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**MINUTE**  
**of**  
**EAST RENFREWSHIRE COUNCIL**

**Minute of virtual meeting held at 2.00pm on 24 June 2020.**

**Present:**

Provost Jim Fletcher	Councillor Alan Lafferty
Depute Provost Betty Cunningham	Councillor David Macdonald
Councillor Caroline Bamforth	Councillor Jim McLean
Councillor Tony Buchanan (Leader)	Councillor Colm Merrick
Councillor Angela Convery	Councillor Stewart Miller
Councillor Charlie Gilbert	Councillor Paul O’Kane
Councillor Barbara Grant	Councillor Jim Swift
Councillor Annette Ireland	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); Gillian McCarney, Head of Environment (Chief Planning Officer); Debbie Hill, Chief Procurement Officer; Eamonn Daly, Democratic Services Manager; and Paul O’Neil, Committee Services Officer.

**Apologies:**

Councillors Paul Aitken and Danny Devlin.

**OPENING REMARKS**

**1269.** The Provost referred to the impact COVID-19 had had on communities across the country and indeed across the world, particularly on those people whose relatives had died and who had not been able to spend as much time with their loved ones as they would have in normal times. He highlighted that East Renfrewshire’s sizeable elderly population had borne the heaviest toll, with deaths in care homes both public and private sector and with the Council’s caring services being stretched to new limits. He also indicated there would be few, if any, people in East Renfrewshire who would have not been directly affected by coronavirus whether it be their health, work or education and many of those taking part in the meeting would know someone who had suffered the ultimate loss of a loved one.

To recognise that loss, he asked the Council to pause for a few moments in memory of those who had died.

Thereafter, highlighting the importance of the Council recognising and thanking people across East Renfrewshire who had been part of the tremendous community response to the crisis, Provost Fletcher referred especially to those who had volunteered to help their fellow residents by delivering shopping, picking up prescriptions and working in the Council's own Humanitarian Food Hub.

## **DECLARATIONS OF INTEREST**

**1270.** Provost Fletcher and Councillors Grant, Merrick and O'Kane declared non-financial interests in relation to Item 1280 by virtue of the fact that they were members of the East Renfrewshire Culture and Leisure Trust Board.

## **MINUTES OF PREVIOUS MEETINGS**

**1271.** The Council considered and approved the Minutes of the meetings held on 27 February and 23 March 2020.

## **MINUTES OF MEETINGS OF COMMITTEES**

**1272.** The Council considered and approved the Minutes of the meetings of the undernoted, except as otherwise referred to in Item 1273 below:-

- (a) Appointments Committee – 11 March 2020;
- (b) Planning Applications Committee – 11 March 2020;
- (c) Local Review Body – 11 March 2020;
- (d) Cabinet – 12 March 2020;
- (e) Audit and Scrutiny Committee – 12 March 2020;
- (f) Emergencies Committee – 14 May 2020;
- (g) Emergencies Committee – 21 May 2020;
- (h) Appointments Committee – 8 June 2020;
- (i) Education Committee – 11 June 2020; and
- (j) Emergencies Committee – 11 June 2020;

## **EDUCATION COMMITTEE – 11 JUNE 2020**

**1273.** Under reference to the Minute of the meeting of the Education Committee of 11 June, (Page 1177, Item 1263 refers), Councillor Wallace commented that the terms of the Minute in relation to the Council's COVID-19 Local Delivery Phasing Plan were now out of date given the recent announcement by Mr John Swinney, Cabinet Secretary for Education and Skills that schools would now return in August 2020. He sought an update on the matter.

In reply, Councillor O'Kane advised that it was the intention for schools to return in August, subject to the continued suppression of coronavirus and ongoing advice from scientists. The proposed blended model of education was a contingency in the event that pupils could not return to full-time education in August. The Director of Education advised that an updated plan had been sent to Her Majesty's Inspectorate of Education (HMIE) regarding this matter and a that a report would be submitted to the next meeting of the Education Committee on 21 August 2020 providing further information.

The Council noted the position.

**STATEMENTS BY REPRESENTATIVES ON JOINT BOARDS/COMMITTEES**

1274. The following statements were made:-

(a) **Councillor Bamforth - Integration Joint Board**

Councillor Bamforth reported on the business considered at the most recent meeting of the Health and Social Care Partnership Integration Joint Board (IJB) which had been held earlier in the day at which consideration had been given to the unaudited accounts and the HSCP's response to the COVID-19 pandemic. She referred to those members of staff who had been working on the frontline during the COVID-19 pandemic providing valuable services to vulnerable residents living both at home and in care homes and congratulated them for all their hard work. Concluding her remarks, she highlighted that the HSCP was now planning for recovery and was working in collaboration with partner organisations to meet the needs of East Renfrewshire residents.

(b) **Councillor Merrick – East Renfrewshire Culture and Leisure Trust**

Councillor Merrick reported on the actions the Trust had taken in response to the impact of the COVID-19 pandemic including closing all of its buildings to the public and suspending its programmes on 18 March. In addition, customer payments were suspended and/or refunded from that point, with the only services continuing being those delivered online, free of charge.

Whilst noting that ERCL staff had stepped forward as volunteers to support critical services elsewhere in the authority, including the Humanitarian Aid programme; and the delivery of the Spring Holiday Programme, Councillor Merrick highlighted that under the Government Coronavirus Job Retention Scheme, 90% of staff were placed on furlough, including half of the management team, with ERCL meeting the full cost to make sure staff were continuing to be paid 100% of their salary. He advised that planning for recovery and relaunch of culture and leisure services, and for the delivery of a holiday programme to support vulnerable children and the children of key workers throughout the summer break, was well underway.

Details of the 2019/20 performance of the Trust were outlined it being noted that the business had placed a real focus on transforming both product offerings and service quality in response to market and customer insight. Despite the impact of COVID-19 the Trust had finished the year with an operating surplus, further strengthening an emerging trend. Councillor Merrick emphasised that for the previous two years the Trust had generated significant surpluses through developing products and services, whilst effectively managing the cost base. Arts and Theatre; Swimming and Gyms and Fitness were three areas which had seen improved performance.

Concluding his remarks, Councillor Merrick further emphasised that the strong performance achieved also followed the decision to bring marketing services in-house, and to create a dedicated sales and marketing team within the Trust. This had played a significant part in the increase in earned income for the year, and the growth of memberships, audiences, and attendances.

The Council noted the statements.

## **AUDIT AND SCRUTINY COMMITTEE - APPOINTMENT OF REPLACEMENT MEMBER**

**1275.** The Council considered a report by the Deputy Chief Executive, seeking the appointment of a replacement for Provost Fletcher on the Audit and Scrutiny Committee.

The Council agreed that Councillor Convery be appointed to the Audit and Scrutiny Committee as a replacement for Provost Fletcher.

## **PROVOST'S ENGAGEMENTS**

**1276.** 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 meeting on 27 February 2020.

## **ESTIMATED REVENUE BUDGET OUTTURN 2020/21**

**1277.** The Council considered a report by the Head of Accountancy (Chief Financial Officer), advising of the estimated financial impact of COVID-19 on the Council's budget plans, projecting the revenue budget out-turn position for 2020/21 and setting out potential options for addressing the resulting shortfall. The report also provided details of expected year-end variances for each department as at 30 April 2020 and subsequent assessment of pressures arising from COVID-19. Full details of the impact of COVID-19 on Council budgets together with information on service virements and operational adjustments appeared as appendices to the report.

Whilst noting that prior to the meeting of the Council on 27 February 2020 the Scottish Government had announced an increase of £1.875m in the Council's General Revenue Grant, the report explained that at that time, the Council had already agreed the budget as set out in the report considered at that meeting. To address the late announcement by the Scottish Government, officers were requested to return to the Council with a proposal for an amended budget reflecting the increased funding.

Details of the COVID-19 impact on Council budgets were outlined in the report it being noted that they were seen across five broad areas these being: additional spending pressures in providing new services and addressing increased needs; losses in normal income streams; reduced spending in areas where services had been curtailed; reduction in ability to deliver planned budget savings; and putting in place recovery arrangements.

The report highlighted that the additional full year COVID pressure on the Council was currently estimated at £13.9m which was based on a number of assumptions and under a worst case scenario could rise to £17.5m. However, taking into account expected government grant of £4.394m for COVID related activity, this would leave a potential COVID related shortfall in the Council's 2020/21 budget of between £9.5m to £13.1m. This total COVID related variance had been included in the overall monitoring of the Council's budget as set out in Annex B to the report. This showed that, after accounting for the £1.875m grant increase announced by the government in February 2020 and some slight minor variances on routine expenditure, the overall forecast year-end Council position was a shortfall of £8.55m, made up of £8.4m relating to General Fund services and £0.150m relating to the Housing Revenue Account (HRA).

It was noted that the figures did not include COVID pressures being addressed by Integration Joint Boards, as these were being separately accounted for. The Scottish Government had provided £50m of IJB mobilisation costs of which the East Renfrewshire IJB had been allocated £0.886m. The IJB estimated that its total costs would be in the region of £9m with social care costs being a significant part of those costs. The IJB expected government funding to cover these costs although an element of this pressure had been reflected under the worst case scenario as detailed in Annex A, should full funding not be provided.

The report provided details of various options for addressing the unprecedented gap and indicated that a further report would be submitted to the meeting of the Cabinet in August updating the position and providing more detailed proposals. However, it was noted there was a limited range of options available to councils to address an in-year shortfall of this scale. The use of reserves where available could be considered along with the option to decrease costs by reducing service levels. Details of the Council's current reserves situation were outlined in the report it being noted that the Council's non-earmarked General Fund reserve as at 31 March 2020 was estimated at £9.590m (3.8% of budget).

The Council had agreed to use a further £3.5m from this reserve to assist with 2020/21 budget pressures, thus the projected balance at 31 March 2021 would be £6.090m (2.4%). It was noted that a range of between 2 to 4% was generally considered prudent. As such there was some scope to use this reserve to help close the gap. The use of £1m would bring the balance down to the lower (2%) recommended limit, although substantial additional measures would also be needed, particularly if COVID related pressures were to extend until late in the current year or beyond.

The use of the Council's earmarked reserves could also be reviewed, with the Modernisation Fund (estimated balance at 31 March 2020 £7.050m) also offering some scope to assist. There was, however, an ongoing need to draw down up to £1m each year from this fund in support of essential service redesign work. If anything, such pressure to use these resources to redesign and digitise services would increase in the short term as councils had to adopt new ways of working as they emerged from the pandemic.

Whilst noting that the Council had yet to determine how the increase of £1.875m in the Council's General Revenue grant announced by the Scottish Government just prior to the Council's budget meeting in February should be applied, the report proposed that given the present circumstances, it would seem prudent to use part of the funding to offset the £1.278m of unallocated savings in the February 2020 budget. The remaining £0.597m of the funding could be considered at a later date as part of the response to the funding of the COVID related budget gap.

The report also indicated that a major review of current year budgets and service prioritisation would be required in view of the extent of the potential shortfall, although this would be very challenging in view of the extent of budget savings implemented in recent years. In view of this, the report proposed that directors work on this over the summer with a view to bringing proposals back after the recess. At that stage, more information should be available on the forecast pressures for the Council, government funding and permitted financial flexibility. In the interim, it would be prudent to cease all non-essential spend.

Whilst the UK Government was expected to unveil a package of economic stimulus measures in July 2020, a full budget was unlikely to be delivered until later in the year. The report suggested that as a result, it would be prudent for the Council to apply a one year deferral to its plans for a 3 year budget covering 2021-2024. It was proposed that instead a single year budget approach was recommended for 2021/22, with the intention of reverting to 3-year

budget setting for 2022-25, when it was hoped that multi-year settlements would again be available. In the interim, 3-year Outcome Delivery Plans and 6-year long term financial plans would continue to be prepared.

Councillor Buchanan commented that based on expenditure pressures and funding confirmed so far, the Council was facing a budget shortfall of at least £8.4m as a result of the current pandemic. He highlighted that the report had been prepared before Mr John Swinney, Deputy First Minister's announcement on 23 June indicating that the aim of the Scottish Government was to return children to school on a full-time basis from 11 August and that should this take place, the cost pressures on the Council could reduce by over £3million.

Concluding his remarks, Councillor Buchanan emphasised that the Council would continue to lobby the Scottish and UK Governments through COSLA for increased grant funding and borrowing powers. It was noted that the position was constantly changing and would be closely monitored, with further reports being brought forward throughout the year. However, due to the level of uncertainty nationally, he recommended that the Council should prepare to set a single year budget for 2021/22 rather than adopt a 3 year approach as originally planned for the coming years.

The Council:-

- (a) noted the £1.875m increase in the Council's General Revenue Grant in late February 2020;
- (b) agreed to apply £1.278m of the additional grant to cancel out the requirement for unallocated savings in the Council's 2020/21 budget;
- (c) noted the forecast additional financial pressures arising from COVID-19, the further revisions to the Council's Scottish Government grant funding confirmed to date and the resulting significant budget gap for 2020/21;
- (d) noted the broad options for addressing this unprecedented gap and that a further report would be submitted to the Cabinet in August updating the position and providing more detailed proposals;
- (e) instructed departments to avoid all non-essential spending with immediate effect;
- (f) authorised the Corporate Management Team (CMT) to incur essential unbudgeted COVID related expenditure commitments over the summer up to the maximum figures set out in Annex A;
- (g) agreed that a single year budget approach for 2021/22 be adopted; and
- (h) approved the service virements and operational adjustments as set out in the notes to the tables in Annex B.

#### **GENERAL FUND CAPITAL PROGRAMME 2020/21**

**1278.** The Council considered a report by the Head of Accountancy (Chief Financial Officer), recommending adjustments to the 2020/21 General Fund Capital Programme, approved on 27 February 2020, resulting from finalisation of the previous year's programme and in light of subsequent information.



The report highlighted that this was the first report of the year on capital projects and showed how the project budgets had been updated to reflect the position reached on individual schemes at 31 March 2020. It was noted that over £8m of expenditure scheduled for 2019/20 had not been incurred by 31 March 2020 and therefore the 2020/21 Capital Plan had been increased by this amount to allow these works to be completed in the current year which brought the total 2020/21 programme up to £51.621m.

Whilst noting that the timing of various projects would be affected by the current COVID-19 pandemic with work on construction sites having been halted since late March and only now beginning to resume, the report indicated that officers were now working to assess how schemes could be rescheduled and reprioritised. A report on this matter would be submitted to a future meeting of the Cabinet.

The report also highlighted the latest developments relating to the programme, including the latest income and expenditure movements and cash flow management issues and indicated that the projected shortfall of £425,000 which represented 0.83% of the resources available was within manageable limits. Detailed explanations of the reasons for the major movements within the programme were outlined in the report.

The Council:-

- (a) noted and approved the movements within the programme; and
- (b) noted the shortfall of £0.425m and that income and expenditure on the programme would be managed and reported on a regular basis.

## **HOUSING CAPITAL PROGRAMME 2020/21**

**1279.** The Council considered a joint report by the Head of Accountancy (Chief Financial Officer) and the Director of Environment, recommending adjustments to the 2020/21 Housing Capital Programme, approved on 27 February 2020, resulting from the finalisation of the previous year's programme and in light of subsequent information.

The report highlighted that almost £0.2m of expenditure scheduled for 2019/20 had not been incurred by 31 March 2020 and the 2020/21 Capital Plan had been increased by this amount to allow these works to be completed in the current year bringing the total 2020/21 programme up to £17.757m. As with the General Fund, the timing of various housing projects would be affected by the COVID-19 pandemic and a report on this matter would be submitted to a future meeting of the Cabinet.

The report highlighted the latest developments relating to the programme, including the latest income and expenditure movements and cash flow management issues and indicated that the shortfall of £0.135m which represented 0.8% of the resources available was within manageable limits. Detailed explanations of reasons for the major movements within the programme were outlined in the report.

The Council:-

- (a) noted and approved the current movements within the programme;
- (b) noted the shortfall of £0.135m and that income and expenditure on the programme would be managed and reported on a regular basis.

## **EAST RENFREWSHIRE CULTURE AND LEISURE TRUST - CONFIRMATION OF FINANCIAL SUPPORT**

**1280.** The Council considered a report by the Head of Accountancy (Chief Financial Officer), seeking approval for the issue of a letter to East Renfrewshire Culture and Leisure Trust (ERCLT) confirming the Council's ongoing financial support for the Trust. A copy of the proposed letter was appended to the report.

The Council approved the issue of a letter to ERCLT confirming the Council's ongoing financial support for the Trust's activities.

