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**MINUTE**  
**of**  
**CABINET**  
**(POLICE AND FIRE)**

**Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock, on 21 February 2019.**

**Present:**

Councillor Colin Merrick (Chair)  
Councillor Caroline Bamforth  
Councillor Tony Buchanan

Councillor Barbara Grant  
Councillor Alan Lafferty  
Councillor Stewart Miller

Councillor Merrick, in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Murray Husband, Head of Digital and Community Safety; Claire Reid, Community Safety Manager; and Paul O'Neil, Committee Services Officer.

**Also Attending:**

Superintendent Craig Smith and Chief Inspector John McQuilter, Police Scotland, Group Manager Colin Martin; and Station Manager David Fothergill, Scottish Fire and Rescue Service.

**Apology:**

Councillor Paul O'Kane (Vice Chair).

**DECLARATIONS OF INTEREST**

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

**POLICE SCOTLAND – PERFORMANCE REPORT FOR THE THIRD QUARTER OF FINANCIAL YEAR 2018/19**

**787.** The Cabinet considered a report by the Divisional Commander, Police Scotland providing details of the performance of the police in East Renfrewshire over the third quarter of the financial year 2018/19. A statistical report giving a breakdown of various categories of crimes and offences committed during the reported period together with comparative statistics for the corresponding period in 2017/18 and against the 5-year average was appended to the report.

Superintendent Smith began by referring to the positive results detailed in the report which was a reflection of the good partnership working arrangements that existed in East Renfrewshire. He advised that the report had been amended to reflect more closely the number of victims affected by crimes in the course of which he emphasised that East Renfrewshire had the lowest recorded crime rates in mainland Scotland and remained a safe place to live and work. At this stage, he invited Chief Inspector McQuilter to provide further details about the information contained in the report.

Chief Inspector McQuilter reported on the performance of the police against the 5 priorities that were contained in the East Renfrewshire Policing Plan 2017-20, details of which were outlined in the report. He highlighted that the number of victims of domestic housebreaking continued to reduce when compared against the 2017/18 figures and the 5-year average. Similarly, there had been a 20% reduction in anti-social behaviour and disorder compared to the figures reported in 2017/18.

Commenting on the figures for violent crime, Chief Inspector McQuilter reported that there were 89 fewer victims of this type of crime compared to 2017/18 and 29 fewer than the 5 year average. However, whilst there had been a slight increase in serious assaults only 4 had been recorded in the reported period. Whilst noting that the number of robberies recorded was down on the figure reported in 2017/18, he advised that every robbery committed in 2018/19 year had been detected together with one from 2017. Furthermore, the number of all domestic crimes had also reduced when compared to the figures reported in 2017/18. It was noted that officers were being given enhanced training in domestic abuse incidents as a means of providing them with more guidance when dealing with victims of this type of behaviour.

Having commented that drug dealing and misuse at a local level resulted from organised crime groups supplying those drugs to smaller dealers within local communities, Chief Inspector McQuilter explained that there had been continued pro-activity in the third quarter of 2018 with seizures of a variety of controlled drugs with several arrests being made. The pro-activity had resulted in a 40% increase in the number of people being detected for the supply of controlled drugs compared to the same period the previous year. Whilst noting the measures being taken to tackle child abuse and child sexual exploitation, he stated that there had been an increase in the reporting of sexual crimes which was partly due to the continued trend of victims having the confidence to come forward and report ongoing and historical incidents. It was further noted that the police had a dedicated team of officers within the division who continued to investigate these incidents which were invariably complex and often protracted in nature.

Concluding his remarks, Chief Inspector McQuilter stated that in terms of road safety and road crime, officers were making ad-hoc visits to schools to address the problem of indiscriminate parking by parents in and around schools. However, he indicated that the police were receiving fewer calls about this problem although officers would continue to be deployed. In response to concerns expressed about speeding in local areas, he reported that the Safety Camera Partnership had carried out a number of checks in East Renfrewshire with one check resulting in 12 drivers being reported for speeding in a single day.

There followed a short question and answer session in the course of which Superintendent Smith and Chief Inspector McQuilter responded to a number of questions and provided clarification on a range of operational issues within East Renfrewshire. In particular, clarification was provided in relation to how the police dealt with complaints about children being threatened online where the victim and their family did not want to pursue matters

further. The importance of reporting suspicious activity to the police by the general public was also emphasised.

The Cabinet noted the terms of the report.

### **SCOTTISH FIRE AND RESCUE SERVICE – PERFORMANCE REPORT FOR THIRD QUARTER OF 2018/19**

**788.** The Cabinet considered a report by the Local Senior Officer, Scottish Fire and Rescue Service (SFRS), providing details of the performance of the SFRS in East Renfrewshire during the third quarter of 2018/19. An analysis of the incidents in each of the Council's five wards during the reported period was appended to the report.

Group Manager Martin reported on the good performance of the service over the reported period which was down to the hard work of staff within the service and the good partnership arrangements in East Renfrewshire. He referred to the restructuring of the local command team advising that it had been further strengthened by the appointment of Stephen Smith, a Community Firefighter who would act as a local officer. He also recorded his thanks to the partner agencies that had participated in the recent emergency training exercise. At this stage, he invited Station Manager Fothergill to comment further on the terms of the performance report.

Station Manager Fothergill provided a summary of the six areas for demand reduction and current activity that had been undertaken by SFRS over the reported period which were broken down into the five electoral wards. The priority areas were noted as Accidental Dwelling Fires; Accidental Dwelling Fire Casualties; Unintentional Injury and Harm; Deliberate Fire Setting; Non-Domestic Fire Safety; and Unwanted Fire Alarm Signals. Details of the total number of incidents for each of the priority areas and a comparison against both the previous year's performance and a 3 year average were also outlined in the report. He referred to the activity summary detailed within the report which provided a snapshot of the activity over the reported period compared to the same period the previous year. In particular, he highlighted the economic cost of Unwanted Fire Alarm Signals which was noted as £141,840.

Whilst noting that accidental dwelling fires showed a significant decrease in terms of 'year on year' average and a slight increase in the '3 year average', Station Manager Fothergill reported that the majority of accidental dwelling fires attended by SFRS was through the Telecare linked alarm system provided in partnership with the SFRS. It was noted that the main source of ignition of fires was cooking appliances. He also reported that 454 Home Fire Safety Visits had been carried out of which 130 were deemed to be high risk. Details of the accidental dwelling fire casualties were outlined in the report it being noted that there were only 2 incidents during the reported period and the injuries sustained were slight.

Station Manager Fothergill reported that there had been an increase in both 'year on year' and 3 year' averages for Non-Fire Casualties, which were predominately led by Road Traffic Collisions (RTC). However, the RTC casualties were mostly minor and only one casualty had to attend hospital with serious head and spinal injuries. He also reported that despite the bonfire season taking place during the reported period there had been a reduction deliberate fire setting in both the 'year on year' and '3 year average' figures. Furthermore, whilst there had been a reduction in the number of deliberate fires recorded over the reported period in the Barhhead, Liboside and Uplawmoor ward, there had been an increase in other wards. This issue had been discussed at the meetings of the Greater Results in Partnership (GRIP) and talks had been given to school pupils.

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Concluding his remarks, Station Manager Fothergill reported that in terms of Non-Domestic Fire Safety there was a positive downward trend in the performance statistics. Similarly, there had been a decrease in Unwanted Fire Alarm Signals (UFAS) compared to the corresponding period in 2017/18 with a spread across all wards. It was noted that UFAS accounted for 29% of all operational activity and therefore a reduction in this area was a priority.

