had discussed the importance of people receiving appropriate levels of care, and were encouraged to hear about planned engagement sessions on the service at which care staff could contribute to discussions on future developments. The Board had also received a report on the independent evaluation of Home and Mobile Health Monitoring in East Renfrewshire. Over 600 people were reported to have benefitted from using 'Flow' to help manage their blood pressure, with use of this technology having reduced the need for unnecessary follow up appointments and released clinical time for other patients.

It was confirmed that the next meeting of the IJB was scheduled to take place on 25 September.

Councillor O'Kane – Neilston Campus

Councillor O'Kane was pleased to report that the Council had been successful in attracting support during this phase of funding for new schools, specifically for the learning campus development in Neilston. He referred to the statutory education consultation undertaken as a necessary first step in taking forward improvements for learning and leisure in Neilston, with the renewal of Neilston Primary, St Thomas's Primary and Madras Family Centre being at the heart of the development. He highlighted that, at the time, the proposal was welcomed by the community, subsequent to which £30m had been included in the Capital Plan to bring the project to fruition when a funding contribution was received from the Scottish Government's Learning Estate Investment Programme. The Council was one of 11 councils to be part of the first phase of the £1b. Scottish Government investment.

Councillor O'Kane explained that the locale of Neilston Primary School and Madras Family Centre would provide the cornerstone of the learning campus development,

which would include a new library and improved leisure facilities. The design stage could now be taken forward involving all stakeholders to ensure the facility met local needs now and in future. Children, parents, staff and more generally the community were known to be eager to be involved in shaping their new facilities.

Councillor O’Kane clarified that as progress moved forward on this funding, officers would prepare further bids and submissions for renewal of the school estate, including for schools considered to be in the worst condition such as Carolside and St John’s Primary Schools.

The Council noted the statements.

RENFREWSHIRE VALUATION JOINT BOARD – APPOINTMENT OF REPLACEMENT REPRESENTATIVE

1024. The Council considered a report by the Deputy Chief Executive, seeking the appointment of a replacement for Councillor Devlin on the Renfrewshire Valuation Joint Board, following his resignation as one of the Council’s four representatives serving on it. The Board, which came into existence on 1 April 1996, had been established to carry out the valuation functions of Renfrewshire, East Renfrewshire and Inverclyde Councils, and also had responsibility for carrying out Electoral Registration on behalf of the three constituent authorities.

The Council agreed that Councillor Ireland be appointed to the Renfrewshire Valuation Joint Board.

BARRHEAD HOUSING ASSOCIATION – NOMINATION OF REPLACEMENT CO-OPTED MEMBER

1025. The Council considered a report by the Deputy Chief Executive, seeking the nomination of a replacement for Councillor Ireland as a co-opted board member of the Board of Barrhead Housing Association.

The report explained that the Association, which was a key, locally controlled body owning nearly 920 properties throughout East Renfrewshire, was run by a Governing Board, the membership of which was outlined. Having explained that the Council had a co-opted place on the Governing Board, the report clarified that the Council’s nominee needed to meet a series of criteria/requirements as set out in the Association’s Co-opted Governing Board Members Policy, a copy of which was attached to the report.

The Council agreed to nominate Councillor Buchanan to replace Councillor Ireland as a co-opted member of the Board of Barrhead Housing Association.

PROVOST’S ENGAGEMENTS

1026. The Council considered and noted a report by the Deputy Chief Executive, providing details of civic engagements attended and civic duties performed by Provost Fletcher since the previous meeting.

SCHEME OF DELEGATED FUNCTIONS

1027. The Council considered a report by the Deputy Chief Executive, seeking approval of an amended Scheme of Delegated Functions prepared in light of various changes to departmental structures resulting in the transfer of delegated responsibilities and changes in designations. Approval was also sought of a number of additional delegated powers as outlined in the amended Scheme. A copy of the amended Scheme of Delegated Functions was appended to the report.

Having referred to the legislative background to the Scheme, the report explained that since it was last approved in its entirety to reflect the establishment of the Health and Social Care Partnership and Culture and Leisure Trust (CLT), various changes had taken place, including in legislation, officer designations and operational management responsibilities. When those changes occurred, reports had been submitted to the appropriate bodies and changes in the delegated powers agreed.