## **STRATEGIC END-YEAR COUNCIL PERFORMANCE REPORT 2019/20**

**1281.** The Council considered a report by the Deputy Chief Executive, providing a summary of Council performance at end-year 2019-20 based on performance indicators in the Outcome Delivery Plan (ODP) 2019-22 together with information on end-year complaints. Full details of both were appended to the report.

The report explained that the Council set out its contribution to the partnership outcomes in the Community Plan through the content of the Outcome Delivery Plan (ODP) which was a three year plan, updated annually, which set out the Council's critical activities, performance measures and targets for the 3 year period 2019-22. In addition, it conveyed what the Council was doing to contribute to the delivery of the agreed community planning local outcomes, it being noted that the Council was responsible for ensuring that the money it spent contributed towards achieving these outcomes and worked in partnership with the Health and Social Care Partnership and the East Renfrewshire Culture and Leisure Trust to deliver them. Annex 1 to the report set out details of the Council's performance against the relevant indicators.

The report also provided details on other statutory reporting that the Council was required to carry out including complaints, details of which appeared as Annex 2 to the report. A further statutory duty was to report on a suite of benchmarking indicators that made up the national Local Government Benchmarking Framework (LGBF), to enable comparative performance analysis with other local authorities. The LGBF data for year 2018/19 was reported to the meeting of the Cabinet on 12 March 2020. Details of other statutory reporting was outlined in the report. Finally, in accordance with the provisions of the 2010 Equality Act the Council reported performance on equalities and a progress report on the Councils' Equality and Human Rights Mainstreaming and Outcomes Programme 2017-21 would be submitted a meeting of the Cabinet in April 2021.

Whilst noting that the Council was performing well across the majority of the ODP indicators, the report explained that in those areas where there was further scope for improvement, there was a clear understanding of the reasons for performance levels. Departments were not complacent and continued to monitor progress and take appropriate action. Furthermore, in terms of complaints, all Scottish councils were required to assess and monitor their complaints handling performance quarterly against a number of high level performance indicators identified by Scottish Public Services Ombudsman (SPSO). Full details of the Council's performance against these indicators at end-year point appeared as Annex 2 to the report. It was noted that the information contained in the report would be published on the Council's website where additional performance information could also be found, including departmental and benchmarking reports.

The report indicated that the ODP 2020-23 had been drafted and had been due to be considered at a meeting of the Cabinet in April 2020. However, in light of the COVID-19

pandemic the plan would be revised to take into account recovery planning across the Council family, including changes to activities and targets within the ODP, and would be considered for approval at a later date.

The Council noted:

- (a) the summary of the Council's performance at end-year 2019-20; and
- (b) the end-year complaints report.

## **PROPOSED LOCAL DEVELOPMENT PLAN 2 - RESPONSE TO REPRESENTATIONS**

**1282.** Under reference to the meeting of the Council on 26 June 2019, (Page 876, Item 938 refers), when it was agreed to approve the Proposed Local Development Plan 2 (LDP2) and supporting documents for publication and an 8-week consultation period, the Council considered a report by the Director of Environment, seeking approval for the responses to the representations on the Proposed LDP2 and authority to submit them to the Scottish Government for formal Examination. Full details of the proposed responses accompanied the report as Appendices 1 and 2.

The report explained that the Local Development Plan was the Council's key strategic land use planning document which strongly linked with the Corporate and Community Plans. The current Local Development Plan (LDP1) was adopted in June 2015 and set out a long-term vision and Development Strategy for East Renfrewshire up to 2025. It was noted that the formal consultation on the Proposed LDP2 closed on 13 December 2019.

Whilst noting that the Proposed LDP2 promoted a refreshed strategy of regeneration and consolidation of the urban areas, and enhancing existing places alongside a focus on protecting green spaces in line with Option 2B of the Main Issues Report (MIR) 'Consolidation and Regeneration', the report explained that the Council was required to consider every representation received to the Proposed LDP2 and provide a response to each. It was noted that if there were any unresolved objections, the Proposed Plan and any unresolved objections were required to be submitted to Scottish Ministers for Examination. This Examination was conducted by Reporters from the Scottish Government's Planning and Environmental Appeals Division (DPEA) on behalf of Ministers.

An overview of the responses, numbers received and policies/proposals that received the most responses was outlined in the report. Whilst noting that officers had analysed representations and provided a series of recommendations to the Proposed Plan, the report highlighted that responses had been prepared that strongly defended the Council's position. Details of the Proposed Modifications were set out in Appendix 1 to the report together with information on all representations received which had been grouped under 36 issues or 'Schedule 4 forms' as set out in Appendix 2.

The report advised that a total of 568 individual responses had been received arising from the consultation and that the majority of the responses related to five policy/proposals. These were noted as Policy M4: Braidbar Quarry, Giffnock; Proposal D8.13: Netherlee to Giffnock – Access Project; Proposal SG1.17: Neilston Juniors, Neilston – Housing Proposal; Proposal SG1.20: North Kirkton Road, Neilston - Housing Proposal; and Proposal SG1.23: Broompark Drive, Newton Mearns – Housing Proposal. In addition, the report indicated that 31 alternative residential development proposals were promoted.

The report explained that a number of recommendations to the responses had been made. These were noted in the report as the Development Strategy being in accordance with Scottish Planning Policy and the Glasgow and the Clyde Valley Strategic Development Plan; that the Plan was providing an effective generous land supply up to 2031; no additional land releases were required and none of the 31 alternative housing proposals were recommended for inclusion; further housing releases would have major impacts upon the existing education infrastructure; retention of the master plan approach and comprehensive remediation strategy at Braidbar Quarry; retention of Netherlee to Giffnock – Access Project – feasibility study required; deletion of the housing Proposal SG1.17 at the Neilston Juniors site with the community/sporting provision at the site retained; and the retention of housing proposals at North Kirkton Road, Neilston and Broompark Drive, Newton Mearns.

It was noted that the next stages of the Examination process would take between 6 to 9 months commencing in late summer 2020 and that at the conclusion of the Examination the Council would receive an Examination Report containing the Reporter's recommendations.

Whilst expressing her pleasure that there were no additional land releases included in the Plan, Councillor Grant sought clarification why the housing proposal at Broompark Drive, Newton Mearns had been retained.

In reply, the Head of Environment (Chief Planning Officer) explained that the area in question had been zoned for housing for a long time in the course of which Councillor Swift welcomed the absence of any infilling proposals in Newton Mearns.

Councillor Wallace referred to the consultation exercise that had been undertaken in relation to the proposed LDP2 and indicated that residents who had submitted responses in relation to Braidbar Quarries seemed to have been ignored given that the proposal at that site had been retained. He emphasised the importance of the need to retain green spaces for the public to enjoy given the restrictions placed upon the general public over the last 3 months as a result of COVID-19.

Councillor Miller congratulated the staff in the Planning Service for their work in preparing the Plan. Councillor Buchanan echoed these remarks suggesting that the Council was adopting a prudent approach in terms of the Plan. In response to the issue of Braidbar Quarries it was noted that a health and safety risk existed at the site and that Huntly Park had been protected.

At this stage, the Head of Environment (Chief Planning Officer) commented that Mactaggart and Mickel had submitted a proposal to build 10 units at Broompark Drive. She also clarified in response to the comments made by Councillor Wallace that the majority of representations submitted in relation to Braidbar Quarries were in fact about Huntly Park which had been designated protected open space both in the LDP and LDP2.

Councillor Wallace suggested that there was tremendous ambiguity as to what was defined as 'Huntly Park' in the course of which the Head of Environment (Chief Planning Officer) explained that it was effectively the Huntly playing fields. She agreed to send Councillor Wallace details showing the exact area designated as Huntly Park. She also highlighted that that LDP2 was the 'greenest' ever plan prepared.

The Council:

- (a) approved the proposed responses and recommendations to representations made as contained within Appendices 1 and 2 to the report;

- (b) agreed that delegated authority be granted to the Director of Environment to approve any minor inconsequential changes arising from the responses to be incorporated into the finalised 'Schedule 4 Forms'; and
- (c) approved the submission of the Proposed Local Development Plan 2, supporting documents and the finalised 'Schedule 4 Forms' to Scottish Ministers in due course for Examination.

## **COVID-19 ACTIONS - UPDATE**

**1283.** Under reference to the Minute of the meeting of the Emergencies Committee held on 21 May 2020 (Page 1171, Item 1259 refers) when the committee noted a report on the work that had been undertaken by the Council and partners over the preceding 2 months in response to the COVID-19 pandemic, the Council considered a report by the Chief Executive providing an update on further actions taken in response to the COVID-19 pandemic.

The report provided details of the additional activities that had been undertaken since the previous report. While some of these related to further action in respect of ongoing service provision it was important to note that some related to new duties and responsibilities that the Council had taken on. How long the Council would need to continue to deliver these services and functions was not clear and would have ongoing financial implications.

Councillor Buchanan thanked all members of staff throughout the Council for the fantastic job they had done in response to the COVID-19 pandemic highlighting that the whole of the public sector had contributed to tackling a whole range of issues that had arisen in relation to COVID-19. His remarks were supported by Councillors O'Kane and Miller it being noted that the Council would make an argument for additional funding as it moved to recovery.

The Council noted the report.

## **FAMILY LEAVE FOR ELECTED MEMBERS**

**1284.** The Council considered a report by the Deputy Chief Executive, seeking adoption of the COSLA guidance on Family Leave for Elected Members. A copy of the guidance was appended to the report.

The report explained that in September 2019 Council Leaders had endorsed guidance on Family Leave for Elected Members and agreed that it be circulated to Scottish councils for adoption on a voluntary basis. The guidance related to leave in the certain circumstances these being: maternity, paternity, shared parental or adoption leave.

The Council agreed to adopt the COSLA guidance on Family Leave for Elected Members.

## **CALENDAR OF MEETINGS 2021**

**1285.** The Council considered a report by the Deputy Chief Executive, seeking approval for the 2021 meetings calendar.

The report explained that the proposed calendar had taken account of all meetings in respect of which the dates had been determined. However, it was noted that it did not take into account those ad-hoc meetings which would be held as and when necessary such as the Appeals Committee, Appointments Committee, Planning Pre-determination hearings etc. and any other special meetings that might be called from time to time.

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Details of the factors that had been taken into consideration in the preparation of the calendar were outlined in the report. It was noted that following consultation with the members of the Licensing Committee it was proposed that the time of meetings be changed from 2.00pm to 10.00am with the change taking immediate effect for the remaining meetings in 2020. The dates of meetings of the Integration Joint Board had also been incorporated into the calendar.

The Council:-

- (a) approved the 2021 meetings calendar;
- (b) agreed that the proposed change in the time of the meeting of the Licensing Committee from 2.00pm to 10.00am to take place with immediate effect; and
- (c) noted the dates of meetings of the Integration Joint Board.

#### **AMENDMENT TO CONTRACT STANDING ORDERS TO SUPPORT COVID-19 CONSTRUCTION RECOVERY**

**1286.** The Council considered a report by the Chief Executive, seeking approval to temporarily amend the Council's Standing Orders Relating to Contracts to support the Council's response to COVID-19 construction recovery by increasing the works Quick Quote threshold from £150,000 to £500,000.

The report explained that amending the Council's Standing Orders Relating To Contracts would allow more works contracts to be issued under the Quick Quote procedures rather than going through full tendering by raising the current upper threshold for works contract Quick Quotes from £150,000 to £500,000 for a temporary period of 12 months with a review of its ongoing need at that time. The advantages of increasing the threshold were outlined in the report.

Following discussion on the length of time the amendment should apply, the Council approved the temporary increase of the Quick Quote threshold for works from £150,000 to £500,000 for a period of one year and that the amendment to the Council's Contract Standing Orders Relating to Contracts be introduced with immediate effect.

PROVOST

**MINUTE**  
**of**  
**PLANNING APPLICATIONS COMMITTEE**

**Minute of virtual meeting held at 10.00am on 25 June 2020.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Angela Convery  
Councillors Betty Cunningham (Vice Chair)  
Provost Jim Fletcher

Councillor Jim McLean  
Councillor Stewart Miller  
Councillor Jim Swift

Councillor Ireland in the Chair

**Attending:**

Gillian McCarney, Head of Environment (Chief Planning Officer); Graham Shankland, Principal Strategy Officer (Regulatory and Strategy); Ian Walker, Senior Planner, Development Management; and Paul O'Neil, Committee Services Officer.

**DECLARATIONS OF INTEREST**

**1287.** There were no declarations of interest intimated.

**APPLICATIONS FOR PLANNING PERMISSION**

**1288.** The committee considered a report by the Director of Environment, on the following application for planning permission requiring consideration by the committee.

2018/0302/TP - Erection of neighbourhood commercial centre including Class 1 (Retail), Class 3 (Food and Drink)/Sui Generis (Pub/Restaurant and drive thrus) with potential supporting uses (Class 2, Financial, Professional or Other Services, Class 10 Non-Residential Institutions, Class 11 Assembly and Leisure and Sui Generis) and associated access, parking and landscaping (Major) at site to north of Crossmill Industrial Estate, Glasgow Road, Barrhead, East Renfrewshire by L&S (Barrhead) Limited

The Head of Environment (Chief Planning Officer) explained that the application was for a Major development under the terms of the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, as the gross floor space of the proposed buildings exceeded 5000sqm and the area of the site was larger than 2 hectares. In view of this, the application had to be determined by the committee.

Having assessed the proposal against the policies contained in the Strategic Development Plan and Adopted East Renfrewshire Local Development Plan 2015, and having highlighted the factors that had been taken into consideration in the assessment of the proposal,

together with the economic benefits that would be achieved in the Barrhead area, the Head of Environment (Chief Planning Officer) stated that the application was being recommended for approval, subject to the conditions detailed in the report.

At this stage, members of the committee were heard in support of the proposed development, in the course of which the Council's prolonged efforts to have the application site developed were noted. The economic benefits arising from the proposed development were welcomed, particularly the creation of local jobs which were much needed in the Barrhead area.

During discussion a number of questions were raised in respect of the proposed development in the course of which the Head of Environment (Chief Planning Officer) explained that Lidl, who proposed to occupy one of the main units at the site, had for some time been looking to relocate from its existing store located in Barrhead Town Centre. If the application was approved, once the company moved into the new unit at the proposed development, their existing unit in the town centre could be sold, possibly for another type of use. She indicated that it was anticipated that the proposed development should be finalised and operating by the spring of 2021. Concluding her remarks, she stated that if the committee was minded to approve the application, a minor amendment to the wording of Condition 16 was proposed, the terms of which were read out to and agreed by the committee.

At this stage, the committee agreed that the application be approved, subject to:-

- (a) the conditions detailed in the report; and
- (b) the wording of Condition 16 being amended to read as follows:-

“For the avoidance of doubt a maximum of 1693sqm of net convenience sales floor area is permitted to be occupied within the entire development. Details of the convenience retail floor space shall be submitted to and approved by the planning authority prior to the occupancy of each and every unit.”

CHAIR



**MINUTE**  
**of**  
**AUDIT & SCRUTINY COMMITTEE**

**Minute of virtual meeting held at 2.00pm on 25 June 2020.**

**Present:**

Councillor Stewart Miller (Chair)  
Councillor Barbara Grant (Vice Chair)  
Councillor Angela Convery

Councillor Charlie Gilbert  
Councillor Annette Ireland

Councillor Miller in the Chair

**Attending:**

Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Barbara Clark, Chief Accountant; Michelle Blair, Chief Auditor; Gill Darbyshire, Chief Executive's Business Manager; Linda Hutchison, Clerk to the Committee; Ron Leitch, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

**Also Attending:**

Pauline Gillen and Morven Fraser, Audit Scotland.

**Apologies:**

Councillors Jim McLean and Jim Swift.

**DECLARATIONS OF INTEREST**

**1289.** Councillor Grant declared a non-financial interest in relation to Item 1292 by virtue of her membership of the East Renfrewshire Culture and Leisure Trust Board.

**CHAIR'S REPORT**

**1290.** Councillor Miller welcomed everyone to the first virtual meeting of the committee, particularly Councillor Convery who had been appointed following the resignation of Provost Fletcher. He highlighted the importance of the committee taking a non-political approach, and the scale of its work as evidenced in the committee's work plans.