There followed a short question and answer session in the course of which Group Manager Martin and Station Manager Fothergill provided clarification on a range of operational issues within East Renfrewshire.

The Cabinet noted the position.

CHAIR

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

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 21 February 2019.**

**Present:**

Councillor Stewart Miller (Chair)  
Councillor Barbara Grant (Vice Chair)  
Provost Jim Fletcher

Councillor Charlie Gilbert  
Councillor Jim Swift

Councillor Miller in the Chair

**Attending:**

Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Louise Pringle, Head of Communities, Revenues and Change; Barbara Clark, Chief Accountant; Alison Ballingall, Senior Revenues Manager; Michelle Blair, Chief Auditor; Linda Hutchison, Clerk to the Committee; and Ron Leitch, Committee Services Officer.

**Apology:**

Councillor Annette Ireland.

**REQUEST TO RECORD PROCEEDINGS**

**789.** Council Miller intimated that a request had been received to audio record the meeting. The request was approved.

**DECLARATIONS OF INTEREST**

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

**CHAIR'S REPORT**

**791.** The Chair reported, and it was noted, that there were no issues which he wished to bring to the committee's attention at this time.

**TREASURY MANAGEMENT STRATEGY REPORT FOR 2019/20**

**792.** Under reference to the Minute of the meeting of 22 November 2018 (Page 632, Item 697 refers) when, having considered a report on treasury management activities for the first

six months of 2018/19, it had been agreed to recommend to the Council approval of organisations for the investment of surplus funds and the continuing use of Money Market Funds in light of new Regulations coming into effect from early 2019, the committee considered a report by the Head of Accountancy (Chief Financial Officer) explaining that, in line with the revised Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management Code of Practice 2011, the Audit and Scrutiny Committee were responsible for ensuring effective scrutiny of the Council's treasury management strategy and policies.

In accordance with that requirement, a copy of the Treasury Management Strategy Report for 2019/20 was attached for consideration in advance of its submission to the Council. The Strategy Report included a proposal to amend treasury management practices in accordance with Annex F accompanying the report which listed organisations approved for the investment of surplus funds in respect of which information was provided on related issues such as credit ratings and limits. It was also proposed that a policy on the repayment of loans fund advances, as specified in Section 3.4 of the report, be approved.

Whilst commenting on the overall purpose and content of the report, the Chief Accountant referred to economic background information within it, explained that the same operational approach as before was being followed, and clarified that the report set out the parameters within which the treasury function operated, making reference to mid-year and annual reports to be submitted to the committee. Whilst itemising key sections of the Strategy, she clarified that the Council could only borrow to fund capital expenditure, and that the Prudential Indicators had been established to ensure funding of capital expenditure was affordable and sustainable.

Having drawn attention to Section 3.4 of the report on the Council's policy for the statutory repayment of debt which required to be approved before the start of the next financial year, the Chief Accountant highlighted that Council policy was to repay advances using an annuity method in keeping with previous years. However, she explained that the Scottish Government was currently reviewing legislation with a view to allowing greater flexibility when calculating loan fund repayments, confirming that this would be considered in the coming year and that any planned changes to the repayments schedule would be reported.

The Chief Accountant also referred to the use of reserves to fund capital expenditure which was considered prudent, advantage taken of historically low interest rates available at present, the gradual rise in interest rates anticipated over the next 3 years, and a list provided of the limits for treasury activity which was consistent with previous years. Having clarified that it remained the case that the primary objectives of the investment strategy were security and liquidity, she referred to information provided on the types of investment the Council could use and their associated risk; the importance of investing with bodies with good credit ratings, and related monitoring arrangements.

The Chief Accountant confirmed that she would be happy to arrange further treasury management training for Elected Members if that would be considered useful, requests for which could be made through the Clerk.

The committee, having heard Councillor Swift express the view that the Council's appetite for debt continued to increase at the same time as revenue funding pressures increased and resources were less available, agreed:-

- (a) **to recommend to the Council** that the Treasury Management Strategy for 2019/20 be approved, including the amended list of organisations for investment of surplus funds in accordance with Annex F to the report;



- (b) **to recommend to the Council** that the policy on the repayment of loans fund advances as specified in Section 3.4 of the report be approved;
- (c) to note that requests from Elected Members for further training on treasury management issues could be made and submitted to the Chief Accountant through the Clerk; and
- (d) otherwise, to note the report and related comments made.

### **LOCAL EXTERNAL AUDIT REPORT ON HOUSING BENEFIT PERFORMANCE AUDIT RISK ASSESSMENT AND NATIONAL EXTERNAL AUDIT REPORT ON HOUSING BENEFIT PERFORMANCE AUDIT ANNUAL UPDATE 2017/18**

**793.** Under reference to the Minute of the meeting of 24 January 2019 (Page 696, Item 762 refers), when it had been agreed that the Head of Communities, Revenues and Change should attend the next meeting of the committee to enable issues raised in relation to the local External Audit report on the *Housing Benefit Performance Audit Risk Assessment* and the national External Audit report on the *Housing Benefit Performance Audit Annual Update 2017/18* to be raised with her, the committee considered a report by the Clerk providing information on the reports. Under the committee's specialisation arrangements the reports had been sent to Councillors McLean and Swift for review. The Head of Communities, Revenues and Change had provided high level comments on the reports and a copy of these comments and a related Action Plan were included as appendices to the report, together with a copy of the local External Audit report.

Regarding the national Housing Benefit (HB) Performance Audit Annual Update 2017/18, it was explained that arising from an audit of 5 councils, which did not include East Renfrewshire, 24 risks to continuous improvement had been identified. Reference was made to the complexity of this area of work, and related developments which had to be planned for and resourced whilst maintaining current service provision. The Audit Scotland report had made reference to the ongoing implications of the national roll-out of Universal Credit (UC); development of the Scottish Social Security Agency (SSSA); and introduction of new tools to improve processing performance and debt recovery which the Council was making good use of. It was highlighted that local focus in recent years had been on planning for the shift from HB to UC which had resulted in restructuring and consolidating benefits services; delivering savings predicated on a forecasted declining HB caseload; and development of staff based within the small team concerned to build future resilience. More broadly across the Council, the focus had been on planning for the wide-ranging impact of the full UC service rollout, the latest tranche of which had taken place in September 2018 and which had been the subject of updates to the Cabinet in June and December 2018.

Regarding the local Audit of Housing Benefit Risk Assessment Report, the report provided a summary of the Council's current position and key issues it faced with a view to assuring the committee about the ongoing drive to understand and improve performance against a complex background of nationally driven changes to the benefits system and budget and resource constraints.

Reference was made to the Action Plan prepared to respond to issues identified, and significant structural changes made within Revenues Services. It had been acknowledged by Audit Scotland that the Council remained proactive and committed, such as in its efforts to improve service delivery and performance and to recover overpayments. It had been acknowledged within the authority that performance had been mixed. Having commented

on a range of associated matters, including issues to be addressed which were itemised and related developments and initiatives, the report emphasised the commitment which existed to continuous improvement and high degrees of accuracy moving forward.

Prior to questions being posed which Members had indicated they intended to explore and which had been issued to the Head of Communities, Revenues and Change in advance to enable her to prepare, she made some preliminary comments. She highlighted that benefits work was a complex and frequently changing area, referring to national delays in implementing UC which had meant that HB caseloads had required to be maintained by the authority far longer than predicted. She added that annual reductions in the funding provided to the Council by the Department for Work and Pensions (DWP) to run the HB service coupled with wider pressures on local authority budgets had made it necessary to look closely at staffing in recent years. This was to consolidate the authority's benefits services and multiskill staff to build resilience whilst contributing to cost savings at the same time.