It was explained that the Scheme already contained provision that empowered the Deputy Chief Executive and Democratic Services Manager to vary the Scheme in three particular cases. Many changes made to the Scheme fell within these categories, approval for which was not required. However, a number of proposed changes, primarily relating to the extension of a previously approved delegated power, were proposed as listed in Appendix 1 to the report which provided a commentary of the changes contained in the Scheme and whether or not approval was required. It was highlighted that Paragraph 1 of the Scheme duplicated Paragraph 5 of the Council's Scheme of Administration, therefore corresponding changes would be made to that Scheme.

Referring to the authorisation to the Head of Accountancy (Chief Financial Officer) to issue a letter to the East Renfrewshire CLT each year confirming the Council's ongoing financial support for the Trust's activities, subject to the Trust's accounts showing a surplus for the year in question, Councillor Swift asked what the financial limit referred to in the letter would be. The Head of Accountancy clarified that if it was indicated that the Trust's accounts would not show a surplus, authorisation regarding this from Elected Members would be sought. It was when an issue of that type was not anticipated that the letter would be issued.

Also in response to Councillor Swift, it was clarified that what was proposed regarding the approval of grant and loans for economic development purposes, was removing the delegation to the Economic Development Manager to grant sums up to £5,000 as the post no longer existed. Authority to approve these grants would be extended from the Director of Environment or Head of Environment (Strategic Services) to the Strategic Services Manager.

The Council agreed:-

- (a) to note the alterations that had been made to the Scheme of Delegated Functions to reflect the changes to departmental structures and designations and which had been approved under existing delegated powers; and
- (b) that delegated powers be granted in respect of those new matters as outlined in the Scheme and as listed in Appendix 1 to the report.

REVIEW OF STANDING ORDERS

1028. The Council considered a report by the Deputy Chief Executive, seeking approval for amended Standing Orders for the Council. A copy of the amended Standing Orders was appended to the report.

Having referred to the legal provision that existed to enable local authorities to make Standing Orders for the regulation of its proceedings and business, and to vary or revoke them, it was clarified that the existing Standing Orders contained provision that they should be reviewed once in the lifetime of the Council, the last full review having taken place in 2013. Having highlighted and itemised the changes proposed, the report clarified that the draft Standing Orders had been discussed by the Standing Orders Review Group comprising Elected Members, the Chief Officer – Legal and Procurement and the Democratic Services Manager, in addition to which the Corporate Management Team, had been consulted.

It was concluded that the proposed revisions brought the Standing Orders up to date, clarified a number of matters where there was considered ambiguity or lack of clarity, introduced some new processes, particularly around electronic submission of documents, and took account of internal and external changes.

In reply to Councillor Wallace, the Democratic Services Manager clarified that the proposed changes regarding the dates of ordinary meetings, and the place and time of meetings, were simply to provide flexibility if required.

Having heard Councillor Ireland welcome the proposed changes on motions regarding budgets, Councillor Swift sought clarification on the legal provision that existed to implement Standing Order 17 pertaining to Elected Members leaving the Council if their behaviour was considered obstructive or offensive. Provost Fletcher and the Democratic Services Manager confirmed there was no question of any Council officer being required to physically remove anyone from the Chamber, in favour of relying on Elected Members to opt to leave of their own accord.

Having heard Councillor Swift comment on difficulties smaller parties could encounter securing the required number of signatories for a call-in notice the Council agreed that the amended East Renfrewshire Council Standing Orders be approved and implemented with effect from 30 September 2019.

STATUTORY REVIEW OF POLLING DISTRICTS AND PLACES

1029. Under reference to the Minute of the meeting of 26 June 2019 (Page 882, Item 946 refers), when a new draft polling scheme as the basis for further consultation had been approved, and it had been noted that the draft scheme contained some polling place and minor boundary changes, the Council considered a report by the Deputy Chief Executive, regarding responses received to the second consultation stage of the review of polling districts and polling places. Approval of the new polling scheme for the East Renfrewshire area was sought, a copy of which was attached to the report.

In response to the second phase of consultation, during which contact had been made with those contacted as part of the first phase of the review and details were published on the Council's website, a further 17 comments had been received. A summary of the comments and related responses pertaining to Wards 1, 3, 4 and 5 was provided.