Referring to Item 4 on the agenda pertaining to the Council's unaudited Annual Accounts for 2019/20, Councillor Miller congratulated the Head of Accountancy, the Chief Accountant, and her team for submitting these to the committee prior to the recess given the challenges faced in the current circumstances. He also paid tribute to the Corporate Management Team which

had helped to deliver a financial result which was better than expected, and which would help to mitigate the additional costs associated with the COVID-19 pandemic. He concluded by highlighting that the Emergencies Committee had been made aware of the work that officers throughout the Council had undertaken associated with the pandemic.

The committee noted the position.

## **UNAUDITED ANNUAL ACCOUNTS 2019/20**

**1291.** Under reference to the Minute of the meeting of 12 March 2020 (Page 1156, Item 1248 refers), when the 2019/20 Annual Audit Plan and timetable for the publication of related documents had been noted, the committee considered a report by the Head of Accountancy (Chief Financial Officer) on the unaudited Annual Accounts for 2019/20 which had been submitted for audit to Audit Scotland, and which were attached for consideration in line with the Local Authority Accounts (Scotland) Regulations 2014.

It was reported that the financial position of the Council continued to be satisfactory. As it had operated comfortably within budget, there had been no need to draw down all of the £4,312,000 from reserves as planned, with only £964,000 being called upon. The Council's Non-Earmarked General Fund Reserve had decreased by £964,000 resulting in a balance of £9,590,000 as at 31 March 2020, representing 3.8% of the annual budgeted net revenue expenditure. This was slightly below the Council's most prudent target of 4%, but better than forecast when the budget for 2020/21 had been set. However, it was anticipated that the balance would reduce significantly during 2020/21 to cover unfunded pressures relating to COVID-19.

It was confirmed that £47,841,000 of capital expenditure had been invested. There had also been an operating surplus of £598,000 on the Housing Revenue Account (HRA) which had increased the accumulated surplus balance to carry forward to £2,316,000.

The Head of Accountancy welcomed that the accounts had been submitted to the committee within the planned timescale, commenting on the work involved in preparing them and particular challenges faced associated with the COVID-19 emergency. She thanked officers in the Accountancy Section, across departments, and particularly the Chief Accountant, for their contribution to this achievement.

She clarified that due to the current public health situation, some technical issues had required to be dealt with differently, such as the estimation of some valuations and stock levels, the approach taken having been discussed and agreed with the External Auditor. Having commented on new rules governing the preparation of the Management Commentary within the accounts, the Head of Accountancy referred to the overall position regarding reserves and the overall financial position of the Council for 2019/20 which remained satisfactory and better than anticipated a few months earlier.

Whilst referring to key aspects of the report, the Chief Accountant confirmed that the Council's affairs had been managed within its operational budget, and commented on the related impact of this on the use of reserves. Having commented on capital expenditure and the HRA's surplus balance, she drew the committee's attention to the Management Commentary in the accounts which outlined key messages on the objectives and strategy of the Council and the Council's financial performance during 2019/20. The commentary also indicated issues and risks which might impact on the Council's finances in future, including COVID-19, on which a section had been included.

Ms Gillen commended the preparation of the Accounts within the required timescale, highlighting that many other audited bodies had not been able to achieve this.

Various Members expressed their appreciation to the Accountancy Team and other officers for what had been achieved, during which Councillor Grant expressed hope that the Council would receive a fair share of any additional funding from the UK and Scottish Governments to mitigate the financial impact of the COVID-19 emergency on the authority.

The committee agreed to note the content of the unaudited Annual Accounts for 2019/20 and that a report on the final accounts and related documents would be submitted to a future meeting.

### **EAST RENFREWSHIRE CULTURE AND LEISURE TRUST – BEST VALUE REVIEW**

**1292.** Under reference to the Minute of the meeting of 21 November 2019 (Page 1027, Item 1110 refers), when it had been agreed to note the scope and timeline of the Best Value review of East Renfrewshire Culture and Leisure Trust and that the findings would be reported to the committee in due course, the committee considered a report by the Chief Executive providing the final report on the review, a copy of which was appended to the report.

Having clarified that the scope and timeline of the review had been agreed in October 2019 by the Chief Executive, Director of Education and Chief Executive of the Trust, the report explained that the review had considered the Trust's core objectives relating principally to finance, governance, performance and improvement, customer responsiveness, and social inclusion. These objectives reflected the shared objectives of the Council's Outcome Delivery Plan, the Community Plan, and the Fairer East Ren Plan. Commentary on each of these areas was provided, and a number of recommendations had been made for both the Trust and Council to consider.

It was highlighted that, with support from the Scrutiny and Evaluation Officer, the review had been undertaken between January and March 2020 prior to the onset of the COVID-19 pandemic, but that the Trust now found itself in a very different position with most employees furloughed, buildings closed, and work and activities suspended. Given that the focus over the next few months would be on recovery and addressing related challenges, it was proposed that the Director of Education, in partnership with the Chief Executive of the Trust, consider and review the current recommendations made and advise the committee of the outcome at a future date.

The report concluded that the Trust's goals had been continuing to be met through support from the Council, the strategic direction of the Trust Board and its senior management, and a well-trained and committed workforce. Based on evidence provided within the report, although some opportunities for further improvement had been identified, the Trust had made significant progress in a number of areas. The working relationship between the Trust and the Council was reported to be very positive, based on mutual respect and understanding.

Whilst highlighting key aspects of the report, the Chief Executive's Business Manager reminded the committee that in August it had approved the deletion of the audit of the operation of the Trust from the 2019/20 Internal Audit Plan on the basis that the Scrutiny and Evaluation Officer would progress the Best Value review. Having heard her highlight key aspects of the report, on behalf of the committee, Councillor Miller expressed thanks to the former Scrutiny and Evaluation Officer for his work on the review. He welcomed the findings, acknowledged the difficult position the Trust was in at present, suggesting it was likely that it would face a funding deficit during 2020/21.

The committee agreed:-

- (a) to note the current recommendations contained within the Best Value Review of East Renfrewshire Culture and Leisure Trust; and
- (b) that in light of the current COVID-19 pandemic, the Director of Education in partnership with the Chief Executive of the Trust review the recommendations within the report, and advise which were still valid in a report to a future meeting of the committee.

## **NATIONAL EXTERNAL AUDIT REPORT – NHS IN SCOTLAND**

**1293.** The committee considered a report by the Clerk on the publication by Audit Scotland of a report entitled *NHS in Scotland* which under the committee's specialisation arrangements had been sent to Councillor Gilbert for review, the other Elected Member who was also leading on the review having resigned from the committee. The Chief Officer, Health and Social Care Partnership, had been asked to provide comments on the report and a copy of her feedback was appended to the report. These were contained in a report that had been prepared and published for a meeting of the Performance and Audit Committee of the Integration Joint Board which had been scheduled to take place on 18 March 2020, but which had not taken place due to the ongoing circumstances relating to COVID-19. It was clarified that the feedback also covered a further Audit Scotland report entitled *Local Government in Scotland Financial Overview 2018/19*, which had already been the subject of a separate report to the committee on 12 March 2020.

The Audit Scotland report had explained that the NHS in Scotland was not currently in a financially sustainable position, commenting on issues such as an increase in predicted deficits among NHS boards, and their increasing reliance on savings and additional financial support through Scottish Government loans. It welcomed the Scottish Government's recent health and social care medium-term financial framework and other measures, including the Waiting Times Improvement Plan, but stated that ambitions within the Scottish Government's 2020 Vision would not be achieved by 2020. Pace of change, particularly through the integration of health and social care, had been found to be too slow, with the report calling for a new national health and social care strategy, stronger workforce planning, better information and data for performance reporting and planning, and better community involvement and engagement.

Having summarised the position on a number of elements identified within the report as critical to success, such as the need for reform to address a £1.8 billion funding shortfall projected by the Scottish Government for health and social care by 2023/24; and the Scottish Government working with NHS staff, partners and the public to develop its new strategy for health and social care, the report referred to various recommendations made. Recommendations for the Scottish Government in partnership with NHS boards and integration authorities were amongst those specified, which included the development of a new national health and social care strategy to run from 2020 that supported large-scale, system-wide reform, with clear priorities that identified the improvement activities most likely to achieve the reform needed; and the development and publication of the national, integrated health and social care workforce plan and guidance. Local actions taken in response to the recommendations were detailed in an appendix accompanying the report.

In response to Councillor Ireland who referred to the scale of the work to be taken forward and asked when further external audit reports on progress would be available, Ms Gillen

clarified that Audit Scotland was reviewing its 5-year work programme in light of the disruption caused by COVID-19, and that further information on the programme would be available in due course.

The committee agreed to note the report and the related comments made.

### **NATIONAL EXTERNAL AUDIT REPORT - HOUSING BENEFIT PERFORMANCE AUDIT: ANNUAL UPDATE 2019**

**1294.** The committee considered a report by the Clerk on the publication by Audit Scotland of a report entitled *Housing Benefit Performance Audit Annual Update 2019* which under the committee's specialisation arrangements had been sent to Councillors Swift and McLean for review. The Head of Communities, Revenues and Change had been asked to provide comments on the report and a copy of her feedback was appended to the report.

The report commented on the scale of the Council's Housing Benefit (HB) service and related issues, referring also to the national HB Performance Audit produced annually by Audit Scotland. Having clarified that the Council had most recently participated in a HB risk assessment in summer 2018 on which a report had been submitted to the committee in January 2019 and the results of which were published in the 2019 update, the report provided an update on progress within the Council's HB service.

The 2019 Annual Update had identified 21 risks to continuous improvement, 8 of which were relevant to the Council. Having commented on the complexity of this area of work which required many changes to be planned for and resourced whilst maintaining current service provision, the report confirmed that in recent years the local focus had been on planning for the shift from HB to Universal Credit (UC) for the majority of cases below pension-age. For example, this had required restructuring and consolidation of benefits services; delivering savings predicated on a forecast of a declining HB caseload; and developing staff to enhance the resilience of the small team involved. The outcome of the 2018 report had led to a full process review with action plans developed during 2019 and continuing to be delivered into 2020. Comments were made on the 8 areas on which action had been required locally, including on the speed of processing new claims and changes of circumstances; and the accuracy of HB processing.

It was concluded that Benefits was a complex and frequently-changing area, with a nationally driven landscape and a range of agencies involved. National delays in UC implementation had required HB caseloads to be maintained for far longer than predicted. Against a background of reducing DWP funding and wider pressures on council budgets, it continued to be a challenging time for service delivery both locally and nationally, but the Council had progressed initiatives to understand and improve benefits processing. A firm action plan had been put in place which was starting to deliver results, and the Council remained committed to continuous improvement and high degrees of accuracy. It was anticipated that the current COVID-19 pandemic would have some impact on performance results during 2020/21. The implementation of the new Council Tax and Benefits system in 2020/21 would ensure that improvements made were embedded, supported by up to date technology, to enable the Council's benefits teams to continue to deliver improved performance and meet customer expectations.

Councillor Ireland expressed her appreciation for and welcomed the good performance improvements reported. Whilst also welcoming this, Councillor Miller referred to the impact which the COVID-19 pandemic was likely to have on levels of household debt.

The committee agreed to note the report and the related comments made.

**INTERNAL AUDIT PLAN 2019/20 – IMPLEMENTATION PROGRESS REPORT – JANUARY TO MARCH 2020**

**1295.** The committee considered a report by the Chief Auditor regarding progress made on the implementation of the 2019/20 Internal Audit Plan from 1 January to 31 March 2020. It was confirmed that during the quarter nine audit reports relating to planned 2019/20 audit work had been issued, that satisfactory management responses had been received for all reports where the due dates for these had passed, and that the management responses for the remaining two which had not been received until after the cut-off date for inclusion in the report had passed would be referred to in the next quarterly report. Reference was also made to the quarterly performance indicators (PIs) for the section, two of which were not being met as a result of the restrictions imposed to address the COVID-19 situation, and two new requests for assistance dealt with using contingency time.

Seven audits in the 2019/20 plan, where fieldwork had started and progressed, had not yet been issued. It was hoped two could be completed over the forthcoming few weeks, leaving five which required to be suspended due to COVID-19 restrictions and lack of access to relevant officers and supporting documentation. It was proposed that these resume or restart at a later date when lockdown restrictions had eased sufficiently.

Whilst commenting on the report, the Chief Auditor clarified that there were points that had not been accepted in the responses received thus far for both the Procurement Red Flags and Highways Maintenance reports, none of which were classified as high risk. The Head of Accountancy confirmed her intention to submit a response on the Highways Maintenance audit to the Chief Auditor by the end of the day. The Chief Auditor also confirmed that neither of the requests for assistance using contingency time had involved loss of income or cash to the Council.

Regarding the report on grounds maintenance on land not owned by the Council, the Chief Auditor highlighted that one recommendation had been only partially accepted by the Environment Department which had been asked to consider this matter in terms of Best Value. This would be followed up in due course.

The Chief Auditor confirmed her intention to submit a report to the next meeting requesting changes to the Internal Audit Plan 2020/21 approved in March, to take account of restrictions linked to COVID-19.

Responding to Councillor Grant who sought clarification on the revised timescale for completing the new Crookfur Family Centre, the Chief Auditor confirmed she did not have information on this, but the Head of Accountancy explained that the Corporate Asset Management Group was reviewing all capital projects, including that one, which had been affected by the lockdown restrictions. She explained that the project was amongst those to be prioritised for completion, and that it was anticipated that a full update on the General Fund Capital Programme would be submitted to the Cabinet in August or September.

The committee, following discussion, agreed:-

- (a) not to seek any of the reports issued during the quarter at this stage;
- (b) to approve the suspension of 5 audits due to COVID-19 restrictions; and
- (c) otherwise to note the report and related comments made.

## **CONSULTANCY EXPENDITURE AND RELATED LOG**

**1296.** Under reference to the Minute of the meeting of 24 January 2019 (Page 701, Item 765 refers), when the committee had agreed in the first instance, at the end of the 2019/20 financial year, to review the content of the log the Council had agreed to establish in relation to the appointment of consultants and related issues, the committee considered a report by the Clerk summarising discussions on consultancy expenditure by the committee thus far, and providing feedback on consultancy expenditure following the end of the 2019/20 financial year. A copy of the most recent version of log, including information relating to 2019/20, was appended to the report.

The report explained that at the meeting of the committee in November 2018, the Chair had reiterated concerns he had expressed at the Council meeting in October 2018 regarding the extent to which external consultants were being used by the authority, following which the committee had agreed to progress some work on this issue, such as on the level of and reasons for such expenditure; and which consultants had been used. It was clarified that in December 2018 the Council had taken the decision to reduce the threshold for allowing directors to appoint consultants under Contract Standing Orders from £50k to £10k, and to approve related logging arrangements.

Reference was made to work the committee had progressed during the previous Administration on consultancy expenditure during 2013/14 and 2014/15 and related issues and discussions at the time, which had also been the subject of a report to the committee by the Clerk in January 2019. Having summarised the content of that report, why the committee had progressed the work it had several years ago and the outcome of it, the report referred to feedback on the consultancy log recently sought from and provided by the Chief Officer - Legal and Procurement, as agreed by the committee, a copy of which was appended to the report. The log was also published on the corporate procurement section of the Council's website and updated on a 6-monthly basis.

The committee, having heard Councillor Miller thank the Clerk for the work she had done in this regard and following a brief discussion:-

- (a) agreed that a report on consultancy expenditure, as referred to in the log created for this by the Chief Officer - Legal and Procurement, should be submitted to the committee annually after the end of each financial year; and
- (b) otherwise noted the report.

## **AUDIT AND SCRUTINY COMMITTEE WORK PLANS 2019/20 AND 2020/21**

**1297.** Under reference to the Minute of the meeting of 26 September 2019 (Page 971, Item 1049 refers), when the committee's updated 2019/20 annual work plan had been approved, the committee considered a report by the Clerk providing an update on the implementation of the plan, and seeking approval of the 2020/21 work plan to the extent it had been developed to date. A copy of the updated 2019/20 plan and the proposed 2020/21 plan formed Appendices 1 and 2 to the report.

It was clarified that the plans had been prepared in accordance with the Scrutiny and Review Guide approved by the Council in June 2019 to help the committee schedule and prioritise its work and in the interests of providing transparency, openness and evidence of the Council's ongoing commitment to demonstrating Best Value and continuous improvement. Having referred to the range of issues considered by the committee, which included

recurring reports and those prepared on External Audit reports, the report clarified that the plans were effectively live documents which had been and would be added to as required, such as to include reference to specific investigations the committee agreed to pursue.