The Head of Communities, Revenues and Change clarified that East Renfrewshire had an annual HB caseload of about 3600, the 5<sup>th</sup> smallest in Scotland; that the small team concerned covered HB, Council Tax Reduction (CTR), the Scottish Welfare Fund (SWF) and Discretionary Housing Payments (DHPs); and that there were 4 main processors dealing with HB and CTR and some more senior staff to deal with more complex cases. She highlighted that in that small team sickness absence and performance issues could make a significant impact on overall performance, referring to 3 long-term sick absences which had been resolved. She also explained that it had been necessary to find alternative ways to deliver planned savings to enable 2 benefit processors to continue dealing with the ongoing HB caseload, the Audit Scotland report having noted the effective use of temporary staff when required. Reference was also made to initiatives progressed to better understand and improve benefits processing, this proactive approach having been acknowledged by Audit Scotland.

The Head of Communities, Revenues and Change acknowledged that there were areas where performance needed to improve, particularly around processing times for new claims, performance on changes of circumstances having tended to be better. She explained how a focus on eliminating errors and improving accuracy had impacted on the accuracy indicator. Having clarified that HB had to be administered in accordance with DWP rules, she referred to an Internal Audit report on HB, which was a draft, she had just seen which concluded that claims were being processed in accordance with policy and reflected that previous recommendations had been implemented.

The Head of Communities, Revenues and Change then commented on long-standing performance management issues that had been successfully addressed, resulting in accuracy increasing to 87.3% by the end of December 2018 compared to 82% the previous year. Having specified the weekly frequency of random audits of work of each staff member and that 100% of the work of new staff was also checked, regarding compliance she referred to the approach being adopted within the benefits team to provide assurance on key financial processes, commenting on the greater emphasis to be placed on using data to measure and drive improvement.

She highlighted that overpayments arising from local authority errors were at their lowest level since she took over responsibility for the service, and that over the same period HB overpayment recovery rates had risen from 51% to 82% which was the highest ever level, welcoming both as they affected DWP subsidy. She added that the benefits team worked closely with the Money Advice and Rights Team and Citizens Advice Bureau; and that immediate action was taken if there was any suggestion that local residents were being

unduly affected by processes, encouraging Elected Members to alert her or the Senior Revenues Manager to any issues of this type they became aware of. It was reported that there were no known evictions as a result of any delays in processing HB.

Prior to concluding her remarks during which she reiterated the position on various issues, she introduced the Senior Revenues Manager who was a Chartered Accountant and had joined the Council in summer 2018 following the retirement of other key staff. She confirmed they were working closely together to deliver the Action Plan referred to in the report and were both also committed to continuous improvement.

Responding to Councillor Grant who sought confirmation regarding the reduction in DWP funding, the Head of Communities, Revenues and Change, supported by the Head of Accountancy, explained that recurring core funds paid by the DWP to the Council to administer HB had been reducing annually in anticipation of HB claimant numbers falling and UC increasing. They explained that other new, smaller and often non-predictable funding streams sometimes become available from the DWP but that they were less easy to plan for, such as because they were not necessarily known of long in advance and could cease.

Having welcomed the improvements reported, Provost Fletcher expressed frustration at the lack of sufficient funds allocated centrally to the Council to cope with the service which was not peculiar to East Renfrewshire, commented on the unenviable tasks officers were having to cope with, and welcomed that the new UK Government Minister with responsibility for the benefits service had made some acknowledgement of related problems.

Whilst responding to issues raised by him, the Head of Communities, Revenues and Change reiterated that UC should have been implemented by 2017 on which basis staffing had been profiled originally rather than 2022 as predicted now, referred to 3 year budgeting which had required the size of the team to be considered, and commented on the wish to protect jobs and retrain staff who would continue to deal with other benefits workload in future. On a related issue, she also referred to various Scottish Government policies designed to mitigate the effects of welfare reform such as Discretionary Housing Payments and Scottish Welfare Fund grants, commenting that these also had to be administered by local authorities for which some funds had been received.

The Head of Communities, Revenues and Change also referred to the complexity of the benefits environment, and the establishment and role of the SSSA and related issues, commenting that some experienced staff could be lost to that new Agency. Having clarified that she was not seeking additional funds for the service at this point, she reported on the use of benchmarking to help inform processes locally, the use of data to drive improvements, and the aim of identifying end-to-end process efficiencies. She added that a focus was to be placed on new claims and related processes.

In response to Councillor Swift, she confirmed that DWP funding for the service had reduced over time from £337k in 2013/14 to £190k in 2017/18 and £175k for 2018/19. Having confirmed that benefits processing was partly automated, she reported that the Council was tendering for a new Council Tax and Benefits IT System which would deliver further automation and performance improvements. Councillor Swift expressed the view that, theoretically, there was quite a bit of financial resource per claimant.

Councillor Swift suggested that superficial similarities appeared to exist between the current situation in the benefits team and the problems encountered by the creditors' team in the recent past, such as regarding the use of temporary staff and absence, asking what lessons could be learned and applied from that. The Head of Communities, Revenues and Change clarified why she did not draw such parallels between the positions in both services. Having

explained that within the creditors' team, twice daily meetings were convened to discuss various issues such as the volume of invoices received and to allocate tasks accordingly, she confirmed that there was a wish to implement such an approach in the benefits team. Whilst referring to the way forward, she referred to lessons that could be learned from the improved production line approach and better use of data to understand and drive improvement.

Regarding performance which he described as mixed and having welcomed the improvements that had been made, Councillor Swift commented that he held serious concerns regarding the accuracy of payments. More specifically, he referred to the identification and recovery of overpayments of HB and the financial hardship this could cause to recipients in the short and longer term. He also raised concerns and sought assurances regarding the time taken to process changes of events and the accuracy of related performance reporting which had been commented on in audit reports.

The Head of Communities, Revenues and Change referred to the commitment that existed to improving accuracy, and sampling that was being implemented to support officers and manage related issues better. She confirmed that overpayments as a result of local authority error, at a level of 0.16% which was good, were at their lowest level since she had assumed responsibility for the service, and that recovery rates on overpayments were at their highest as reported earlier in the meeting. She also referred to the use to be made of data to sustain this and learn further.

Whilst confirming why there had been a dip in the performance indicator, the Head of Communities, Revenues and Change commented on why some related sampling for this she had done had been negatively biased due to a focus having been placed on sampling the work of those who were making more errors. She also referred to extra resources being deployed to sample and check the work of the team, and priority being given to ensuring performance information was accurate which would be checked by internal and external audit. The Chief Auditor confirmed that samples used by internal audit were random ones.

Also in response to Councillor Swift, the Head of Communities, Revenues and Change emphasised the wish to avoid overpayments and improve recovery of those made, referring to related work that would be progressed on this. She also commented on work to be progressed on new claims to deliver improvements, good use made of national datasets made available to the local authority to help check if HB was paid at the correct rate, and that she would consider the use of intervention work in future.

The committee, having heard Councillor Miller thank the Head of Communities, Revenues and Change for her input and clarification on a number of issues, agreed to note the report and the related comments made.

## **NATIONAL EXTERNAL AUDIT REPORT ON WITHDRAWAL FROM THE EUROPEAN UNION**

**794.** The committee considered a report by the Clerk on the publication by Audit Scotland of a report entitled *Withdrawal from the European Union - Key Audit Issues for the Public Sector* which under the committee's specialisation arrangements had been sent to Councillors Miller and Grant for review. The Chief Executive had been asked to provide comments and a copy of her feedback was attached to the report.