Having regard to the legal requirement to conduct the review by April 2020, the report clarified that future population growth, the Council's own development plans and, where possible, concerns of parents and carers about needing to arrange alternative childcare on polling days had been taken into account. Although the number of schools used as polling places had been reduced by 3, it was acknowledged that the ongoing use of some would be

disappointing to parents, every effort having been made to move to non-school premises subject to them being suitable. Arrangements to harmonise polling days and school in-service days aimed to reduce further inconvenience to parents and carers.

Subject to the final Scheme being approved, a further review would not be required until October 2023. For the reasons provided, with the exception of the use of Woodfarm Education Centre instead of OLM Primary School, it was not proposed to make any further changes to the draft scheme approved by the Council in June.

In response to Councillor Swift who asked if it was possible for those from Waterfoot to vote at Eaglesham Primary School rather than Kirkhill and to potentially use Broom Church Hall instead of Kirkhill Primary School allowing it to remain open, the Democratic Services Manager stressed not only the concerted efforts made to accommodate parents and reduce school use, but also particular challenges faced in that area. He clarified that Maxwell Mearns Church and the Scout Hall had been considered but deemed unsuitable for reasons specified in the report, but confirmed that, even if the Scheme was approved, opportunities existed to consider amending polling districts and to carry out interim reviews. He referred to the value of the Council approving the Scheme in the current political climate.

Having welcomed the use of Netherlee Pavilion instead of the local school, Councillor Ireland asked what the timescale was for revisiting the possible use of the nursery at Carolside Primary School, acknowledging access issues at Duff Memorial Hall. The Democratic Services Manager confirmed that the condition of existing properties as they were, such as that hall, had to be relied upon as he had no powers to require alterations to be made to them. He gave an undertaking to liaise with the Education Department on when it might be possible to review the possibility of the use the nursery at Carolside Primary School.

In reply to Councillor Bamforth who suggested that, when an interim review was undertaken, the possibility of using the Scout Hall instead of Crookfur Pavilion be considered and then using Broom Church Hall in place of Kirkhill Primary School, the Democratic Services Manager confirmed that the main impediment to using the Scout Hall was pedestrian safety rather than its location. He confirmed that it would be possible to consider using Crookfur nursery in due course.

Having also welcomed the use of Netherlee Pavilion, Councillor Macdonald highlighted disparity in the Clarkston, Netherlee and Williamwood Ward because Busby and Carolside Primary Schools had to close for elections whereas other schools remained open. In response to a suggestion by him about using Williamwood High School gymnasium, the Democratic Services Manager explained why high schools were not generally used, referring to polls commonly coinciding with exam periods and how their use contradicted efforts to increase school security. He emphasised that alternatives were considered wherever possible.

The Council:-

- (a) noted the additional comments received and the related responses prepared;
- (b) approved the amended polling scheme as outlined in Appendix 1 to the report, including the change to the polling district boundaries between polling districts EE03 and EE06, and between ES05 and ES06, as outlined in the previously approved draft scheme; and
- (c) agreed that delegated authority be granted to the Chief Executive to alter or amend any polling place should it become unavailable or unviable.

EAST RENFREWSHIRE HEALTH AND SOCIAL CARE PARTNERSHIP ANNUAL PERFORMANCE REVIEW

1030. The Council considered a report by the Chief Officer - Health and Social Care Partnership, providing details of the end of year performance report 2018/19 for the Health and Social Care Partnership (HSCP) in accordance with the requirements of the Public Bodies (Joint Working)(Scotland) Act 2014. A copy of the performance report was appended to the report.

Having referred to the legislation and guidance setting out the prescribed content of a performance report for an integration authority, the report explained that this was the first year of the 2018/21 Strategic Plan and the HSCP's third Annual Performance Report. The report was a high level one, with more details of activities and local targets available in the quarterly and six-monthly performance reports submitted to the IJB Performance and Audit Committee.

The report explained that the Annual Report, a copy of which accompanied the report, set out how the HSCP had delivered on its vision and commitments over 2018/19, with the report structured around the priorities set out in the Strategic Plan and linked to the National Health and Wellbeing Outcomes, as well as those for Criminal Justice and Children and Families. The main elements of the report set out the current strategic approach of the HSCP; how work had been done to deliver its strategic priorities over the preceding 12 months; its financial performance; detailed performance information illustrating data trends against key performance indicators; and key work areas that would be focussed on as the HSCP moved forward.