The report provided a statement on progress as at 31 March 2020 against the 2019/20 work plan including in-depth work pursued and, for clarity, notes on various issues such as ongoing matters to be considered during 2020/21 and beyond. The draft work plan for 2020/21, to the extent it had been possible to develop it, was also presented. Having referred to the cancellation of some recent meetings of the committee due to COVID-19 which had impacted on when some matters could be considered, the report summarised the position on the publication of external audit reports. It was confirmed that the Accounts Commission was reviewing its external audit strategy and 5-year work programme the outcome of which would be known later in the year. Reference was also made to the contribution the Scrutiny and Evaluation Officer had made to the delivery of the 2019/20 work plan, this being a resource that was no longer available to the committee.

Having heard the Clerk comment on key aspects of the report, Councillor Ireland highlighted the extent of the good work carried out by the committee during the past year, following which she sought clarification on when the position on the committee's reports on income generation and climate change would next be reported on. The Clerk clarified the current position on each report in terms of the Cabinet, and how this could impact on when the committee might wish to review progress, which would become clearer in due course.

Ms Gillen reported that Audit Scotland had recently published a report on its response to COVID-19. She undertook to provide information on this to the Clerk to allow it to be circulated to members of the committee for their interest.

On a further COVID-19 related issue, the Head of Accountancy explained that the deadline for the Council to approve its Annual Accounts for 2019/20 had been extended from the end of September to 30 November in case this was required.

The committee, having heard Councillor Miller remind Members that the 2020/21 plan could change during the course of the year, agreed:-

- (a) to note performance against the 2019/20 Annual Work Plan;
- (b) to approve the 2020/21 Annual Work Plan, to the extent it had been developed thus far;
- (c) that the development of the 2020/21 work plan should continue, with an update submitted to a future meeting; and
- (d) to note that progress on delivering the 2020/21 work plan would be reviewed in due course, with a progress report submitted to a future meeting.

CHAIR



**MINUTE**  
**of**  
**PLANNING APPLICATIONS COMMITTEE**

**Minute of virtual meeting held at 2.00pm on 5 August 2020.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Angela Convery

Councillor Stewart Miller

Councillor Ireland in the Chair

**Attending:**

Gillian McCarney, Head of Environment (Chief Planning Officer); Graham Shankland, Principal Strategy Officer (Regulatory and Strategy); Ian Walker, Senior Planner, Development Management; and Paul O'Neil, Committee Services Officer.

**Apologies:**

Provost Jim Fletcher; and Councillors Betty Cunningham (Vice Chair), Jim McLean, and Jim Swift.

**DECLARATIONS OF INTEREST**

**1298.** There were no declarations of interest intimated.

**APPLICATIONS FOR PLANNING PERMISSION**

**1299.** The committee considered a report by the Director of Environment, on the following application for planning permission requiring consideration by the committee.

2020/0018/TP – Installation of a multi-use games pitch with erection of fencing and floodlighting at Netherlee Primary School by East Renfrewshire Council Education Department

Having heard the Head of Environment (Chief Planning Officer) and following discussion it was agreed that the application be approved subject to the conditions detailed in the report.

CHAIR



**MINUTE**  
**of**  
**LOCAL REVIEW BODY**

**Minute of virtual meeting held at 2.30pm on 5 August 2020.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Angela Convery

Provost Jim Fletcher  
Councillor Stewart Miller

Councillor Ireland in the Chair

**Attending:**

Graham Shankland, Principal Strategy Officer (Regulatory and Strategy) (Planning Adviser);  
Siobhan Wilson, Solicitor (Legal Adviser); and Paul O'Neil, Committee Services Officer  
(Clerk).

**Apologies:**

Councillors Betty Cunningham (Vice Chair), Jim McLean, and Jim Swift.

**DECLARATIONS OF INTEREST**

**1300.** There were no declarations of interest intimated.

**NOTICE OF REVIEW – REVIEW 2020/06 – ERECTION OF UPPER STOREY EXTENSION  
ABOVE EXISTING EXTENSION AT REAR OF 40 ACACIA DRIVE, BARRHEAD (REF NO:  
2019/0698/TP)**

**1301.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mrs A Walsh, against the decision taken by officers to refuse planning permission in respect of the erection of an upper storey extension above the existing extension at the rear of 40 Acacia Drive, Barrhead.

The decision had been made in accordance with the Council's Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended.

Members of the Local Review Body were not able to visit the site prior to the meeting due to the restrictions associated with the COVID-19 pandemic. As an alternative, the Planning Adviser to the Local Review Body had visited and filmed the application site prior to the meeting. The recording had been made available to the members of the Local Review Body to view in advance of the meeting.

1210

The Local Review Body, having considered the information previously circulated, agreed that it had sufficient information to determine the review without further procedure.

Councillor Ireland moved to uphold the decision of the Appointed Officer as set out in the decision notice of 30 January 2020 and refuse planning permission. In the absence of a seconder, her motion fell.

At this stage, the Local Review Body agreed that the decision of the Appointed Officer as set out in the decision notice of 30 January 2020 be overturned and that planning permission be granted, subject to the following conditions being attached to the consent:

**CONDITIONS:-**

1. The materials to be used on the external surfaces of the extension hereby approved shall match those of the existing house.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

2. The upper floor window on the side elevation of the proposed extension shall be glazed with obscure glass prior to the development being brought into use. The obscure glass shall be retained in position and shall not be removed unless approved in writing by the Head of Environment (Chief Planning Officer). A sample of the obscure glass shall be submitted for the written approval of the Head of Environment (Chief Planning Officer) prior to work beginning on site.

Reason: To protect the privacy of the adjacent property and to prevent overlooking.

**NOTICE OF REVIEW – REVIEW 2020/07 – ERECTION OF ONE AND A HALF STOREY REAR EXTENSION WITH RAISING OF RIDGE HEIGHT; INSTALLATION OF DORMER WINDOW AT FRONT AT 32 DORIAN DRIVE, CLARKSTON (REF NO: 2020/0062/TP)**

**1302.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mrs Judith Burnside for the erection of a one and a half storey rear extension with raising of ridge height, and installation of dormer window at 32 Dorian Drive, Clarkston.

The decision had been made in accordance with the Council's Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended.

Members of the Local Review Body were not able to visit the site prior to the meeting due to the restrictions associated with the COVID-19 pandemic. As an alternative, the Planning Adviser to the Local Review Body had visited and filmed the application site prior to the meeting. The recording had been made available to the members of the Local Review Body to view in advance of the meeting.

The Local Review Body, having considered the information previously circulated, agreed that it had sufficient information to determine the review without further procedure.

Following discussion, it was agreed that the decision of the Appointed Officer as set out in the decision notice of 23 March 2020 be overturned and that planning permission be granted.

**NOTICE OF REVIEW – REVIEW 2020/08 – INSTALLATION OF DORMER WINDOWS AT FRONT AND SIDES; INSTALLATION OF HIPPED ROOF OVER EXISTING REAR EXTENSION IN PLACE OF FLAT ROOF AT 23 BALMEG AVENUE, GIFFNOCK (REF NO: 2020/0151/TP)**

**1303.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr and Mrs Wood for the installation of dormer windows at front and sides, and the installation of a hipped roof over the existing rear extension in place of a flat roof at 23 Balmeg Avenue, Giffnock.

The decision had been made in accordance with the Council's Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended.

Members of the Local Review Body were not able to visit the site prior to the meeting due to the restrictions associated with the COVID-19 pandemic. As an alternative, the Planning Adviser to the Local Review Body had visited and filmed the application site prior to the meeting. The recording had been made available to the members of the Local Review Body to view in advance of the meeting.

The Local Review Body, having considered the information previously circulated, agreed that it had sufficient information to determine the review without further procedure.

Councillor Ireland moved to uphold the decision of the Appointed Officer as set out in the decision notice of 7 May 2020 and refuse planning permission. In the absence of a seconder, her motion fell.

At this stage, the Local Review Body agreed that the decision of the Appointed Officer as set out in the decision notice of 7 May 2020 be overturned and that planning permission be granted.

**NOTICE OF REVIEW – REVIEW 2020/09 – ERECTION OF ONE AND A HALF STOREY REAR EXTENSION FORMING GABLE END WITH ASSOCIATED RAISING OF RIDGE HEIGHT AT 52 MELFORD AVENUE, GIFFNOCK (REF NO: 2020/0100/TP)**

**1304.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr John Dunn, for the erection of a one and a half storey rear extension forming gable end with associated raising of ridge height at 52 Melford Avenue, Giffnock.

The decision had been made in accordance with the Council's Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended.

Members of the Local Review Body were not able to visit the site prior to the meeting due to the restrictions associated with the COVID-19 pandemic. As an alternative, the Planning Adviser to the Local Review Body had visited and filmed the application site prior to the meeting. The recording had been made available to the members of the Local Review Body to view in advance of the meeting.

The Local Review Body, having considered the information previously circulated, agreed that it had sufficient information to determine the review without further procedure.

Following discussion, it was agreed that the decision of the Appointed Officer as set out in the decision notice of 16 April 2020 be overturned and that planning permission be granted, subject to the following condition being attached to the consent.

1212

**CONDITION:-**

1. The materials to be used on the external surfaces of the extension hereby approved shall match those of the existing house

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

CHAIR

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

**Minute of virtual meeting held at 10.00am on 13 August 2020.**

**Present:**

Councillor Tony Buchanan (Leader)  
Councillor Caroline Bamforth  
Councillor Danny Devlin

Councillor Alan Lafferty  
Councillor Colm Merrick  
Councillor Paul O’Kane

Councillor Buchanan, Leader, in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Barbara Clark, Chief Accountant; Craig Geddes, Senior Information and Improvement Officer; Kay McIntosh – Strategic Services Development Manager; Brian Dunigan – Money Advice and Rights Manager; Michael McKernan, Business Development Team Leader; and Paul O’Neil, Committee Services Officer.

**DECLARATIONS OF INTEREST**

**1305.** There were no declarations of interest intimated.

**JOINT CONSULTATIVE COMMITTEE (FIRST TIER) – MINUTE OF MEETING OF 13 FEBRUARY 2020**

**1306.** The Cabinet considered and noted the Minute of the meeting of the Joint Consultative Committee (First Tier) held on 13 February 2020 and which forms Appendix 1 accompanying this Minute.

**AUDIT AND SCRUTINY COMMITTEE INVESTIGATION ON CLIMATE CHANGE**

**1307.** Under reference to the Minute of the meeting of the Audit and Scrutiny Committee of 21 November 2019 (Page 1026, Item 1109 refers), when it was agreed amongst other things to approve the proposed scope and timeline of the investigation on climate change which would be carried out in support of the refreshed Environmental Sustainability Strategy and Action Plan, the Cabinet considered a report by the Chief Executive, providing details of the Audit and Scrutiny Committee’s investigation into the matter.

Councillor Miller, Chair of the Audit and Scrutiny Committee, explained that the Audit and Scrutiny Committee’s investigation on climate change had taken place between November 2019 and February 2020, in the course of which it involved all departments of the Council

and included a visit to the Isobel Mair School and Family Centre to see the work the children were involved in.

Whilst highlighting that one of the key recommendations was that the Council renewed its Climate Change Strategy, including with input from children and young people, Councillor Miller stated that it was proposed that a cross-party elected member/officer working group on climate change be established. He also indicated that the committee had suggested that the Council should consider becoming carbon neutral by 2040. Furthermore, it was proposed that a Council policy be established on single-use plastics, with input from the trade unions, and recommended that Council schools continued their good work in achieving Green Flag status.

Concluding his remarks, Councillor Miller stated that it was proposed that the programme of works to improve the energy efficiency of the Council's housing stock and public buildings be continued and that the Council consider a proposal to plant a tree for each resident in East Renfrewshire (i.e. approx. 95,000).

The Cabinet, having thanked Councillor Miller and members of the committee for their work associated with the investigation, and having noted the recommendations arising from the investigation, agreed that a response be prepared.

## **CLIMATE CHANGE STRATEGY AND ACTION PLAN**

**1308.** The Cabinet considered a report by the Director of Environment, outlining a proposed approach for the development of a Climate Change Strategy and Action Plan, particularly in view of the recommendations arising from the Audit and Scrutiny Committee.

Whilst referring to the Audit and Scrutiny Committee's investigation on Climate Change (see Item 1307 above), the report highlighted that the committee had made twenty-four recommendations which were approved at the meeting of the Audit and Scrutiny Committee on 12 March 2020 and had been submitted to the Cabinet for consideration.

The report highlighted that of key importance were the recommendations in relation to creating a full-time post of Climate Change Coordinator based within the Environment Department; renewing the previous Environmental Sustainability Strategy with a new Climate Change Strategy and Action Plan; setting an initial target for the Council to become carbon neutral by 2040 (including establishing interim targets); ensuring that climate change impacts/sustainability implications were given greater prominence in all council business including coverage in corporate reports and capital appraisals; and the establishment of a cross party Member/Officer climate change working group.

Noting that there was no specific statutory requirement for the Council to prepare a Climate Change Strategy/Action Plan, the report stated that however, taking all of the background information into account along with those recommendations from the Audit and Scrutiny Committee which were considered by the Cabinet earlier in the meeting it was proposed to develop a Council Climate Change Strategy and Action Plan which would seek to incorporate those Audit and Scrutiny Committee recommendations, including setting a date for the Council to be carbon neutral which would require tougher Council targets to be set.

The report highlighted that it was proposed that the strategy would initially focus on 3 key action areas including carbon reduction and off-setting measures with examples of the type of action that could be taken being outlined.



The report explained that an opportunity existed to provide an ambitious strategic approach to renewal of the previous Environmental Sustainability Strategy 2015-18. This would allow the Council to align its activities with the national policy agenda on climate change and meet likely future requirements around carbon and greenhouse gas emission reporting.

Whilst noting that the new strategy would establish baseline carbon emissions (and other greenhouse gas emissions) and set a target to achieve carbon neutrality no later than 2040, including ambitious interim targets, the report highlighted that the Council would lead by example and had a role to play in direct action and influencing behavioural change amongst its employees, local residents and businesses.

However, it was noted that positive, disruptive change would be required in areas such as transport, the built environment, waste and consumption and how the Council generated energy, along with a focus on activities that would off-set its carbon emissions and plan for unavoidable climate change impacts.

The Cabinet:-

- (a) approved the proposed comprehensive approach to the development of a new Climate Change Strategy and Action Plan;
- (b) supported the ambition for the Council to be 'carbon neutral' by 2040 (as a minimum target); and
- (c) approved the proposal to establish a cross party Member/Officer working group to progress the Climate Change Strategy and Action Plan.

### **EAST RENFREWSHIRE COUNCIL CLIMATE CHANGE REPORT 2018/19**

**1309.** The Cabinet considered a report by the Director of Environment, providing details of the Council's 2018/19 Climate Change report which was submitted to Scottish Ministers at the end of November 2019. The report would normally have been submitted to the Cabinet earlier. However, staff resource issues and the coronavirus pandemic had caused delays.

The report demonstrated that the Council continued to make good progress in terms of carbon reduction, reducing its carbon emissions above stated Council targets with projects continuing through 2019/20 and beyond. However, in view of the increasing importance of achieving carbon reductions and the Scottish Government's target for the country to be carbon neutral by 2040, the Council needed to achieve significantly more carbon reductions and to achieve these more quickly. It was noted that this was being taken forward through the Climate Change Strategy and Action Plan report which was considered as the immediately foregoing item of business.

The Cabinet noted:

- (a) the Council's 2018/19 Climate Change Report; and
- (b) that a copy of the report had been submitted to Scottish Ministers in November 2019.

## **FREEDOM OF INFORMATION - COUNCIL PERFORMANCE FOR THE PERIOD JANUARY 2019 TO MARCH 2020**

**1310.** The Cabinet considered a report by the Chief Executive, providing details of the annual report on the Council's performance in dealing with Freedom of Information requests.

The report explained that Freedom of Information provided a statutory right of access to information held by Scottish public authorities and that statistical reports on how the Council had dealt with information requests had been produced on an annual basis since the Freedom of Information (Scotland) Act came into force in 2005.

The Council had received a total of 1257 requests during the period 1 April 2019 to 31 March 2020. As with all aspects of Council business, the situation was made more challenging with the start of the disruption caused by the COVID-19 pandemic. Details of Council, departmental and sectional performance in responding to Freedom of Information requests were outlined together with a summary of the use of exemptions, reviews and appeals.

The Cabinet noted the report.

## **LOCAL CHILD POVERTY ACTION REPORT – YEAR 2**

**1311.** The Cabinet considered a report by the Deputy Chief Executive in relation to the second East Renfrewshire Local Child Poverty Action Report (LCPAR) required under the Child Poverty (Scotland) Act 2017. A copy of the LCPAR was appended.