The report explained that the United Kingdom (UK) would leave the European Union (EU) on 29 March 2019 and that in the event of a "no deal" Brexit there would not be a transition

period until the end of 2020. Audit Scotland had advised that the withdrawal coincided with the significant expansion of the Scottish Parliament's powers, rising demand for public services and continuing pressure on public sector budgets; and presented its view of key issues that withdrawal presented to public bodies as at October 2018 which in turn raised key questions that councils should be considering in the run-up to 29 March 2019. It also set out its plans to reflect withdrawal from the EU in Audit Scotland audit work. The key questions for public bodies were grouped around three themes of people, finance, and rules and regulations. The report provided information on the Council's response to each of these.

It was explained that withdrawal from the EU was likely to result in changes to the rights of non-UK EU nationals who live, work and study and access services across East Renfrewshire. The report demonstrated how the Council planned to communicate on these issues, provide support and respond to the implications that may affect local work forces when the UK leaves the EU. Regarding Finance, Audit Scotland had commented that little clarity existed about what would happen to funding streams dedicated to specific activities or geographic areas in the longer term, and referred to related financial risks to local authorities. Having specified the level and type of EU funding secured by the Council at present and commented on related issues, the report explained what was being done by the Council and the Corporate Management Team in terms of long-term financial planning and to factor in any potential implications of Brexit.

Regarding EU rules and regulations which affected all public bodies, it was explained that the most significant were trade and custom rules, with reference made to potential implications if the UK Government and the EU did not agree trade arrangements before the end of March. Reference was also made to EU regulations and legislation directly relevant to the Council on trading standards and environmental health and related issues.

It was clarified that the Council and its Partners were continuing to plan for the possibility of the UK Government and EU failing to reach an agreement on arrangements for the UK's exit from the EU, and that the East Renfrewshire Crisis Management and Resilience Team would lead on critical areas of work and consider all possible scenarios to mitigate risks to the Council and its services. It was reported that the Chief Executive and Chair of that Team had attended the West of Scotland Resilience Workshop in early February 2019 and would continue to monitor the situation in line with UK and Scottish Government guidance.

The committee agreed to note:-

- (a) the key issues raised in the Audit Scotland report;
- (b) the Council's responses to the key questions for public bodies raised in the report based around Audit Scotland's themes of people; finance; and rules and regulations;
- (c) Audit Scotland's audit plans over the short and long term; and
- (d) the Council's preparedness for Brexit.



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

**Minute of Meeting held at 10am in the Council Chamber, Council Headquarters, Giffnock, on 28 February 2019.**

**Present:**

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

Provost Fletcher in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Mhairi Shaw, Director of Education; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Fiona Morrison, Head of Education Services (Provision and Resources); Barbara Clark, Chief Accountant; Graeme Smith, Communications Manager; Eamonn Daly, Democratic Services Manager; and Linda Hutchison, Senior Committee Services Officer.

**REQUEST TO RECORD PROCEEDINGS**

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

**DECLARATIONS OF INTEREST**

**796.** Councillors Devlin, Grant, Merrick and O’Kane declared a non-financial interest in relation to Item 804 by virtue of the fact that they were members of the East Renfrewshire Culture and Leisure Trust Board.

Provost Fletcher also reported that the Chief Executive would leave the meeting during consideration of Item 810 pertaining to her appointment as a member of the Board of a Scottish charity.

## **MINUTE OF PREVIOUS MEETING**

**797.** The Council, having heard Councillor Grant, considered and approved the Minute of the meeting held on 19 December 2018 subject to paragraph 4 of Item 744 (Page 675) being amended to reflect that general access to swimming times offered by the East Renfrewshire Culture and Leisure Trust was limited due to the time allocated for swimming lessons.

## **MINUTES OF MEETINGS OF COMMITTEES**

**798.** The Council considered and approved the Minutes of the meetings of the undernoted, except as otherwise referred to in Item 799 below:-

- (a) Audit and Scrutiny Committee – 11 January 2019;
- (b) Planning Applications Committee – 16 January 2019;
- (c) Licensing Committee – 22 January 2019;
- (d) Cabinet – 24 January 2019;
- (e) Audit and Scrutiny Committee – 24 January 2019;
- (f) Civic Hospitality Committee – 29 January 2019;
- (g) Education Committee – 31 January 2019;
- (h) Civic Hospital Committee – 6 February 2019;
- (i) Planning Applications Committee – 13 February 2019;
- (j) Local Review Body – 13 February 2019;
- (k) Cabinet – 14 February 2019;
- (l) Licensing Committee – 19 February 2019;
- (m) Cabinet (Police and Fire) – 21 February 2019; and
- (n) Audit and Scrutiny Committee – 21 February 2019.

## **AUDIT AND SCRUTINY COMMITTEE – 11 JANUARY 2019 – WOODFARM EDUCATIONAL TRUST**

**799.** Under reference to the Minute of the meeting of the Audit and Scrutiny Committee of 11 January 2019 (Page 677, Item 749 refers), referring to the penultimate paragraph of the Minute, Councillor Wallace clarified that the comment he had made at the meeting was that the fact the committee meeting had taken place was a step forward, not the nature of the discussions that had taken place at it.

Regarding Paragraph 5 on Page 679 of the same Minute, Councillor Swift highlighted that at the meeting Provost Fletcher had accused those calling in the item of being anti-Muslim which had caused great offence. He also referred to correspondence he had received to the effect that this accusation was groundless.

In reply, Provost Fletcher commented that it was up to others to make their own judgement about what had transpired and that he had no wish to rerun the debate held at that meeting. Responding to a further comment just made by Councillor Swift, he also expressed the view that it was inappropriate for Councillor Swift to make a comment about him being a member of an alleged anti-Semitic party.

The Council agreed that the Minute be amended as proposed by Councillor Wallace and, otherwise, noted the comments made.



## TREASURY MANAGEMENT STRATEGY

**800.** Under reference to the Minute of the meeting of the Audit and Scrutiny Committee of 21 February 2019 (Page 729, Item 792 refers), when it had been agreed to recommend to the Council that the Treasury Management Strategy for 2019 be approved, including the amended list of organisations for investment of surplus funds in accordance with Annex F to the report, and that the policy on the repayment of loans fund advances as specified in Section 3.4 of the report be approved, the Council considered a report by the Chief Financial Officer, reporting on the Treasury Management Strategy for the financial year 2019/20.

Councillor Miller clarified that in accordance with the CIPFA Treasury Management Code of Practice, the Audit and Scrutiny Committee was responsible for ensuring effective scrutiny of the Strategy, including the approved list of investors and the policy on the repayment of loans fund advances. He reported that clarification on various issues had been provided, highlighted that the report set out the parameters within which the treasury function operated, and confirmed that related mid-year and annual reports would be submitted to the committee in due course.

In response to Councillor Lafferty who suggested that it would be useful to hear the Chief Auditor's views on the impact of Brexit on treasury management issues, Provost Fletcher confirmed that she was not attending the Council meeting but could be contacted outwith it. Councillor Miller also confirmed that the Audit and Scrutiny Committee had recently noted a report on withdrawal from the European Union (Page 734, Item 794 refers).

The Council agreed:-

- (a) that the Treasury Management Strategy for 2019/20 be approved, including the amended list of organisations for investment of surplus funds in accordance with Annex F to the report; and
- (b) to approve the policy on the repayment of loans fund advances as specified in Section 3.4 of the report.

## STATEMENTS BY CONVENERS/REPRESENTATIVES ON JOINT BOARDS/COMMITTEES

**801.** The following statement was made:-

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

Councillor Bamforth reported that at the most recent Integration Joint Board (IJB) meeting on 30 January, the Board had received a presentation by the Chief Finance Officer on the budget implications of the Scottish Government draft budget announcement of 12 December 2018; and a subsequent letter from the Cabinet Secretary for Finance, Economy and Fair Work.