The report commented further on national performance indicators, outcome measures and organisational measures, as well as key local indicators. It highlighted that performance indicators reflected that the greatest improvements in 2018/19 included those on outcomes for children following support from parenting programmes; helping older people and people with long-term conditions maintain independence at home; and supporting the needs of unpaid carers. It was concluded that the report provided a comparison of performance against Scotland and the previous baseline year.

Councillor Swift highlighted that the level of sickness absence for employees was over 50% above target and questioned how this was being addressed. The Chief Officer - HSCP confirmed that this had been raised at the IJB, clarified that a large proportion of absenteeism related to the homecare service, and highlighted challenges linked to the profile of the workforce providing that service. She clarified that a member of the HR team was working with the HSCP directly to try to address the issue, in addition to which management panels were being put in place where issues could be discussed, adding that there had been some improvement in performance but then a further drop. The Chief Officer - HSCP stressed that those within the HSCP were working hard to address the position.

Councillor Bamforth encouraged Elected Members to read the full report which was available on the Council website and reflected significant progress, such as in terms of outcomes for children through the parenting programme. She also highlighted that the number of elderly remaining at home had increased, and that unplanned hospital admissions had reduced.

The Council noted the contents of the East Renfrewshire Health and Social Care Partnership Annual Performance Report 2018/19.

EARLY YEARS STRATEGY UPDATE

1031. Under reference to the Minute of the meeting of 28 March 2018 (Page 344, Item 372 refers), when the Early Years Strategy Action Plan had been approved, the Council considered a joint report by the Chief Officer – Health and Social Care Partnership and Director of Education, providing an update on progress made implementing the Action Plan and identifying the next steps.

Having clarified that the Action Plan had been developed by the Children's Improvement Collaborative Key Change Group to take control of and drive improvements that supported the delivery of the Community Plan Strategic Outcome regarding all children in East Renfrewshire experiencing a stable and secure childhood, the report referred to contributions made to achieving related intermediate outcomes. A range of information was provided on work undertaken on targeted interventions to increase the confidence of parents most in need of support; to provide accessible and effective support for families to reduce the impact of financial pressures on children; engage communities and increase opportunities for involving parents; and increase activities which supported prevention and early intervention, improve outcomes and reduce inequalities. Information was also provided on progressing issues to improve maternal health and wellbeing, and ensuring children received high quality early learning and childcare.

Having clarified that the Early Years Improvement Team would continue to lead on the implementation of the Action Plan reporting directly to the Improving Outcomes for Children Group, the report explained that, when evaluated, the Team had proved to be a strong interdisciplinary one, with almost all partners attending regularly, which set the agenda and gave updates on critical activities to improve outcomes for children and families. The team's work would contribute to the delivery of the Child Poverty Delivery Plan and the Integrated Children's Services Plan, with three sub-groups leading development across various areas of focus including the Nurtured Improvement Team led by the Early Years Prevention Officer.

Next steps were reported to include reviewing parenting programmes and ensuring support was available for families; and working with partners to increase parenting capacity and understanding of child development and physical health as well as the importance of play experiences for young children.

Having clarified that the implications of the Strategy were wide reaching, such as in terms of improving the way services worked together, increasing community engagement in the development of services and aligning budgets and resources to support prevention and early intervention, the report concluded that significant progress had been made implementing the Strategy, with a vision for early years developed that was shared by staff working in all departments and the HSCP. This was considered to provide a firm platform for continuing to grow and develop this work, with investment in prevention protected over the next few years when budgets were reducing, to recognise that the full benefits from this investment would not be seen for some years.

Welcoming the report, Councillor O'Kane highlighted the range of ongoing work across the Council to support families and improve outcomes for children. He highlighted that schools and nurseries were working well with Family First, focussing on early intervention and prevention, not only within the authority's most deprived communities but also supporting those with hidden poverty. He added that families were benefiting from a range of parental supports which reflected the needs of children. The introduction of Mellow Ability, as a support for parents of children with complex needs, had been very successful.