The report detailed the actions taken during 2019-2020 to support families in, or at risk of poverty and the intended 2020-2021 actions. However, it was recognised that there would be challenging times ahead and Covid-19 was likely to have an impact on profile of poverty, including child poverty, in future. Poverty should be considered within all COVID-19 recovery and renewal planning and actions taken would be reflected in the next annual LCPAR.

The Cabinet approved and agreed to publish the Local Child Poverty Action Report to meet the requirements of the Child Poverty (Scotland) Act 2017.

## **FINANCIAL PERFORMANCE FOR THE YEAR ENDED 31 MARCH 2020**

**1312.** The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer), providing details of the financial results for 2019/20 and comparing the out-turn with the final budgetary control statement for that year which was submitted to the meeting of the Cabinet on 12 March 2020.

The report demonstrated the continuing excellent financial performance of the Council and indicated that subject to audit, the financial results contained within the accounts were satisfactory. Whilst noting that the Council's financial affairs had again been managed within its operational budget, the report highlighted that an overall underspend for the financial year of £3,348,000 had been recorded in the accounts. It was noted that to balance the budget for 2019/20, it had been anticipated that £4,312,000 would be required from the Non-Earmarked General Fund reserve. However, after directors closely managed net expenditure only £964,000 of reserves was called upon. This represented an improvement of £3,348,000.

Whilst noting that Capital Expenditure of £47,841,000 was invested during 2019/20, the report highlighted that an operational surplus of £598,000 had been made on the Housing Revenue Account, which increased the accumulated surpluses brought forward on that Account to £2,316,000.

The report highlighted that after transfers to earmarked reserves, the balance on the Council's Non-Earmarked General Fund reserve was £9,590,000 as at 31 March 2020. This represented 3.8% of the annual budgetary net revenue expenditure and was slightly below the Council's most prudent target level of 4% but better than forecast when setting the budget for 2020/21. However, it was anticipated that the balance would significantly reduce during 2020/21 to cover unfunded pressures relating to COVID-19.

The Cabinet noted:-

- (a) the outturn position compared to the previous Budgetary Control Report; and
- (b) that once the audit has been completed the Final Accounts will be submitted to a future meeting of the Council along with the External Auditor's report.

### **EAST RENFREWSHIRE ECONOMIC RENEWAL KEY ACTIONS 2020/21**

**1313.** The Cabinet considered a report by the Director of Environment, on the preparation of economic recovery key actions that had been developed in response to the economic downturn as a result of COVID-19. The report also indicated that further reports regarding the economy would be submitted to the Cabinet in due course.

Whilst noting the list of some of the key high level issues in relation to the local economy and highlighting the sectors that were at risk, these being summarised by broad industry sector and risk category, the report provided details on the impacts on the East Renfrewshire Labour Market; the Business Community; and the Town Centres within East Renfrewshire.

The report explained how the Council was going to address the impacts and outlined a range of economic recovery key actions within East Renfrewshire, highlighting that further reports regarding economic recovery and renewal and Community Wealth Building would be submitted to future meetings of the Cabinet in due course. In addition, the Director of Environment would prepare additional proposals for consideration by the Cabinet in relation to economic renewal and recovery for implementation should the Council's financial circumstances allow this.

The Cabinet:

- (a) noted the development of key economic recovery actions prepared with input from the recently established cross party member/officer Renewal Working Group;
- (b) noted that further reports regarding economic recovery and renewal and Community Wealth Building would be submitted to the Cabinet in due course; and
- (c) instructed the Director of Environment to prepare additional proposals for consideration by the Cabinet in relation to economic renewal and recovery for implementation should the Council's financial circumstances allow this.

1218

### **ROADS RESURFACING WORKS PROGRAMME 2020/21**

**1314.** The Cabinet considered a report by the Director of Environment, providing details on the major additional Roads Works Programme in relation to Carriageway and Footway Resurfacing for 2020/21. A copy of the programme was appended to the report.

The report explained that the 2020/21 proposed roads works programme would use the additional resources of £3 million recently made available to improve the roads condition across the authority. However, it was recognised that whilst the Council's A and B class road network was in a relatively good condition, the C class and unclassified roads required significant works and, as a consequence, the majority of the additional £3m allocation had been directed towards these types of road.

It was noted that the expenditure would have a major impact on resident's perceptions of Council expenditure on roads major resurfacing projects for carriageways and footways (as opposed to mainly potholing/patching) in the past in residential estates.

The Cabinet approved the roads resurfacing works programme.

CHAIR

**MINUTE**

of

**JOINT CONSULTATIVE COMMITTEE (FIRST TIER)**

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 13 February 2020.**

**Present:**

Councillor Tony Buchanan  
Councillor Caroline Bamforth

Councillor Stewart Miller

**Union Representatives:**

Ms Karen Catlow (UNISON)  
Mr David James (UNISON)  
Ms Lisa Kennedy (EIS)

Mr Steven Larkin (UNISON)  
Mr Des Morris (EIS)

Mr Morris in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Andy Cahill, Director of Environment; Phil Daws, Head of Environment (Strategic Services); Sharon Dick, Head of HR and Corporate Services; Tracy Morton, Education Senior Manager; and Linda Hutchison, Senior Committee Services Officer.

**Apologies:**

Councillor Paul O’Kane; and Mr Joe Lynch (UNISON).

**MINUTE OF PREVIOUS MEETING**

1. The committee considered and approved as a correct record the Minute of the meeting held on 14 February 2019.

**REVENUE BUDGET 2020/21 AND RELATED ISSUES**

2. The Head of Accountancy reported that, following a delay, the 2020/21 Scottish Budget draft grant settlement for local government had been announced on 6 February, confirming it had not covered multiple years as had been anticipated at one stage. Although a real terms increase of over 4% had been announced, she explained that a sum in excess of the increase received required to be allocated to new Scottish Government priorities, mainly associated with Education and the Integration Joint Board (IJB). With those exceptions, the underlying like for like grant support had reduced by 1%, which was very close to the level forecasted. The overall level of funding available for the Council was based on an assumption that councils would increase Council Tax by the maximum level permitted of 4.84%.

Whilst referring further to grant conditions associated with the grant settlement, the Head of Accountancy confirmed that the IJB base budget contributions had to be maintained at a flat cash level prior to any new priority funding being applied and that this restricted the level of savings that could be applied to IJB budgets for 2020/21. Consequently £200k savings the Council had previously agreed to apply to the IJB would have to be reallocated in addition to planned measures to close the authority's budget gap.

Having referred to ongoing negotiations by the Scottish Government on the finalisation of its budget, the Head of Accountancy highlighted that the settlement figures received by the authority could be subject to change, as the Scottish Budget would not be confirmed until 5 March. Furthermore it remained a possibility that the UK Government's budget, to be announced later in March, could impact on the final settlement the Council received.

Regarding capital expenditure, the Head of Accountancy confirmed that there had been an overall 17% reduction in grant for 2020/21, the Council's share of which was £900k. She commented that this was not considered ideal and that it was hoped that this reduction would apply for only one year, but that receiving multi-year settlements in future would be helpful as it would provide more certainty on future funding.

Thereafter, in monetary terms and more detail, she itemised various budget pressures facing the Council, such as in relation to inflation, service demand and contracts, Scottish Government Grant reduction and distribution changes as of February 2020, compared to the estimated position as of February 2019. The position on various savings related issues, such as previously agreed savings and the use of reserves, was also commented on. Related issues referred to included, Council Tax income anticipated in 2020/21 and related matters, such as the projected population growth in East Renfrewshire compared to other areas and the rate at which new houses were being built; and a small reduction in the contribution the Council would make to the Floors arrangement in 2020/21 compared to 2019/20. Options open to the Council were also commented on which included increasing Council Tax by the maximum level allowed, the use of reserves, the application of further savings identified, and other savings rejected as a result of previous consultation.

It was clarified that overall, taking account of the latest assessment of spending pressures, an outstanding budget gap of £8.1m for 2020/21 remained to be addressed compared to the original forecast of £5.9m. Existing indicative 2020/21 budget plans had already assumed previously agreed savings of around £7m, the use of £1.5m of general reserves and the application of a 3% Council Tax increase. The related challenge of maintaining the level of Non-Earmarked General Fund reserve at its prudent target level of 4% of annual budgeted net revenue expenditure was commented on.

In conclusion, the Head of Accountancy referred to the need for the Council to set its budget and Council Tax. The possibility of the Scottish Budget being amended in future which could impact on the authority's final settlement and the Council's budget in due course, and challenging savings targets to be met in future when there would not be recourse to use reserves in the same way as in the past were also commented on.

Mr Morris referred to the unusual circumstances and particular challenges facing the authority arising from the General Election in December and related consequences for budgets at a UK, Scottish and local level. Having acknowledged the challenges Elected Members faced and welcomed the opportunity the Trade Unions (TUs) had been given to address the Budget Strategy Group earlier in the day, Mr Larkin confirmed that the TUs were continuing to petition the Scottish Government for a better local government settlement. He also referred to the importance of information being presented clearly, such as on inflation issues.

Councillor Buchanan referred to the need for the Council to make some difficult decisions to enable it to balance its budget, the significant pressures facing the Council in 2020/21 and beyond, and the lack of certainty the Scottish Government was facing on its own final settlement and related uncertainty facing councils on drawing up their final budgets. Having commented that the use of reserves by the Council could help address challenges faced by the authority, but only in the short term, he confirmed that like the TUs, Elected Members were continuing to lobby for additional resources for local authorities.

It was agreed to note the position and comments made.

### **CREATION OF HEADS OF SERVICE POSTS IN ENVIRONMENT DEPARTMENT AND HEALTH AND SOCIAL CARE PARTNERSHIP (HSCP)**

3. Mr Larkin stressed that UNISON supported job creation, but expressed concern regarding the Heads of Service posts recently created within the Environment Department and HSCP, especially given the restructuring of their services in the relatively recent past. Having expressed the view that this sent a confusing message about the Council's long-term plans, he added that the job remits of many UNISON members had been changed with staff in some cases being asked to take on additional duties, suggesting this could have been an alternative option to the creation of the new posts. Whilst commenting further on why the issue was being raised, Mr Larkin explained that there was a feeling amongst UNISON members that high-level posts were being created, but not others at the other end of the spectrum.

Councillor Buchanan reported that efforts were being made to take a long-term view, but that legislative changes outwith the Council's control and other factors had created a need to establish the posts. Regarding the HSCP, he commented on the need, for example, to address adult and health care service issues, to protect both those who used services and those who delivered them, and for leadership in the interests of delivering the best outcomes. In respect of the Environment Department, he referred to the impact of the Planning (Scotland) Act 2019, the Council's ambitious plans in terms of future development, and the importance of having the right people in place to manage issues such as these. Having highlighted that only some of these issues and changes had been predicted, Councillor Buchanan added that savings had been realised from past departmental restructures and that the costs associated with the new posts were being met from within existing budgets.

The Director of Environment itemised a wide range of issues that were impacting on his service, including the Planning (Scotland) Act 2019, the Transport (Scotland) Act 2019, receipt of additional financial resources for roads and the Council's Capital Programme, including provision for the new Leisure Centre in Eastwood Park. Other issues he referred to included, the City Deal, the need to address climate change and sustainability issues, and the Council's house building programme. Whilst acknowledging how the creation of the posts might have been perceived, he clarified that other senior posts had also been created to address issues that needed to be progressed. However these other posts had not been the subject of formal reports as there was provision to deal with these under the Scheme of Delegated Functions. The Director of Environment referred to further departmental restructuring work to be taken forward, confirming that liaison with the TUs on this would take place.

Councillor Bamforth referred to the recruitment of a large number of HSCP staff to enable services to be delivered, emphasising that it was not just high level posts that were being filled.

Mr Larkin supported the need for more staff, but highlighted that some posts had been removed from the establishment previously. He reiterated that UNISON supported job creation and acknowledged the challenges facing the Environment Department and HSCP, commenting that he had been asked to raise the matter in view of perceptions the filling of the posts had created. The Director of Environment acknowledged why the creation of the new Head of Service in his department could have been perceived as it had been.

It was agreed to note the position and comments made.

## **ANNUAL HEALTH AND SAFETY REPORT**

4. The committee considered a report by the Director of Environment providing an update on progress made on pursuing health and safety objectives during 2018/19, and on the proposed objectives and priorities for the year ahead. A copy of the Council's Corporate Annual Health and Safety Report 2018/19 was appended to the report.

Having clarified that it was considered good practice by the Health and Safety Executive for public bodies to summarise their health and safety performance and plans in their annual reports, it was confirmed that the 2018/19 Annual Report would be published on the intranet and submitted to the General Health and Safety Committee. The high level content within the document, related departmental health and safety reports prepared on a quarterly basis and key achievements of the Corporate Health and Safety Unit (CHSU) in 2018/19 were amongst issues commented on. It was clarified that of equal importance to progressing health and safety issues in 2018/19, was a redesign of the CHSU which had taken place in 2019/20 along with a reassessment of its key objective, further details of which were provided. Various issues to be progressed, such as to improve support for managers to enable them to address their responsibilities and convening a programme of related meetings, were commented on, in addition to which a range of issues, practices and priorities for moving forward were highlighted.

It was concluded that Health and Safety continued to be a fundamental priority and that of equal importance were the structural changes made to the CHSU and its new priorities for 2019/20 and beyond.

The Head of Environment (Strategic Services) explained that the submission of the report to the committee for the first time was in the interests of transparency and emphasised the importance the authority attached to health and safety. In response to Councillor Bamforth, he commented that the rise in accidents and the main reasons for this documented for 2018/19 compared to 2017/18 could reflect a rise in incidents or further awareness of reporting arrangements. He added that further analysis would be carried out and feedback provided, such as at future meetings of the Joint Consultative Committee.

Mr Larkin commented that the rise reported in physical violence incidents was a concern to everyone and required a concerted effort to be made to address and reduce these. The Head of Environment (Strategic Services) acknowledged the importance of doing so, and undertook to raise this at a future meeting of the Council's Health and Safety Committee.

Councillor Buchanan acknowledged the need to address the rise in incidents reported, and welcomed the submission of the report to the committee, noting that issues such as this were being considered and discussed at the Council's Health and Safety Committee.

It was agreed to note:-

- (a) that a health and safety report on Education would be submitted to the Joint Consultative Committee in September; and



- (b) otherwise, the report and related comments made.

#### **HEALTH AND SAFETY COMMITTEE**

5. The committee considered the Minutes of the meetings of the Council's Health and Safety Committee held on 23 July and 22 October 2019.

Whilst referring to the Minute of 22 October 2019, Mr Morris reported that the Working Group established to look at best practice and address violence to staff in respect of which the EIS had reported a significant rise in 2018/19; had met in November 2019 and January 2020, and was scheduled to meet again later in February. He clarified that work was ongoing to reduce such incidents.

The committee noted the Minutes and related comments made.

#### **DATE OF NEXT MEETING**

6. It was noted that the next meeting of the committee was scheduled to take place on Thursday, 7 May 2020.



**MINUTE**  
**of**  
**AUDIT & SCRUTINY COMMITTEE**

**Minute of virtual meeting held at 2.00pm on 13 August 2020.**

**Present:**

Councillor Stewart Miller (Chair)	Councillor Charlie Gilbert
Councillor Barbara Grant (Vice Chair)	Councillor Annette Ireland
Councillor Angela Convery	

Councillor Miller in the Chair

**Attending:**

Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Janice Collins, Head of Education Services (Equalities and Equity); Barbara Clark, Chief Accountant; Michelle Blair, Chief Auditor; Morag Brown, Policy & Improvement Manager; Anthony Jenkins, Brexit Coordinator; Linda Hutchison, Clerk to the Committee; Jennifer Graham, Committee Services Officer; and Lona Allison, Assistant Committee Services Officer.

**Also Attending:**

Pauline Gillen and Morven Fraser, Audit Scotland.

**Apology:**

Councillor Jim Swift.

**DECLARATIONS OF INTEREST**

**1315.** There were no declarations of interest intimated.

**CHAIR'S REPORT**

**1316.** The Chair reported, and it was noted, that the committee's report on its Investigation on Climate Change had been considered by the Cabinet earlier that day.

**CODE OF CORPORATE GOVERNANCE**

**1317.** Under reference to the Minute of the meeting of 20 June 2019 (Page 860, Item 914 refers), when the Code of Corporate Governance updates and actions for 2019/20 had been approved, the committee considered a report by the Deputy Chief Executive on progress against improvement actions since then, and seeking approval of a revised code for 2020/21.