Councillor Bamforth also explained that the IJB had taken some time to consider the Audit Scotland Report on Progress on Health and Social Care Integration, the reference within it to six areas to be addressed if integration was to make a meaningful difference to Scottish people having been very helpful and the local implications of the IJB response to the recommendations having been discussed. It was confirmed that the next IJB meeting was scheduled to take place on 20 March 2019.

The Council noted the position.

## **PROVOST'S ENGAGEMENTS**

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

## **FINANCIAL PLANNING 2019-2025**

**803.** Under reference to the Minute of the meeting of 2 March 2018 (Page 290, Item 324 refers), when the Outline Revenue Financial Plan 2018-24 had been approved, the Council considered a report by the Chief Financial Officer seeking approval of the updated Outline Revenue Financial Plan for 2019-25.

The report explained that in view of the significant financial and demand pressures facing the Council in the current and following five years, it was essential that its financial plans were updated regularly for consideration by the Council. This was in line with the Council's agreed financial policy of basing decisions on an assessment of medium to long-term needs and consequences.

The report confirmed that the revised Plan had taken account of the 2019/20 settlement, that significant budget pressures were expected to continue, that financial planning was extremely difficult in the present economic and political situation, that Brexit uncertainty further complicated matters, and that there was a need to plan for a range of scenarios. Having commented on the financial outlook, the report summarised the position on various demand pressures making reference to issues such as demographics, capital infrastructure, the City Deal and legislative change in addition to wider political, societal and economic change. Issues pertaining to the Outline Revenue Financial Plan and a range of mitigating actions open to the Council, such as through its Modern Ambitious Programme, partnership working, income generation and use of reserves were commented on.

Whilst referring to Scottish Government priorities, Councillor Swift commented on the predicted rise in the total number of households in East Renfrewshire to 47,649 by 2041, expressing the view that local infrastructure was inadequate and would be unable to cope. Having referred to a lack of local access to GPs experienced by a proportion of Newton Mearns residents, he sought confirmation on what the Council would do to ensure local infrastructure could adequately support the predicted level of housebuilding.

Having highlighted that the report focused on financial rather than infrastructure pressures, Provost Fletcher commented on the need to ensure that due consideration was given to infrastructure issues when planning applications were considered. Councillor Buchanan also highlighted the focus of the report under consideration; following which he acknowledged growth in the area and commented that the Council would endeavour to ensure that related local infrastructure was adequate.

Councillor Convery commended the Administration's approach to participatory budgeting, commenting on plans to extend this to two further locality areas in Neilston and Thornliebank. She emphasised that the funding was a lifeline locally and considered the Council's approach to be forward-thinking.

Whilst referring to funds recently allocated by the Council to help it cope with changes to the welfare system, Councillor Ireland highlighted an increase in residents seeking support of a financial nature, expressing concern that action had been required locally to counter UK government policy.

Referring to the terms of a recent report considered by the Audit and Scrutiny Committee on Housing Benefit and related issues, Councillor Swift expressed the view that the Council was not adequately delivering the benefit to residents, and argued that the Council's performance relative to that of other local authorities needed to be addressed.

The Council:-

- (a) noted the continuing budget pressures anticipated in the next five years and the mitigating actions proposed; and
- (b) approved the Outline Revenue Financial Plan 2019-25.

### **EAST RENFREWSHIRE COUNCIL REVENUE ESTIMATES 2019/20**

**804.** The Council considered a report by the Chief Financial Officer relative to the proposed Revenue Estimates for 2019/20 of income and expenditure as the basis for the Council Tax declaration for 2019/20. A copy of the Revenue Estimates 2019-20 was appended to the report.

The report outlined the revenue budget process, commented on the Scottish Government's Grant Funding for 2019-20, and explained that in determining the grant distribution it had again put in place the "Floors" arrangement to ensure year-on-year grant stability at individual council level. Under this arrangement the Council would contribute £0.849m by way of deduction from Aggregate External Finance (AEF) grants in 2019/20, this having been reflected in the figures in the report.

Having commented on Non-Domestic Rates income, the report referred to the financial outlook and practice in recent years of setting multi-year budgets. Despite the Council's grant only having been confirmed for 2019/20, it was proposed to continue recent practice and agree budget plans for 2019/20 and an indicative budget for 2020/21 as part of the Council's good practice approach to longer-term financial planning.

It was explained that a total budget shortfall of £11.824m had been confirmed for 2019/20 which was higher than had been expected when the indicative budget had been estimated in March 2018, reasons for which were itemised. Taking account of savings of £9.332m for 2019/20 which had been agreed following consultation in March 2018, and the application of £0.606m of the current year underspend carry forward agreed in December 2018 to cover deferred savings, a budgetary shortfall of £1.886m remained. The report explained that the total shortfall that was expected to be closed over 2018-21 was £29.584m, and referred to further forecasted cash reductions in grant beyond 2019/20 which would result in ongoing shortfalls for the next five years that required to be managed. More specifically the forecast budget shortfall for 2020/21 was £12.930m, against which £7.036m savings had already been identified as set out in Annex A to the report.

The report explained that the Council was permitted to increase Council Tax by up to 4.79% in 2019/20, but that in budget plans prepared following public consultation in February 2018, a 3% increase had been included for each of the following three years. Consequently it was proposed that a 3% increase be agreed for both 2019/20 and 2020/21 to help the Council address the financial challenges it faced. The resulting income of £1.629m each year had been assumed in calculating the budget shortfall.

Having clarified that against the budget shortfall of £11.824m for 2019/20, £9.332m of savings agreed following the previous budget consultation remained available to reduce the shortfall, the report commented on related issues including savings that could be applied to

the IJB budget; a reduction in savings applied to the 2019/20 Culture and Leisure Trust budget to align it with that of the Council and support it for a further year; and the decision made to defer the implementation of the proposed Pupil Support Assistant (PSA) savings from April until August 2019. The extension of Trust support and the PSA savings deferral were covered by the agreed carry forward of the 2018/19 underspend, with full year savings to be available to support budget pressures from 2020/21 onwards.

In addition to the use of £1.6m of unallocated general reserve already agreed for 2019/20 and £1.5m agreed for 2020/21 on 2 March 2018, it was proposed that the £1.886m outstanding savings requirement be deferred in the short term in favour of using reserves. This would allow new, potential savings to be assessed and phased gradually to reduce the impact in services for as long as possible. Whilst commenting on ongoing budget monitoring and underspends sought in 2018/19 to replenish the general reserve, the report clarified that a forecast underspend of £0.455m for 2018/19 had been reported in January 2019 which could increase further. For 2020/21 unallocated savings of £5.894m remained to be identified, including the £1.886m deferred in 2019/20, with options to be identified by the Corporate Management Team (CMT). Almost £4.2m (67%) of the Council's current proposals for 2019/20 related to efficiencies or the Modern Ambitious Programme and the focus on the Council's five capabilities.

The report commented on the Revenue Estimates for 2019/20 and 2020/21 following which specific reference was made to the impact of welfare reform on Council services and related investment needed to support the change. Reference was also made to the assumed Council Tax collection rate for 2019/20 and reserves and balances issues, particularly the General, Modernisation, Insurance, Equalisation, and Repairs and Renewal Funds and Capital Reserve. Having referred to efficiency issues and the equality impact assessment carried out on budget saving measures, the report concluded by indicating that the Revenue Estimates appended to the report were based on a Band D Council Tax level of £1,230.41 being set for 2019/20, representing a 3% increase compared to 2018/19.