Councillor O’Kane highlighted a strong commitment across the Council for the work being done in early years settings to ensure they were increasingly family centred, that parents were welcomed as partners, and that families were supported to engage in their children’s learning. He anticipated that everybody would want to continue the Council’s support and investment in early years learning which paid dividends later in life, commending all staff involved in the implementation of the Early Years Strategy, from those in nurseries and early learning to those involved in related policy work.

Councillor Bamforth commented that the report demonstrated great joint working and the Council’s commitment to protecting investment in prevention. She commented that early interventions, such as the Family Nurse Partnership and the enhanced breastfeeding pathway, supported parents to ensure their children had the best start in life. She added that the healthier, wealthier children post within the Money Advice and Rights Team had been invaluable in supporting families to access benefits to which they were entitled, with the NHS Board regarded it as an exemplar.

Councillor Bamforth referred to the positive focus placed on engaging families within their communities to access greenspaces and places to play to support health and wellbeing for the whole family. She highlighted that facilities at the Sir Harry Burns Centre were excellent and provided multi-agency approaches to supporting children and families as well as services working together under one roof at the heart of the community. She commented on the UNICEF breastfeeding gold accreditation achieved by the HSCP, commending this achievement and all of the work behind that to support families extremely well, which had led to some of the highest breastfeeding rates in Scotland.

Having heard Councillor Wallace concur regarding the facilities at the Sir Harry Burns Centre and remind Elected Members of the role of the Conservative Group in the project, the Council:-

- (a) noted the progress made to date; and
- (b) approved the next steps as identified within the report.

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Councillor Ireland left the meeting at this stage.

PROPOSED CONSERVATION AREAS – NETHERLEE AND CROOKFUR COTTAGE HOMES

1032. The Council considered a report by the Director of Environment seeking approval to formally designate Conservation Areas at Netherlee and Crookfur Cottage Homes as proposed in the adopted East Renfrewshire Local Development Plan (LDP).

Having referred to local authorities’ powers to designate Conservation Areas, the number of such areas that existed in East Renfrewshire and the new areas referred to within the LDP, the report outlined why the areas were being proposed, clarifying that the designation was subject to the terms of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 as amended, and Historic Environment Scotland (HES) guidance. The expectation that local authorities would consult prior to designating a Conservation Area and related matters were commented on.

The report outlined the steps required to designate the Conservation Areas through a notice of designation published in the Edinburgh Gazette and at least one local paper, concurrent to which Scottish Ministers and HES would be notified. Whilst owners and occupiers did not have to be notified individually, publicity would be undertaken. The number of properties affected in each area was quantified as were related implications in terms of permitted development rights and planning permission required in various circumstances in Conservation Areas.

Councillor Swift commented that much of the centre grass area within Crookfur Cottage Homes had been built on following on from which Provost Fletcher referred to a number of stages of work being done at the site by the Retail Trust to improve accommodation.

In response to Councillor Macdonald who queried how options for siting wheelie bins, which many considered unsightly, accorded with the Conservation Area status, the Director of Environment clarified that this issue was not covered by the terms of the proposal but that he would be happy to consider it outwith the meeting.

The Council:-

- (a) authorised the Director of Environment to proceed with the formal designation of Conservation Areas at Netherlee and Crookfur Cottage Homes; and
- (b) noted that the Director of Environment would consider the issue raised by Councillor Macdonald regarding wheelie bins.

MAY 2020 – EARLY MAY BANK HOLIDAY

1033. The Council considered a report by the Deputy Chief Executive seeking approval for the Early May Bank Holiday, in 2020 only, to be moved from the first Monday in May to Friday, 8 May to mark the 75th anniversary of Victory in Europe (VE) day.

The report referred to the Secretary of State for Business, Energy and Industrial Strategy's proposal regarding the Bank Holiday, clarified that in Scotland such holidays were a devolved matter, and explained that the Scottish Government and various other local authorities in Scotland had announced their plans to move the holiday. The early announcement was to facilitate planning within schools and enable parents to be notified. All employee conditions of service that applied to public holidays would apply on 8 rather than 4 May 2020.

The Council agreed to move the holiday on 4 May 2020 to Friday, 8 May 2020 to mark the 75th anniversary of VE day.

CHAIR