The report reiterated the Council's responsibilities for the conduct of its business, defined what the Code of Corporate Governance was, and explained that the proposed updates took account of guidance from the Chartered Institute of Public Finance and Accountancy (CIPFA) and Society of Local Authority Chief Executives (SOLACE). The report referred to key requirements with which the Council had to comply and summarised progress on 2019/20 actions, highlighting that four of the five improvement activities listed in the 2019/20 Code had been completed. It was clarified that development of the new Digital Customer Experience project was being progressed with the target date for completion having changed to March 2021 to take account of new priorities during the COVID-19 crisis.

The updated Code of Corporate Governance for 2020/21, setting out arrangements which fulfilled the seven governance principles outlined in national guidance, was appended to the report. Self-assessment against nationally prescribed criteria had found the Council to be fully compliant across all principles. Any supplementary actions added in relation to the recovery/renewal phases of the COVID-19 crisis would be evaluated in future to check for continued compliance.

Having itemised actions to be taken in 2020/21 to further improve compliance with the Code and commented on the Annual Governance Statement to be published in the 2019/20 Annual Report and Accounts, the report concluded that the Council was governed by sound and effective internal management controls, and continued to demonstrate compliance with the requirements of the CIPFA/SOLACE framework *Delivering Good Governance in Local Government*. Progress on planned actions for 2019/20 had been posted on the Council's website, as would the 2020/21 Code, subject to it being approved by the committee.

The Policy & Improvement Manager highlighted key issues within the report during which she commented on requirements with which the Council had to comply, the extent of the compliance against nationally prescribed criteria, and the actions to be taken to further improve compliance with the Code in 2020/21. Having heard Councillor Ireland request confirmation of timescales for completion of 2020/21 key actions in relation to the first Annual Fraud Statement and Community Choices participatory budgeting events, the Policy & Improvement Manager undertook to forward this information to the Clerk for circulation to members of the committee.

The committee:-

- (a) noted progress on the 2019/20 Code of Corporate Governance improvement actions;
- (b) approved the Code of Corporate Governance updates and actions for 2020/21; and
- (c) noted that confirmation of timescales for progressing work on the first Annual Fraud Statement, and the plan outlining the next steps for Community Choices participatory budgeting events would be forwarded to the Clerk by the Policy & Improvement Manager for circulation to members of the committee.

## **ANNUAL TREASURY MANAGEMENT REPORT 2019/20**

**1318.** Under reference to the Minute of the meeting of 20 February 2020 (Page 1109, Item 1206 refers), when it had been agreed to note the Treasury Management Strategy Report for 2019/20 and recommend to the Council that the Strategy for 2020/21 and the policy on the repayment of loans fund advances be approved, the committee 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 2020, and seeking approval to recommend to the Council that a list of organisations for the investment of surplus funds be approved.

The report referred to a well-managed treasury function within the Council and related issues, commenting that the authority continued to adopt a prudent approach to treasury management, and that stability in borrowing assisted the Council to respond to current, national economic pressures. The submission of the report to the committee, prior to its submission to the Council, was in line with the CIPFA Code of Practice on Treasury Management.

The committee, having heard the Chief Accountant highlight key issues within the report, agreed to:-

- (a) note the Treasury Management Annual Report for 2019/20; and
- (b) **recommend to the Council** that the organisations specified in the report for investment of surplus funds be approved.

## **WITHDRAWAL FROM THE EUROPEAN UNION**

**1319.** Under reference to the Minute of the meeting of 15 August 2019 (Page 904, Item 975 refers), when the committee had agreed to carry out a review regarding Brexit and the related financial implications as a medium priority issue, subject to further consideration of the timing of its commencement having regard to the future outcome of United Kingdom (UK) Government's discussions with the European Union (EU), and that in the first instance, following the appointment of the Council's Brexit Coordinator, arrangements be made for the post holder to meet with the committee to allow Members to take evidence and gather information on Brexit issues, the committee considered a joint report by the Directors of Corporate & Community Services and Environment providing an update on the UK's exit from the European Union (EU) and the Council's work in response to this. The report also took into consideration Audit Scotland's report *Preparing for Withdrawal from the European Union* which under the committee's specialisation arrangements had been sent to Councillor Miller and Councillor Grant for review.

The report confirmed that the UK had ceased to be a member of the EU on 31 January 2020, entering a transition period then which would remain in operation until 31 December 2020, during which time the UK was subject to EU laws and protections but could not influence decisions. It was clarified that as the date of 1 July 2020 for agreeing any extension to the transition had passed, no obvious mechanism existed for any extension. To allow sufficient time for ratification of any new agreement proposed regarding the EU and UK's future relationship from 1 January 2021 onwards, the agreement required to be finalised by 31 October, failing which there would be no deal in place. To prepare for Brexit, the Council had a well-established Brexit Working Group comprising representatives from each department and key services.

It was commented that the Audit Scotland report recognised that Brexit impacts would only be realised when the finality of UK and EU negotiations was known, but that it was expected that existing public sector pressures were likely to be exacerbated, including in relation to staffing/service provision; financial pressures; and trade related uncertainties. Public bodies were being encouraged to plan proportionately and review related risks regularly.

It was explained that the Brexit Working Group was regularly reconsidering priorities and focus to ensure considerations were escalated as required ahead of the end of the transition period. Such work included ensuring the Brexit Risk Register was kept updated; using learning from a table top exercise to shape preparedness; considering ways to promote the EU Settlement Scheme; continued monitoring of legislative and trade changes; and dealing with information requests. The report provided further information on each of these issues.

It was commented that, although the regularity of this work had been impacted by the COVID-19 pandemic response, many of the procedures and preparations were well established, having been implemented for previous Brexit deadlines. However, the pressures of a No Deal end to the transition period had been exacerbated due to the global pandemic.

The Brexit Coordinator commented briefly on the report, during which he referred to the fluidity of the situation at present and related Brexit planning, which included planning for worst case scenarios.

Whilst responding to questions in relation to the Working Time Directive and arrangements for contract tendering beyond the transition period, the Brexit Coordinator advised that the UK and Scottish Governments were expected to approve continuity legislation which would allow some of the current legislation to remain in place for a period of time in the first instance pending any future changes to legislation being made. He undertook to seek further clarification on these issues and provide feedback to the Clerk for circulation to members of the committee. In addition, he advised that the Brexit Working Group had agreed to further promote the EU Settlement Scheme within the local community with assistance from the local Citizens' Advice Bureau and local community and religious groups.

The Committee, having considered the way it wished to proceed, agreed:-

- (a) that the Brexit Coordinator provide further feedback on the issues raised during discussion to the Clerk for circulation to members of the committee;
- (b) that a further update be provided to the committee following the deadline of 31 October 2020, this being the deadline by which an agreement required to be reached between the EU and the UK subject to formal ratification; and
- (c) otherwise to note the report and related comments.

## **LOCAL EXTERNAL AUDIT REPORT – EAST RENFREWSHIRE COUNCIL MANAGEMENT REPORT 2019/20**

**1320.** Ms Gillen reported that she had expected the East Renfrewshire Council Management Report 2019/20 to be available for consideration at this meeting but that, due to the current restrictions linked to COVID-19, this had not been possible as remote auditing was taking longer than it would otherwise. Having referred to the wish to ensure that the Management Report was completed to the highest standard, on a related issue she confirmed that the statutory deadline for concluding issues relating to the audit of the Annual Accounts had been extended to 30 November for all local authorities. She expected to have a clearer idea of the timescale for completing that audit work by the end of September.

The committee noted:-

- (a) that the 2019/20 Management Report would be submitted to the committee by the External Auditor in due course on its completion; and
- (b) otherwise the comments made on progress with the report and related issues.

## **NATIONAL EXTERNAL AUDIT REPORT – EARLY LEARNING AND CHILDCARE FOLLOW-UP**

**1321.** The committee considered a report by the Clerk on the publication by Audit Scotland of a report entitled *Early Learning and Childcare Follow-up* which under the committee's specialisation arrangements had been sent to Councillor McLean and Councillor Swift for review. The Director of Education had provided comments on it and a copy of her feedback was appended to the report.

It was clarified that the Audit Scotland report was in two parts; Part 1 commenting on progress with delivering the expansion to 1140 hours of funded Early Learning and Childcare (ELC); and Part 2 commenting on the planning for the evaluation of the policy. The report had set out key messages for the Scottish Government and local authorities, some of which were relevant to East Renfrewshire's delivery of ELC. The feedback provided on the report considered these messages, and commented on the findings and implications for East Renfrewshire's delivery of the 1140 hours.

Having itemised the 5 key messages in the Audit Scotland report, the report commented on those pertinent to local authorities in general and East Renfrewshire in particular. Further detail was provided on the expansion of ELC to each eligible child aged 2 to 4 from August 2020, related challenges linked to COVID-19, and action taken in respect of this. Issues relating to funded providers, workforce matters, infrastructure, and the evaluation of the expansion of funded ELC were commented on in more detail.

The committee noted the department's progress against the national position of delivering 1140 hours of ELC.

## **INTERNAL AUDIT PLAN 2020/21 – IMPLEMENTATION PROGRESS APRIL TO JUNE 2020 AND REVISED ANNUAL PLAN**

**1322.** Under reference to the Minute of the meeting of 12 March 2020 (Page 1157, Item 1249 refers), when it had been agreed to approve the Internal Audit Strategic Plan for 2020/21 to 2024/25, the committee considered a report by the Chief Auditor advising of progress on and revisions to the Internal Audit's Annual Plan 2020/21. It was confirmed that, due to recent restrictions, no audit reports in relation to planned 2020/21 audit work had been issued in quarter 1. However, during the quarter satisfactory management responses had been received for three audit reports relating to planned 2019/20 audit work. Reference was also made to the quarterly performance indicators (PIs) for the section, and three new requests for assistance dealt with using contingency time.

Whilst commenting on the report and in response to questions, the Chief Auditor referred to the Red Flag audit and related findings and recommendations, and the assistance her section was providing to other sections to help respond to the COVID-19 emergency. She referred to the Annual Audit Plan 2020/21 approved just prior to lockdown and proposed amendments to it, clarifying that when it had been prepared, the filling of a vacant post on a temporary basis had been proposed. However, this had not proved feasible due to the COVID-19 lockdown, and difficulties associated with carrying out routine audits. She referred to a reassessment made of the number of audit days available in 2020/21, and explained that a number of audits were no longer feasible to conduct for various reasons. The Chief Auditor confirmed that it was now proposed that some audits be deferred or deleted from the Plan, and that the Plan would be reviewed regularly as there continued to be an estimated shortfall of available days.

The committee agreed:-

- (a) not to seek any of the reports issued during the quarter at this stage;
- (b) to approve the revised Internal Audit Strategic Plan 2020/21; and
- (c) otherwise, to note the report and related comments.

## **PUBLIC SECTOR INTERNAL AUDIT STANDARDS (PSIAS) INTERNAL SELF-ASSESSMENT**

**1323.** The committee considered a report by the Chief Auditor regarding progress in relation to compliance with the Public Sector Internal Audit Standards (PSIAS).

The report explained that PSIAS came into force in 2013 and included a requirement that the Head of Internal Audit would develop and maintain a quality assurance and improvement programme (QAIP) to allow assessment against the PSIAS. In addition to regular self-assessment, there was a requirement for an external assessment to be carried out at least once every 5 years by an independent assessor. It was further reported that compliance was mandatory for internal auditors in the public sector, with any areas of non-conformance requiring to be reported to the Audit and Scrutiny Committee.

The report commented further on the QAIP, options for external assessment, and the self-assessment most recently carried out in July 2020 and related results. The self-assessment had indicated that the internal audit team were 95% fully compliant with the relevant standards and partially compliant with a further 4%, on the basis of which it had been concluded therefore that it operated in general compliance with the PSIAS. This result remained consistent with the most recent external assessment which had concluded that the internal audit service was fully compliant in 11 out of 13 sections and generally compliant in the remaining 2.

Whilst commenting further on the report, the Chief Auditor confirmed that the QAIP appended to the report included actions from the 2019 and 2020 self-assessments, both of which had been implemented. She added that, as the self-assessment indicated a high level of compliance with PSIAS, scope for further improvement was therefore limited.

The committee, having heard the Chief Auditor confirm that the outcome of the self-assessment did not require to be sent to any external organisations, noted the outcome of the revised self-assessment.

## **INTERNAL AUDIT ANNUAL REPORT 2019/20**

**1324.** The committee considered a report by the Chief Auditor regarding the annual report on the activities of internal audit during 2019/20, and providing an independent annual opinion on the adequacy and effectiveness of the Council's governance, risk management and internal controls based on work undertaken in 2019/20.

Whilst commenting on implementation of the 2019/20 Plan, the Chief Auditor reported that it had been substantially completed, other than five audits which had been in progress when lockdown had been implemented. Satisfactory responses had been received to all audits completed, except one for which the due date had not yet passed. There was also one 2019/20 report which had still to be issued. Having commented on four internal audit reports in respect of which some recommendations had not been fully accepted and the related



associated risks and reasons provided by management which had been accepted, she summarised the position on various potential fraud and contingency related issues. She also referred to issues that had impacted on PIs, and clarified that the section operated in compliance with PSIAS.

Regarding the annual statement on the adequacy and effectiveness of the Council's governance, risk management and internal controls, she confirmed that, based on the information available and work carried out, her opinion was that reasonable assurance could be placed upon the adequacy and effectiveness of these controls in the year to 31 March 2020. Reference was also made to internal audit performance indicators.

The committee agreed:-

- (a) to approve the statement on the adequacy and effectiveness of the Council's governance, risk management and internal control systems and submit it to the Council; and
- (b) otherwise to note the internal audit annual report 2019/20.

#### **COMMITTEE'S SPECIALISATION ARRANGEMENTS FOR DEALING WITH INTERNAL AND EXTERNAL AUDIT REPORTS AND INSPECTION REPORTS**

**1325.** Under reference to the Minute of the meeting of 20 June 2019 (Page 870, Item 925 refers), when it had been agreed to approve changes to the committee's specialisation arrangements and noted that they would be kept under review as required, the committee considered a report by the Clerk proposing changes to the specialisation arrangements for dealing with internal and external audit reports and inspection reports.

The report explained that following Councillor Convery's appointment to the committee, some changes to the specialisation remits required to be considered. Following discussion with the Chair, it was proposed that Councillor Convery take over the remits previously held by Provost Fletcher. No further changes were considered necessary.

The committee agreed that, in terms of the specialisation arrangements for dealing with inspection reports and external and internal audit reports, Councillor Convery would lead, in partnership with Councillor Ireland and Councillor Gilbert on issues relating to the Chief Executive's Office and Health and Social Care Partnership respectively.

CHAIR



**MINUTE**  
**of**  
**LICENSING COMMITTEE**

**Minute of virtual meeting held at 10.00am on 18 August 2020.**

**Present:**

Councillor Angela Convery (Chair)	Councillor Alan Lafferty
Councillor Betty Cunningham (Vice Chair)	Councillor Stewart Miller
Councillor Charlie Gilbert	

Councillor Convery in the Chair

**Attending:**

Jacqui McCusker, Senior Solicitor; Brian Kilpatrick, Civic Government Enforcement Officer; Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

**Also Attending:**

Sergeant Lisa Millar, Police Scotland.

**DECLARATIONS OF INTEREST**

**1326.** There were no declarations of interest intimated.

**Resolution to Exclude Press and Public**

At this point in the meeting, on the motion of the Chair, the committee unanimously resolved that in accordance with the provisions of Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for the undernoted item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 6 and 14 of Part 1 of Schedule 7A to the Act.

**PRIVATE HIRE CAR DRIVER'S LICENCE – REQUEST FOR SUSPENSION**

**1327.** Under reference to the Minute of the meeting of 18 February 2020 (Page 1104, Item 1200 refers) when it had been agreed to defer consideration of the request to a future meeting to allow the licence holder's solicitor to make further enquiries in relation to the available evidence, the committee considered a report by the Chief Officer - Legal & Procurement, in relation to a request from the Civic Government Enforcement Officer for the suspension of a Private Hire Car Driver's Licence on the grounds that the licence holder was no longer a fit and proper person to be the holder of such a licence by virtue of the circumstances outlined in the report.

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The licence holder was present accompanied by his solicitor, Mr Banks.

The Civic Government Enforcement Officer was heard in respect of the request to suspend the licence and in answer to questions.

The licence holder and his solicitor were heard in respect of the request to suspend the licence and in answer to questions.