Councillor Buchanan highlighted that the Council continued to face significant financial pressures. Having referred to those linked to the area's growing elderly and younger populations and related demand on schools, nurseries and social care services, he commented not only on challenges ahead, but also plans to deliver major projects and improve frontline services that were valued by residents. He added that many of the Council's most ambitious plans would reach key milestones soon, with tenants moving into the first new council houses to be built locally in a generation; work starting on five new nurseries; and a new primary school admitting pupils. He also referred to a new commitment to spend £15m on local road improvements, this being a priority for local residents.

Before commenting further, Councillor Buchanan thanked his Administration colleagues, Accountancy staff and the CMT for their dedicated work preparing the budget, which he stated would deliver an ambitious capital investment programme and direct resources to those in most need. He also acknowledged the Council's Trade Union partners who had provided written and oral submissions on their members' concerns.

Councillor Buchanan explained that the final 2019/20 grant settlement from the Scottish Government of £179.6m was slightly better than expected when the Council had set a three year budget in March 2018 following public consultation. Having commented that the authority's longstanding approach to setting three-year budgets remained appropriate in terms of prudent, long term financial planning, he referred to the Scottish Government's intention to deliver multi-year settlements in future to assist with forward planning.

Councillor Buchanan reported that when the three-year budget had been approved in 2018, the Council had faced a challenging shortfall of £28.6m over that period, this having now

risen to £32.8m due to additional pressures such as from pay awards and increases in superannuation payments for teachers. Having thanked staff for their hard work delivering savings, he clarified that savings of £9.3m were available to assist with the 2019/20 budget but that, even after the planned use of reserves and increasing Council Tax, this would be insufficient to balance the 2019/20 budget. Councillor Buchanan recommended that the £1.9m shortfall be met from reserves generated from years of sound financial planning, confirming that no new savings would be required on top of those already agreed.

He also clarified that when the Council had set three-year savings proposals in 2018, the estimates had been based on increasing Council Tax by 3% in 2018/19, 2019/20 and 2020/21, this having been supported by 61% of respondents to the budget consultation. Whist acknowledging the extra burden this placed on residents, he explained that otherwise major reductions in funding for services, including on schools and roads, would have been required. Councillor Buchanan recommended that despite there being flexibility to increase it by up to 4.79%, the 3% Council Tax increase be adhered to in 2019/20, which he argued reflected a prudent approach to long-term financial planning and a determination to deliver services efficiently. Having highlighted that local Council Tax rates remained below the Scottish average, he also confirmed that the Council had no plans to use new powers provided to local authorities to introduce either a workplace parking levy or tourist tax.

Councillor Buchanan referred to significant challenges ahead, highlighting that it was currently estimated that £12.9m savings were needed for 2020/21, £5.9m of which remained to be identified. Work had started to develop a robust plan to identify options to bridge the gap, allowing important decisions to be taken on service provision. Having highlighted the ongoing aim to increase efficiencies wherever possible and referred to savings from the streamlining of processes and use of digital technology, Councillor Buchanan stressed the commitment that existed to lessen the impact of savings on frontline services. He commented on the modernisation of computer systems and ongoing work on the Council's new website, confirming that in 2019/20 67% of required savings would come from efficiencies generated by the authority's modernisation and change programme. Over the three year budget, £9.6m worth of savings had already been identified through efficiencies.

Reference was made to the Council's commitment to improving local people's lives; continuing investment in the Culture and Leisure Trust and Health and Social Care Partnership, a planned reduction of £459k in the Trust's 2019/20 budget having mostly been delayed. Councillor Buchanan further clarified that a £39k reduction was to be taken in 2019/20, with a further reduction of £190k planned in 2020/21. Furthermore the HSCP's savings target had been reduced by £332k to help support those who were most vulnerable.

Councillor Buchanan stated that, to complement existing work and service improvements, the Council remained committed to significant investment in capital projects to improve its infrastructure, the aim being to spend £212m over the next 8 years on various ambitious developments to improve the lives of the most vulnerable and tackle issues that mattered most to local people. He referred to various capital projects including planned expenditure of £24m on new facilities including five new nurseries linked to a commitment to the Scottish Government's flagship policy to almost double free early learning and childcare provision by August 2020. Having outlined related advantages for parents and families, Councillor Buchanan confirmed these plans were on track and that over 100 families were already benefitting from the extra free provision.

Whilst making further comments, Councillor Buchanan referred to the new primary school under construction at Maidenhill; and plans to create a £30m learning and leisure campus in Neilston, subject to Scottish Government funding, to replace St Thomas's and Neilston Primary Schools and the Madras Family Centre, through which leisure, library and community facilities would be on one site. He confirmed that sector leading education work

would continue through investment in young people, referred to the Regional Education Collaborative through which best practice would be shared with other authorities, and commented on ongoing pioneering digital innovation and work to reduce the attainment gap.

Councillor Buchanan added that plans were also being developed to provide much improved leisure facilities for Eastwood residents as the upgrading of the current Leisure Centre was considered imperative. Having stated that the exact location remained to be decided, he highlighted related health and fitness benefits. He also commented on improvements to facilities at Crookfur and Overlee parks; and the Greenlaw Business Centre scheduled to open later in 2019 linked to the Glasgow City Region City Deal. Having confirmed that the City Deal would generate £44m of local investment in the years ahead, Councillor Buchanan referred to work that was starting on two other City Deal projects later in the year. The first was at Balgraystone Road, Barrhead to allow new homes to be built and improve access to a proposed new railway station and the country park, the second being the realignment of Aurs Road prior to the construction of the new Dams to Darnley Visitor Centre.

Having referred again to the first new Council houses to be built in East Renfrewshire in a generation, Councillor Buchanan clarified that this was the first phase of work to build 240 new houses in coming years, work having started at two other sites. He commented on the importance of improving the transport network to promote economic growth and the importance residents placed on well-maintained roads, announcing a total of £15m expenditure over the next five years to improve the local roads infrastructure and tackle a backlog of repairs. He also referred to £500k to be invested in improving the Council's CCTV systems to combat crime and anti-social behaviour, whilst highlighting that Police Scotland statistics revealed that East Renfrewshire had the lowest crime levels in mainland Scotland.

Councillor Buchanan commented on the Council's popular Community Choices programme which gave residents powers to decide where money would be spent locally, explaining that this was to be expanded. Having clarified that in 2018/19 people in Barrhead had decided which local groups should benefit from a share £100,000, he explained that in 2019/20 residents in Auchenback and Barrhead, Neilston and Thornliebank would also get a chance to vote on which good local causes should benefit from a share of a further £100k.

Councillor Buchanan explained that to achieve the best outcomes for older people and people with long-term conditions, there were plans for further expenditure in excess of £400k to transform facilities at Bonnyton House Care Home which would continue to offer 22 residential places and provide a 6 bed intensive rehabilitation unit but in addition to which a new 6 bed unit for end of life care would be created. He commented that the creation of this integrated centre of excellence highlighted the Council's commitment to those who were most frail. He reiterated that £332k worth of savings would no longer be applied to the HSCP and that a further £2m was to be invested to support it deliver a range of integrated services, including ensuring that staff employed by care providers received the Living Wage and delivering on Scottish Government commitments such as Frank's Law and the new Carers' Act. He considered such projects vital in terms of the Council's five outcomes and making people's lives better.

In conclusion, Councillor Buchanan reiterated that the Council continued to face significant financial challenges but that through various measures a budget could be delivered which tackled the savings gap, balanced the budget and protected frontline services. Having explained that when the three-year budget was set in 2018 the number of jobs in the Council was estimated to reduce by around 265 between 2018 and 2021, he highlighted that this would be offset to a large degree by the creation of more than 200 roles to support the ambitious plans to almost double free nursery care provision.