Following discussion the committee agreed to suspend the remaining portion of the licence in terms of Paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982.

CHAIR

**MINUTE**  
**of**  
**EDUCATION COMMITTEE**

**Minute of virtual meeting held at 10.00am on 20 August 2020.**

**Present:**

Councillor Paul O’Kane (Chair)	Councillor Gordon Wallace
Councillor Colm Merrick (Vice Chair)	Dr Frank Angell
Councillor Caroline Bamforth	Ms Dorothy Graham
Councillor Tony Buchanan (Leader)	Ms Mary McIntyre
Councillor Charlie Gilbert	Mr Des Morris
Councillor Alan Lafferty	

Councillor O’Kane in the Chair

**Attending:**

Mhairi Shaw, Director of Education; Janice Collins, Head of Education Services (Equality and Equity); Fiona Morrison, Head of Education Services (Provision and Resources); Mark Ratter, Head of Education Services (Quality Improvement and Performance); Graeme Hay, Education Senior Manager (Leading Business Change); Tracy Morton, Education Senior Manager; Ron Leitch, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

**Apology:**

Councillor Jim McLean.

**Also attending:**

Rosemary Crossan, Head Teacher, St John’s Primary School.

**DECLARATIONS OF INTEREST**

**1328.** There were no declarations of interest intimated.

**SQA RESULTS 2020**

**1329.** Councillor O’Kane invited Dr Mark Ratter, Head of Education Services (Quality Improvement and Performance), to give a brief overview of attainment in East Renfrewshire schools in the Scottish Qualifications Authority (SQA) results 2020.

Dr Ratter explained that following the decision to close all schools from 20 March 2020, the Deputy First Minister had announced that for the first time in history there would be no

examination diet. The SQA had been asked to put in place an alternative certification model based on teachers providing refined estimated bands and rankings for each learner entered for National 5, Higher and Advanced Higher. Schools had submitted estimates by 29 May.

Subsequently the SQA had carried out a process of moderation designed to ensure consistency across schools and colleges and with results from previous years. This was based on the average attainment over the previous 4 years in each school and subject. No account was taken of prior attainment at an individual pupil level.

A strong set of results had again been achieved across East Renfrewshire schools with S4 attainment very similar to the previous year and performance in S5 and S6 being the highest to date.

Referring to the report considered by the committee at its previous meeting in June, (Minutes Page 1179, Item 1264 refers), Dr Ratter explained that the Education Department had anticipated very strong attainment in S5 and S6 based on the results in 2019 and that the S5 projections made by the EMIS Unit in September 2019 had been very close to the authority results published at this stage by the SQA.

However, he pointed out that major concerns had been expressed nationally that the SQA moderation process had disproportionately affected particular schools or groups of learners. Nationally 26% of entries had been adjusted with 7% of these adjusted up and 93% adjusted down. Overall in East Renfrewshire, 77% of estimates had been accepted compared to the national average of 74%.

As a result of the Ministerial direction announced on 11 August, the SQA had indicated that candidate results would now be awarded based solely on the estimates provided by schools and that the results of learners who had been awarded a higher grade during the moderation process would be maintained. The SQA had also agreed to ensure that schools would receive their revised results by 21 August and that any candidate whose grade had changed as a result of this process would receive a new certificate.

Based on the estimate data that was submitted by schools and taking account of the learners who had been awarded a higher grade during the moderation process, the Education Department had carried out some initial high-level analysis. More detailed analysis would be carried out, including a focused look at equity, when the updated SQA data had been received. As a result of the changes that had been made the SQA had also updated its appeals process. Details of the revised process were outlined.

At this point Dr Ratter highlighted a number of key points from the original results including that at National 5 in S4, 81% of the cohort achieved 5 or more awards, up from 78% in 2019; 95% of S4 pupils achieved 5 or more qualifications at National 4 or better, similar to the result the previous year; Barrhead, Eastwood, Mearns Castle, St Ninian's, and Woodfarm High Schools all achieved outstanding best ever S4 results.

As anticipated, the Higher results for S5 pupils were very strong across all measures with 87% of the original roll achieving 1 or more Highers and 72% attaining 3 or more Highers. In both measures there had been an increase of around 6%. The proportion of the S4 roll that achieved 5 or more Highers was 49%, up from 44% and the highest result to date. All East Renfrewshire schools had some strong results at S5, notably Barrhead, Eastwood and Woodfarm High Schools which had their best ever results for all 3 measures.

At Advanced Higher in S6, the performance across the authority was also very strong with 45% of the original S4 cohort achieving 1 or more Advanced Higher awards, up from 40% the previous year with Eastwood, Mearns Castle, Williamwood and Woodfarm High Schools all having their best ever results for this measure.

Dr Ratter went on to advise the committee that Scottish Ministers had established an independent review of the awarding process in 2020; expanded the scope of the review of Curriculum for Excellence being undertaken by the OECD to include recommendations on how to transform Scotland's approach to assessment and qualifications; and that the Council would contribute to both of these reviews through the Association of Directors of Education in Scotland (ADES).

In addition, the SQA was currently engaging with partners on plans for 2020-21, including the timing of the examination diet and the assessment arrangements for National 5, Highers and Advanced Highers. The department would contribute to these consultations and had encouraged schools to take part as the feedback would be important in ensuring that appropriate modifications were put in place to courses and the timing of examinations next year that provided clarity and reassurance for staff, pupils and parents and carers.

He concluded by explaining that this statement on examination results had been unlike any that had previously been made and reflected the unique way in which the 2020 results had been arrived at. The closure of schools in March and the subsequent cancellation of the examination diet had resulted in a great deal of uncertainty and, in many cases, worry for young people.

The estimates process had been hugely demanding for staff in all schools and Dr Ratter took the opportunity to acknowledge this and thank them for all their work in this regard. He expressed his confidence that throughout the process East Renfrewshire schools had done their utmost to ensure that the hard work of all young people was rightly and fairly recognised.

The successes that had been highlighted at S4, S5 and S6 were a tribute to the hard work and dedication of pupils across East Renfrewshire, exceptionally well supported by staff and parents and carers. All involved were to be congratulated and the achievements of all East Renfrewshire's young people recognised and celebrated.

In response to Councillor Wallace who sought further information regarding the 23% of learners whose results had been amended by the moderation process, Dr Ratter explained that schools had recently received the revised awards; had shared these with the relevant students; and that the outcome was that, as mandated by the Ministerial direction, all those whose results had been downgraded by the moderation process had subsequently had their awards uplifted to the teacher estimated grades.

A number of members expressed their appreciation for the considerable volume of work undertaken by teachers in the preparation of the grade estimates submitted to the SQA which had resulted in young people receiving the results which their efforts had deserved. It was also noted that the analysis provided appeared to show a greater improvement in schools which traditionally had produced lower levels of success and this further narrowing of the attainment gap was commended.

Councillor Buchanan added his thanks to the teaching staff who had worked diligently to produce the grade estimates sent to the SQA and to all school staff and pupils for their efforts throughout an extremely difficult academic year. He also commended the department for the work done during the lockdown to understand the lessons to be learned; for moving forward in spite of the public health situation; and for continuing to do the very best on behalf of all of East Renfrewshire's young people.

The Director explained that the analysis of awards locally had not highlighted any increased correlation between grades and levels of poverty but that further work in this regard was required. She reiterated that 77% of teacher estimates had been accepted compared to the national average of 74% and this, coupled with the dramatic drop in the number of appeals

now anticipated, indicated that parents, carers and pupils had trust in the ability of teachers to objectively assess pupils' work and efforts. She also reiterated that the department would continue to support pupils through presenting them on suitable courses and at the appropriate level. She concluded by adding her thanks to all teachers for their considerable efforts in submitting appropriate evidence-based grade estimates for all of their pupils during what had been a very worrying time for all concerned and especially for the young people themselves.

Having heard Councillor O'Kane add his congratulations to all of the young people for their hard work which had resulted in the awards made by the SQA and their forbearance in helping to force the Scottish Government to withdraw the original SQA grades and accept in full the teacher estimated grades, the committee noted the report and that further, more detailed analysis of the revised awards would be carried out by the department.

### **EDUCATION SCOTLAND REPORT ON ST. JOHN'S PRIMARY SCHOOL**

**1330.** The committee considered a report by the Director of Education informing members of the report produced by Education Scotland following their inspection of St. John's Primary School.

Education Scotland evaluated four quality indicators and provided a short report which detailed the strengths and areas for improvement. The report had been published in June 2020 and was appended. It had been issued to staff, parents, local elected members and the Convener for Education and Equalities.

The Head of Education Services (Quality Improvement and Performance) explained that in assessing the indicators of quality in the school Education Scotland had found three aspects of the work to be good, i.e. leadership of change; learning, teaching and assessment; and raising attainment and achievement; and one aspect, ensuring wellbeing, equality and inclusion had been judged to be very good.

Key strengths were highlighted, including the very positive, caring ethos across the school based on Catholic values; effective leadership of the head teacher; strong relationships across the school community including with parents, a range of agencies, services and charities; an enthusiastic and collaborative approach by staff to professional learning; and effective approaches to digital learning.

It was noted that this was a good report on an East Renfrewshire school, with the evaluations made by Education Scotland reflecting the increased expectations nationally and the department's evaluation of the quality of provision. The department was pleased that the leadership of the head teacher had been noted in the letter to parents and carers as one of the key strengths of the school.

The inspection team had agreed two areas for improvement with the school and the department. An action plan to address these areas had been prepared by the school and was also appended. The areas for improvement were particularly important in the context of pupils returning to the school post COVID-19 and the school had incorporated these into the recovery plan

Education Scotland would make no further reports in connection with the inspection of St John's Primary School. However, the Quality Improvement Service would revisit the school within 2 years of the date of publication to review the impact of the school's improvement plan in addressing the agreed areas for improvement and to provide a progress report to parents and carers.



Councillor Wallace contrasted the mention of excellent assessment and monitoring processes in secondary schools contained in the statement on this year's Scottish Qualifications Authority (SQA) results earlier in the meeting with one of the areas for improvement that had been agreed between the department and the inspection team and which related to the need to continue to improve the monitoring and tracking of children's progress to ensure a clear focus on raising attainment across all curriculum areas. In reply, the Head of Education Services (Quality Improvement and Performance), supported by the Director, explained that Education Scotland looked holistically at schools; that monitoring and tracking was already being carried out within St. John's Primary School; that the improvement action was to continue to improve the monitoring and tracking of children; and that the aim was to embed a shared understanding across all staff and to apply best practice.

Mrs Crossan, Head Teacher, thanked the committee for the opportunity to address the meeting and explained that she was very happy with the report and was particularly pleased that the school's strong, nurturing ethos based on Catholic values had been recognised by the inspection team. She was also pleased that the school's creative approach to digital learning, which had proved to be invaluable in recent months, had been recognised as well as the use made of a variety of indoor and outdoor learning environments. The report had been achieved through the hard work and commitment of the entire school community and she thanked all of her staff, a number of partners including the Catholic Church, the Quality Improvement Team, parents and carers, and the Directorate for their support. She especially expressed her thanks to all of the school's pupils for their efforts and enthusiasm.

Having heard Councillor O'Kane, supported by Councillor Buchanan, express the thanks of the committee to the head teacher and her senior management team for a very good report, the committee agreed to:

- a) note the contents of the Education Scotland report on St John's Primary School; and,
- b) approve the school's action plan to address the agreed areas for improvement.

## **COVID-19 EDUCATION RECOVERY UPDATE**

**1331.** The committee considered a report by the Director of Education updating members on the Education Department's recovery planning and the reopening of all schools across East Renfrewshire in line with the Scottish Government's Guidance on Preparing for the Start of the New School Term in August 2020.

The Education Senior Manager (Leading Business Change), Graeme Hay, explained that at its meeting in June 2020 the committee had endorsed the department's Local Delivery Phasing Plan (LDPP), setting out the principles and approach to recovery planning across the authority (Minutes Page 1177, Item 1263 refers). This plan was based on guidance published by the Scottish Government on 29 May 2020. The LDPP set out a plan for a blended learning approach to education for the beginning of school session 2020/2021, with pupils attending school on a part-time basis, along with out of school learning. The plan also outlined the department's proposed phases for recovery, gradually increasing the amount of time pupils would spend in school and moving towards resumption of a full time offer.

Following endorsement by the Education Committee, the LDPP had been submitted to Education Scotland for review on 24 June 2020, as required by the Scottish Government. At that time the LDPP was also shared with individual head teachers, in addition to an action plan template, to support the development of their own bespoke recovery plans. Throughout this period the department had continued to work closely with trade union partners in consulting on future plans.

HM Inspectors of Education had carried out a desktop review of the department's LDPP and considered it against the guidance issued by the Scottish Government. The overwhelmingly positive feedback provided specifically noted that the LDPP demonstrated the presence of strategic processes to support recovery with clear governance arrangements; a phased approach to planning enabling establishments to create their own context-specific approaches; and a clear focus on the safety and wellbeing of all staff and pupils. Importantly, the feedback also acknowledged the collaborative way in which the LDPP had been prepared.

On 23 June 2020, the Scottish Government announced its aim to have all schools return on a full time basis from the beginning of school session in August 2020 and subsequently detailed guidance had been published to support all local authorities and schools with the return to full time provision from August. Individual establishments had continued to maintain their own bespoke recovery plans based on the department's LDPP. These plans, which would be kept under review, would act as a contingency plan for each establishment and be able to be implemented should there be a requirement for any further restrictions or lockdowns to be imposed.

Given the relatively short period between the final decision being announced on 30 July and the reopening of establishments, a hugely significant effort had been made by senior leadership teams and facilities management staff to ensure that all buildings had been prepared to welcome back children, young people and staff safely. In addition, the department and individual establishments had been supported by colleagues from across the Council, especially colleagues in the Corporate Health and Safety Unit (CHSU), in ensuring that learners were able to return and the appropriate safety measures had been put in place.

Following the publication of the national guidance, the department had prepared a template action plan outlining the key safety measures which schools would be required to take into account when preparing for reopening. This wide ranging document included a number of sections each with detailed action points. In addition to the individual school recovery plans, the department continued to work closely with the CHSU to review all individual building risk assessments and ensure that they reflected all updated guidance. These official building risk assessments had been supplemented by individual establishment risk assessments, with a focus on education-specific elements and individual risk assessments for children, young people and staff where this is required. Role-based risk assessments had also been developed for certain posts and curriculum subject areas had specific professional guidance referenced in risk assessments which was being followed.

A detailed guidance note was issued to all schools and early learning centres on the process for responding to any suspected or confirmed cases of COVID-19. All head teachers were familiar with the process and had communicated this with the relevant staff in their own establishment. The department continued to work closely with colleagues in Environmental Health and the local Health Protection Team to ensure that a robust response procedure was in place should there be any localised school cases in the weeks and months ahead.

In following the guidance from the Scottish Government, there was a requirement for an enhanced cleaning regime to be in place across all schools and early years settings, including a focus on regular day cleaning. It was explained that in recent months the department had recruited additional day cleaning staff for establishments across the authority complemented by the introduction of new systems. There was also a significant increase in the amount of cleaning and hygiene supplies required, with regular wiping down of surfaces before and after use and regular hand sanitising being required. It was unclear how long these additional measures would be required for, but costs had been projected to the end of the financial year.

As part of the Scottish Government's national approach to recovery, additional resources had been made available to local authorities to support the recovery of learning loss through the allocation of funding for additional teaching staff. A total of £1.1m had been confirmed for the current school session, with further allocations, expected to be in the region of £0.6m, pending, and the department was working with head teachers on the opportunities that this additional funding provided.

This additional resource would be used by individual schools to supplement their existing budgets, including Pupil Equity Funding (PEF) and Lowest 20% resource allocations. Head teachers had the discretion to make decisions about how they would spend these resources and in doing so would consider collaboration and pooling of resources in clusters or local geographical areas where there was of benefit to their learners.

Mr Morris commended the support and effort of all school staff in implementing the Scottish Government's 2 main priorities of preparing schools to be able to operate safely and in addressing the issue of the recovery from learning loss resulting from the closedown. This had been achieved in a relatively short time following the confirmation that schools would reopen fully from 11 August and had involved considerable effort from school staff and staff from numerous Council departments and partner agencies.

In response to Councillor Bamforth who, whilst commending the effort of all staff in supporting young people during the period of closedown and in preparing schools for reopening, sought clarification on the amount of Scottish Government financial support the Council had received, the Director advised that to date £415,000 had been received towards the cost of logistics including enhanced cleaning measures and that it was still open to the Council to submit spend accrued for a share of the £30m fund established by the Scottish Government to offset the other additional costs associated with the return to full-time education.

Mr Hay, also in response to an enquiry from Councillor Bamforth, confirmed that concern had been raised regarding the number of parents and carers congregating outside schools to pick up children and who were clearly not complying with the appropriate national guidance on physical distancing and the use of face coverings in crowded places. He explained that there was no "one size fits all" solution in light of the differing layouts of individual schools and that head teachers had been encouraged to communicate directly with parents and carers with a view to establishing local solutions which complied with the guidance. He also confirmed that a reduction in the number of staff members who had been unable to work due to the previous guidance on shielding which had recently been lifted, had had a welcome positive impact on staffing levels.

Councillor Wallace, referring to discussion at the June meeting of the committee with regard to the provision of blended learning, expressed the view that what had been delivered to pupils during the period of lockdown was not blended but digital learning and sought clarification on what progress, if any, had been made in this regard.

In response, the Director agreed that what had been delivered had not been, in the main, blended learning but remote learning. However, many of the skills developed during this period would stand the department, schools and pupils in good stead as it sought to address the issue of learning loss and making up for lost teaching time. The Head of Education Services (Quality Improvement and Performance) explained that the department was working hard to ensure that the digital skills learned by teachers and pupils were embedded in its recovery plans. The department was working closely with the West Partnership to develop and roll out digital lessons as well as digital resources that could be used in the event of a subject teacher being unavailable for any reason or where learners and staff need to self-isolate. It was also making effective use of the Google Classroom app as part of the digital learning process.

Councillor Merrick commended the Director on an excellent report and paid tribute to the quality of leadership within the department which had been a major contributory factor in getting schools back safely and in a very short timescale. Returning to the issue of parents and carers entering school grounds to pick up children, he sought clarification on whether there was a blanket ban on entering playgrounds or if it was for the management team at individual schools to decide. In response, Mr Hay explained that there was a general presumption against parents and carers entering school playgrounds or other outdoor areas. However, some schools were able to make use of separate, controlled areas of the school grounds and management teams were working closely with the Council's health and safety team to implement individual solutions for each school where this was possible whilst prioritising the safety of children, young people and staff.

Councillor Buchanan added his thanks to all concerned in producing the report and for the efforts of all staff and partners on getting schools ready for opening safely within a short period of time. He referred to the report as a living document which would continue to evolve as the situation developed and the relevant guidance changed. He also warned that local outbreaks were a strong possibility and that every precaution must continue to be taken to mitigate against any potential risk.

The Director concluded the discussions by reporting that all teaching staff who had been absent from work as a result of self-isolation or shielding had now returned and only 7 local government staff within the department were currently absent. She also reiterated that the department would continue to learn appropriate lessons from outbreaks elsewhere and stressed that the evidence suggested that no current outbreaks involved transmission within schools although a small number were linked to schools and that it was realistic to expect that there would at some point be an outbreak associated with an East Renfrewshire school. She ended by saying that schools had done an excellent job in getting pupils back to full-time education within a very short timescale and that staff were delighted to be back at work.

Having heard Councillor O'Kane express his appreciation to all staff across the Council and partners and also for the role played by the EIS and other trades unions in helping to open schools safely and in line with Scottish Government guidance, the committee agreed to:-

- a) note the contents of the report and endorse the department's recovery planning approach;
- b) welcome the successful reopening of all East Renfrewshire schools and early learning settings to children, young people and staff and the efforts of staff across the Council to support this; and
- c) request that further updates are provided to the committee on the department's recovery and the use of additional Scottish Government resources to address learning loss amongst school pupils.

CHAIR

**MINUTE**  
**of**  
**APPOINTMENTS COMMITTEE**

**Minute of virtual meeting held at 10.00am on 24 August 2020.**

**Present:**

Councillor Tony Buchanan  
Councillor Colm Merrick  
Councillor Stewart Miller

Councillor Paul O'Kane  
Councillor Gordon Wallace

Councillor O'Kane in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Sharon Dick, Head of HR and Corporate Services; and Douglas Hutchison, Director of Education (South Ayrshire Council).

**DECLARATIONS OF INTEREST**

**1332.** No declarations of interest were intimated.

**Resolution to Exclude Press and Public**

At this point in the meeting, on the motion of the Chair, the committee unanimously resolved that in accordance with the provisions of 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 Part 1 of Schedule 7A to the Act.

**DIRECTOR OF EDUCATION**

**1333.** Under reference to the Minute of the meeting of the Council of 27 February 2020 (Page 1131, Item 1222 refers), the committee took up consideration of applications for the post of Director of Education.

Following full consideration the committee agreed to shortlist 3 candidates for assessment and interview.

CHAIR



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

**Minute of virtual meeting held at 10.00am on 27 August 2020.**

**Present:**

Councillor Tony Buchanan (Leader)  
Councillor Caroline Bamforth  
Councillor Danny Devlin

Councillor Alan Lafferty  
Councillor Colm Merrick  
Councillor Paul O’Kane

Councillor Buchanan, Leader, in the Chair

**Attending:**

Caroline Innes, Deputy Chief Executive; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Murray Husband, Head of Digital and Community Safety; Gerry Mahon, Chief Officer - Legal and Procurement; and Paul O’Neil, Committee Services Officer.

**DECLARATIONS OF INTEREST**

**1334.** There were no declarations of interest intimated.

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

**1335.** The Cabinet considered a report by the Chief Officer – Legal and Procurement, providing details of the results of the Investigatory Powers Commissioner’s Office (IPCO) inspection of the Council’s surveillance practice undertaken in November 2019. The report also sought approval for amendment of the Council’s Procedure on Covert Surveillance to reflect the recommendations made in the IPCO report following the inspection; and to report on the surveillance activity undertaken by the Council during 2019/20. A copy of the Inspector’s findings was appended to the report.

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

The report highlighted that the Investigatory Powers Commissioner’s Office oversaw the regulatory framework and carried out regular inspections every 3 years of all public bodies who carried out covert surveillance in terms of the Act, and made various recommendations in relation to the procedures adopted by those bodies. It was noted that the Council’s most recent inspection had taken place between October and December 2019.

It was noted that the Inspector's report made two specific recommendations as to future practice. These related to the need for applicants to thoroughly address necessity, proportionality and collateral intrusion for each subject for whom surveillance was sought within an overarching application, and the management of evidence obtained during surveillance activities. A number of observations in praise of good practice were also made.

The report also sought approval for amendment of the Council's Procedure on Covert Surveillance to reflect the recommendations made in the IPCO report following the inspection. A copy of the proposed revised version was appended to the report. Details of the surveillance activity undertaken by the Council during 2019/20 were also outlined.

Having heard the Chief Officer – Legal and Procurement in response to Councillor Bamforth clarify the definition of covert surveillance, the Cabinet:-

- (a) noted the results of the Investigatory Powers Commissioner's Office (IPCO) inspection of the Council's surveillance practice undertaken in November 2019;
- (b) approved the amendment of the Council's Procedure on Covert Surveillance to reflect the recommendations made in the IPCO report following the inspection; and
- (c) noted the surveillance activity undertaken by the Council during 2019/20.

#### **CABINET WORK PLAN 2019/20 PROGRESS AND CABINET WORK PLAN 2020/21**

**1336.** Under reference to the Minute of the meeting of the Cabinet of 4 April 2019 (Page 795, Item 848 refers), when the Cabinet agreed amongst other things that progress against the Cabinet Work Plan be reviewed in April 2020 and updated on an annual basis thereafter, the Cabinet considered a report by the Chief Executive, providing an update on the progress made against the 2019/20 Cabinet Work Plan and submitting for consideration the draft Work Plan for 2020/21. Details of the progress made against the 2019/20 Plan together with a copy of the draft Plan for 2020/21 were appended to the report.

The report explained that the Plan set out a forward programme of strategy and policy work along with key routine areas of business covering budget and performance monitoring; detailed the progress made against the 2019/20 plan; and highlighted the items of business included in the draft Plan for 2020/21.

Furthermore, the Cabinet Work Plan was a forward planning exercise which would continue to ensure the strategic focus of the Council was maintained. It would also ensure cross-cutting strategy issues were identified and that the Cabinet made the most efficient and effective use of the time available to discuss and approve strategies, monitor performance and oversee the use of resources.

The Cabinet:-

- (a) approved the content of the draft work plan for 2020/21;
- (b) agreed that progress against the plan be reviewed in April 2021 and updated on an annual basis thereafter.



## CONTINUED USE OF THE SOCIAL WORK CASE MANAGEMENT SOLUTION

**1337.** Under reference to the Minute of the meeting of the Cabinet of 6 February 2020 (Page 1082, Item 1175 refers), when it was agreed to approve an exemption from tendering procedures to enable the award of a contract to OLM for Carefirst to the value of £180,000 for the period 1 April 2020 to 30 September 2021, the Cabinet considered a report by the Deputy Chief Executive, seeking approval of the revised planned commitment of the use of the current Social Work Case Management Solution from September 2021 to a new end date of March 2023 to allow the appropriate procurement and implementation of a replacement solution.

The report explained the approval of the extension would support the planned replacement of the Social Work Case Management Solution; ensuring suitable provisions were in place to support the transitional period. Furthermore, it would provide stability for the critical business application throughout the programme, a sufficient contingency period would be allowed to ensure success, and provision for continuity of service during a period of significant technical change.

Having heard the Head of Digital and Community Safety in further explanation, the Cabinet approved the request to further extend the contract with OLM for Carefirst to the additional contract value of £180,000 to cover the period 1 October 2021 to 31 March 2023 (18 months).

## ESTIMATED REVENUE BUDGET OUT-TURN 2020/21

**1338.** The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer), detailing the projected revenue budget out-turn for 2020/21 and providing details of the expected year-end variances together with summary cost information for each of the undernoted services as at 30 June 2020 and subsequent assessment of pressures arising from COVID-19.

- (i) Objective and Subjective Summaries;
- (ii) Education Department;
- (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 30 June 2020, the estimated year end position showed a net overspend of £2,877,000 based on current information and taking account of additional grant funding confirmed and anticipated to date, the report indicated that for General Fund services the projected overspend was £2,392,000 and together with the projected shortfall in Council Tax collection of £450,000 the total forecast overspend on General Fund services was £2,842,000.

This reflected a much improved position from that reported to Council on 24 June 2020 and was due to various increases in anticipated grant funding (including assumptions as to Government support for income losses from sales, fees and charges), together with very close expenditure controls across all departments.

The report also sought approval for a number service virements and operational budget adjustments, details of which were outlined in the report. It was noted 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 reported probable out-turn position, agreed:-

- (a) to approve the service virements and operational adjustments as set out in the notes in the report;
- (b) to instruct departments to continue to avoid all non-essential spending;
- (c) management action be taken to remedy any avoidable forecast overspends; and
- (d) all departments continue to closely monitor their probable outturn position.

### **GENERAL FUND CAPITAL PROGRAMME 2020/21**

**1339.** The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer), monitoring expenditure as at 30 June 2020 against the approved General Fund Capital Programme 2020/21 and recommending adjustments where necessary in light of issues that had arisen since the programme had been approved.

Whilst noting that the latest developments relating to the programme, including the latest income and expenditure movements and cash flow management issues, the report indicated that the projected shortfall of £425,000 which represented 0.86% of the resources available was within manageable limits.

The report highlighted that COVID-19 would have a significant effect on both the timing and the cost of capital projects and this report reflected an element of rescheduling of current and future schemes in line with available resource capacity. The full extent of potential cost increases was not yet known but further reports would provide updates as the situation becomes clearer. These delays in the programme had resulted in a net decrease in borrowing required for the year of £1.678m. It was clarified that this was not a saving as the planned borrowing would just be delayed until next year.

The Cabinet:-

- (a) **agreed to recommend to the Council** that the movements within the General Fund Capital Programme 2020/21 be approved; and
- (b) noted the shortfall of £425,000 and that income and expenditure on the programme would be managed and reported on a regular basis.

**HOUSING CAPITAL PROGRAMME 2020/21**

**1340.** The Cabinet considered a joint report by the Head of Accountancy (Chief Financial Officer) and Director of Environment, monitoring expenditure as at 30 June 2020 against the approved Housing Capital Programme 2020/21 and recommending adjustments where necessary in light of issues that had arisen since the programme had been approved.

Whilst noting that the latest developments relating to the programme, including the latest income and expenditure movements and cash flow management issues, the report indicated that the projected shortfall of £135,000 which represented 1.1% of the resources available was within manageable limits.

The Cabinet:-

- (a) **agreed to recommend to the Council** that the movements within the Housing Capital Programme 2020/21 be approved; and
- (b) noted the shortfall of £135,000 and that income and expenditure on the programme will be managed and reported on a regular basis.

CHAIR



**MINUTE**  
**of**  
**LOCAL REVIEW BODY**

**Minute of virtual meeting held at 2.00pm on 2 September 2020.**

**Present:**

Councillors Betty Cunningham (Vice Chair)  
Councillor Angela Convery

Provost Jim Fletcher  
Councillor Stewart Miller

Councillor Cunningham (Vice Chair) in the Chair

**Attending:**

Matt Greenen, Senior Strategy Officer (Planning Adviser); Siobhan Wilson, Solicitor (Legal Adviser); and Paul O'Neil, Committee Services Officer (Clerk).

**Chair**

In the absence of Councillor Ireland (Chair), Councillor Cunningham (Vice Chair) assumed the chair.

**Apologies:**

Councillors Annette Ireland (Chair); Jim McLean; and Jim Swift.

**DECLARATIONS OF INTEREST**

**1341.** There were no declarations of interest intimated.

**NOTICE OF REVIEW – REVIEW 2020/10 – ERECTION OF 18 FLATS FOLLOWING DEMOLITION OF EXISTING DWELLINGHOUSE WITH ASSOCIATED FORMATION OF ACCESS OFF MALLETSHEUGH ROAD, PARKING AND LANDSCAPING AT REAR AT TREESIDE COTTAGE, AYR ROAD, NEWTON MEARN'S (REF NO: 2019/0606/TP)**

**1342.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Panacea Property, against the non-determination of an application in respect of the erection of 18 flats following demolition of existing dwellinghouse with associated formation of access off Malletsheugh Road, parking and landscaping at rear at Treeside Cottage, Ayr Road, Newton Mearns.

The report explained that in addition to considering cases where an applicant had submitted a 'Notice of Review' in relation to a decision made by an officer in terms of the Scheme of Delegation, the Local Review Body was also to deal with cases where the Appointed Officer had failed to determine the application within two months from the date it was lodged. This was the case in respect of the application submitted by Panacea Property.

The clerk highlighted an amendment to paragraph 6 of the report where it was noted that the reference to 'Head of Environment (Operations)' should have read 'Head of Environment (Chief Planning Officer)'.

The Local Review Body, having heard the Planning Adviser, and having noted that the reference in paragraph 6 to the 'Head of Environment (Operations)' should have read 'Head of Environment (Chief Planning Officer)', agreed that consideration of the review be continued to allow the Planning Service to prepare a review statement giving an assessment of the proposal and for this statement to be circulated to the applicant and their agent giving the applicant the opportunity to submit comments to the Local Review Body within 14 days.

CHAIR

**MINUTE**  
**of**  
**APPOINTMENTS COMMITTEE**

**Minute of meeting held at 9.00am in the Ballroom, Eastwood House, Eastwood Park, Giffnock on 7 September 2020.**

**Present:**

Councillor Tony Buchanan  
Councillor Colm Merrick

Councillor Paul O’Kane  
Councillor Gordon Wallace

Councillor O’Kane in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Sharon Dick, Head of HR and Corporate Services; and Douglas Hutchison, Director of Education (South Ayrshire Council).

**Apology:**

Councillor Stewart Miller.

**DECLARATIONS OF INTEREST**

**1343.** No declarations of interest were intimated.

**Resolution to Exclude Press and Public**

At this point in the meeting, on the motion of the Chair, the committee unanimously resolved that in accordance with the provisions of 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 Part 1 of Schedule 7A to the Act.

**DIRECTOR OF EDUCATION**

**1344.** Under reference to the Minute of the meeting of the Appointments Committee of 24 August 2020 (Page 1243, Item 1333 refers), the committee proceeded to interview those short listed candidates who had been selected for interview following the assessment centre exercise that had taken place.

1254

Having conducted the interviews the committee, after discussion, agreed to offer the post to Mark Ratter, Head of Education (Quality Improvement and Performance), East Renfrewshire Council.

CHAIR