Councillor Buchanan reaffirmed a commitment to no compulsory redundancies in the coming year and highlighted that the ambition to deliver the very best for residents remained, referring to long planned projects which would start to be delivered and bring real change in the forthcoming 12 months. He added that further significant capital investment ahead would ensure East Renfrewshire remained a good place to live, work and visit. He reported that the Council would continue to push for increased budgets for councils and to look at new ways of achieving savings through efficiencies whilst protecting services. Councillor Buchanan expressed the view that the budget presented would protect important frontline services, highlighting the ambitious future investment planned to improve the lives of those living in East Renfrewshire. He moved that the Council:-

- (a) approve the 2019/20 revenue estimates;
- (b) approve the indicative revenue estimates for 2020/21;
- (c) approve the recommended level and utilisation of reserves;
- (d) determine the 2019/20 Council Tax Band D level at £1,230.41; and
- (e) note that management of the Council's finances and service plans would continue to be undertaken on a longer-term basis.

Seconding the motion, Councillor O'Kane commented that the Administration had worked hard to deliver a budget that provided long-term financial stability and protected frontline services, adding that everyone wanted better and longer settlements. He highlighted that the budget formed part of a local three year financial plan on which consultation with communities had taken place and which sought to remove or reshape the most challenging savings. Councillor O'Kane also referred to difficult decisions which required to be made, and the focus that had remained on securing services that mattered most to communities whilst delivering for vulnerable residents and protecting jobs.

Whilst highlighting that education remained one of the Council's greatest successes with local schools amongst the top performing in Scotland, Councillor O'Kane welcomed that so many ambitious capital projects focussed on early years and learning for young people to build on that success, citing the examples of the new nurseries to be constructed, the new primary school at Maidenhill and the learning campus and leisure provision in Neilston which were amongst projects on which expenditure of £212m would be spent during the next 8 years. He expressed confidence that Elected Members would support the additional £15m expenditure on road infrastructure improvements and repairs, highlighting that the Council was already ranked second in Scotland for maintaining A-class roads and spending 46% more than the Scottish average on road maintenance per kilometre.

Councillor O'Kane expressed the view that the Council was investing wisely for the future in the services that mattered most to residents, referring to the budget as one which balanced the budget, protected services and demonstrated an ambitious programme of investment. He expressed hope that all Elected Members would share that ambition and work to create an area with first class early learning and school facilities, high quality health care and leisure opportunities fit for the 21st Century as people expected, this being a challenge to which the Council needed to rise.

Thereafter, Councillor Miller, seconded by Councillor Swift, moved as an amendment that the Estimates be approved, subject to the details as set out in Appendix 1 accompanying this Minute.

Councillor Miller complimented Finance officers for their hard work after the Scottish budget had been announced initially, thanking the Chief Executive, Head of Accountancy and Director of Environment also for their discussions with him and advice.

Councillor Miller commented that the report under consideration referred to the likelihood of the future financial position remaining difficult and to financial pressures, stating that this need not be the case. Having referred to comments made on alleged Conservative spending cuts, he reported that the independent Scottish Parliament Information Centre's view was that there had been a real-terms increase in funding from Westminster to the Scottish Government for 2019/20, querying what had happened to the increase and expressing concern regarding the SNP's budget settlement for local authorities. He speculated that the Scottish Government, supported by the Green Party, might have saved funds for future projects of their choice or a second independence referendum, expressing the view that support for the latter was declining locally and querying why councils had not therefore been given funding they deserved. Whilst referring to and questioning comments made by the Finance Minister about councils receiving more funds than previously, Councillor Miller commented that what the Minister had failed to confirm was that there were additional burdens attached to the settlement, the local position being a like for like cash reduction of 1.6% or £2.9m. He stressed that the effect of the additional burdens exacerbated the situation requiring a further £5.5m to be found by the Council, referred to the budget as an austerity one, emphasised that the cuts were directly from Holyrood, and expressed the view that right-minded residents would see the position for what it was.

Whilst welcoming the proposal to limit the local Council Tax increase to 3%, Councillor Miller questioned if the permissible increase of 4.79% would be a vote winner. Having criticised the Scottish Government's unwelcome car parking levy which he acknowledged it was not proposed to introduce locally, he suggested that if this was ever considered it should be applied to Elected Members and the CMT first, commenting on the likely displacement of cars to local streets. He suggested that the Council could also learn lessons from a situation in Clarkston when a fire engine had been unable to access a fire site due to an irresponsibly parked car, thanking Councillor Merrick for facilitating a related meeting with residents and expressing hope that a solution could be found. Having criticised the closure of the Glasgow to East Kilbride road resulting in buses and lorries being diverted through residential streets to enable parklets to be created in Busby Road, he expressed the view that the Administration was continuing to hound motorists with prohibitive parking restrictions which only drove parked cars into residential streets and deprived local shops of business.

Councillor Miller questioned the Leader's view that the Administration was protecting frontline services, suggesting that Pupil Support Assistants would take a different view. Having depicted the proposed Conservative budget amendments as constructive and uncontroversial, he stated that he made no apology for returning to past items such as energy savings and finding additional income from advertising on council vehicles, adding that he had been advised that the property and procurement savings were achievable.

Whilst referring to previous losses at Bonnyton House, Councillor Miller reported that the main reason for this had ultimately been found to be linked to the ongoing uncertainty regarding its future, referring to the impact on attracting employees and need to employ agency staff. He argued that if the Opposition had not opposed the closure of the facility, the Council would not have been able to propose its expansion. Whilst acknowledging that some agency staff would always be needed to cover absence, he suggested that a nominal 10% saving in both agency staff and overtime costs was achievable, especially as absence rates were improving in respect of which he acknowledged progress in general.

Councillor Miller referred to efforts made by the CMT and their teams to underspend budgets. He congratulated them on this, but referred also to related criticism within the



Council's Best Value Assurance Report about this occurring annually. Referring to the £1.5m underspend for 2018/19 of which the Administration was proposing to use £826k, he proposed that a continuing underspend of £500k be budgeted for.

Councillor Miller referred to the funding of both the money advice and citizen's advice services. Whilst commending both, he stated that there was understood to be an overlap on advice provided, proposing a nominal 10% cut in their funding for one year only, which took account of the fact that Universal Credit would not be fully rolled out locally until 2022.

Thereafter he highlighted that two years ago the Council had reduced the price of wraparound care for younger children which he had welcomed, but expressed the view that to half it had been foolhardy. Whilst commenting on concerns and anxieties amongst residents regarding where new nurseries would be sited, he highlighted that the legislation governing this did not specify that the public sector had to make all the provision available. Having reported that some parents had moved their children from private nurseries to Council-run facilities, he referred to the risk of private nurseries and childminders being put out of business and of the Council having to meet the provision shortfall by building on land, very little of which was available, whilst also lacking financial resources to do so. He suggested that a rise of only 50p per hour for wraparound care from August 2019 onwards might support the continuation of a multi-use nursery sector to benefit young people.

Councillor Miller expressed surprise, but welcomed, the Administration's proposal to take on board the Conservative's Group's advice and commit £15m to roads expenditure to help address concerns raised repeatedly by residents and various Elected Members past and present about the poor condition of local roads. Having expressed confidence that improvements to roads could be made by the Roads Service subject to resources for this being made available, referring to comments made by Councillor Bamforth in 2018, he expressed hope that she would now appreciate the need for the proposed investment.

Regarding the use to be made of the savings he had recommended, taking account that expenditure on roads was being proposed, Councillor Miller proposed that the Council Tax increase be limited to 2% to the benefit of all households. This would account for £540k of the savings. Whilst expressing the view that the Administration's proposal to use £2m of reserves was not prudent given financial challenges ahead and expressing concern that reserves could fall below the 2% threshold next year, he stressed that this approach was inappropriate, especially given proposals to build various new facilities including a leisure centre and new schools and nurseries almost doubling the level of debt. Having added that related costs would need to be met by future generations, he proposed adding almost £1m to reserves to help meet the costs of future capital projects or further austerity cuts.

Councillor Miller reiterated his concerns regarding the Scottish Government Cabinet Secretary for Finance, Economy and Fair Work's approach as supported by the Green Party, asserting that they had not looked after local government as they had indicated they would. He also expressed concern regarding the plans being made to proceed with many capital projects, related borrowing and mounting debt. He emphasised that the Council could not keep borrowing more and using reserves, commenting that a time would come when it would have to live within its means.

Seconding the amendment, Councillor Swift also thanked the Head of Accountancy and her team for the time and effort they had expended over a short time to try to adjust the financial figures to ensure that a clear picture was provided.

Agreeing with the Leader, Councillor Swift commented that there was no escape from the Scottish Government's woefully inadequate settlement. However he disagreed with the Leader's optimistic view that there would be no service reductions over the three year

budget timeframe because the 2020/21 budget deficit would not be £1.9m but rather almost £4m which made service cuts likely. Echoing Councillor Miller's views, he commented that the Scottish Government had received an extra £1b since 2010. Whilst commenting on its increased settlement for the current year, he compared local government to a hungry orphan seeking a meagre handout while the SNP spent resources on other issues. He stated that they grandstanded on an international stage, spending millions on various issues such as duplicating the functions of British Embassies abroad; on baby boxes without requiring parents to do something worthwhile, such as attending parenting classes in return, as in Finland; and on a Scottish welfare system that cost more to run than it disbursed. He expressed the view that politics concerned choices and that the SNP Government had too often chosen poorly.

Citing highlights from the proposed budget amendments, he reported that the use of agency staff had been singled out by Audit Scotland as a contributory factor in long delays in paying Housing Benefit on which he had commented before. He added that Labour and the SNP supported Universal Credit, which was still not in place, to cover their inadequacies in an area they were in charge of and could control. Referring to the proposed 10% reduction in the use of agency staff, he expressed the view that this would be helped by the better salary settlement for staff in the current year. He supported increasing the charge for wraparound care to help the Council better manage the total childcare market. Whilst commenting on the extent of a previous reduction in the rate charged by the Council to £2.60, he stated that notification had been received that some private nurseries, were in danger of closing as a result of the Council destabilising the market to the extent it had. He argued that a modest increase of 50p per hour proposed in the amendment would bring stability and hopefully reduce migration to council funded public sector provision.

Councillor Swift welcomed not only the Administration's proposed investment in roads which the Opposition had requested for many years, but also many other elements of the budget proposals. He referred to the state of many local roads and related damage caused to vehicles and thanked the Administration for the additional expenditure proposed, adding that in future it should reduce expenditure required for pothole repairs. Having commented that merging MART and CAB would be efficient, Councillor Swift suggested that this would result in savings and help the public seek advice from a single place.

Having referred to annual underestimates of Council Tax collection rates and under-expenditure of budgets, Councillor Swift commented that this year the Council would spend £1.5m less than forecast, arguing that putting aside a modest proportion of that budget more accurately represented the actual state of affairs in the Council's Accounts.

Councillor Swift also welcomed that the previously planned reduction in the HSCP budget had been withdrawn, commenting on the number of very old and young living in East Renfrewshire who were primary recipients of the budget. He highlighted that the proportion on funds allocated to the HSCP as a share of the overall budget was the lowest in Scotland already and that the proposed cut had been higher in proportional terms than for any other part of the Council. He added that had the Conservative campaign to retain Bonnyton House not been successful, it would not have been possible to increase the number of palliative care beds or improve service provision there for which the Administration was now taking credit.

In conclusion, he highlighted that the amendment prudently proposed using lower level of reserves, especially as it remained unknown what other projects the Scottish Government might find which could result in local authorities being underfunded. He reiterated that much of the Administration's budget was really positive, but that it was important to be mindful that funds were being taken from residents' pockets. He supported a reduction in the increase of Council Tax because it was prudent and affordable to do so by taking care of other peoples' funds.

Challenging Councillor Buchanan's and Councillor O'Kane's comments on protecting frontline services, Councillor Aitken highlighted the proposed saving of £138k over the next two years associated with the instrumental music redesign service, arguing that this would cut the school music instructors' service, result in real life consequences and impact on frontline services. Referring to comments he had made in 2018, Councillor Aitken referred to the service as a jewel in the crown and one of the Council's greatest assets, quoting comments made by representatives of the National Youth Orchestra about the high representation of pupils in that orchestra from the local area relative to the size of East Renfrewshire and how the Council compared well to and competed well with the private sector. Whist commenting on the threat associated with the saving, he stated that it would hit those from the poorest households hardest, contrasting costs charged to parents locally for the service with the approach of Renfrewshire and Glasgow City Councils which meant that East Renfrewshire was not competing on an even playing field. Thereafter Councillor Aitken moved a second amendment that the cut be cancelled with immediate effect in favour of cuts instead to the corporate communications budget, community engagement team and community warden service.

Seconding the amendment, Councillor Macdonald referred to the importance of the music service and of the authority continuing to offer opportunities for young people to take up a musical instrument irrespective of their background circumstances.

Thereafter a full discussion on the proposals took place.

Councillor Merrick stated that Councillor Aitken misunderstood how the music service operated, clarifying that the savings were associated with management positions and did not impact on the range or quality of tuition offered. Commending the service, he explained that tuition was provided free in some circumstances, and that charges had not increased for 3 years. More generally, regarding the Conservative Group's amendment, Councillor Merrick referred to the criticisms directed towards the SNP Government, but suggested that the real reason why local residents were facing pressures was Brexit, which had come about due to an internal Conservative Party dispute. He considered the budget prudent in the current circumstances.

Councillor Merrick further highlighted that East Renfrewshire remained the safest place to live and work in Scotland, this being the view of the Police and residents, but added that additional CCTV cameras would help address community safety concerns. Having welcomed the proposed roads expenditure, on a further roads issue he thanked Councillor Miller for attending the meeting he had organised on the issue that had arisen in Clarkston due to a single parked car when a fire had broken out in a local property, setting the problem with this car in the context of the high total number of cars across Scotland.

Having commended the budget, regarding wraparound care, Councillor Merrick highlighted that the Council was working in partnership with private sector providers subject to them working to the required standard, asserting that increasing the cost of the Council's service would impact most on hard working families.

Commenting on Councillor Aitken's proposals, Councillor Convery questioned the lack of detail around the levels of cuts on other services instead of the music service.

Whilst referring to the shortage of financial resources, Councillor Grant highlighted that those living in Scotland paid more income tax than elsewhere, which the Council should keep in mind. In reply, Councillor Bamforth highlighted that many families paying increased tax in Scotland benefitted from free university tuition, prescriptions and nursery care. Having commended the budget, she emphasised that austerity had not ended, adding that taxes paid in Scotland should be returned here.

Whilst commenting on support for the vulnerable, Councillor Bamforth referred to issues relating to Universal Credit, adding that a useful presentation on this had been made to Elected Members. She welcomed developments at Bonnyton House, commenting that Councillor Swift had proposed closing it in 2012. Referring to capital expenditure more generally, she highlighted information in the Treasury Management Strategy report which reflected a level of under-borrowing by the Council in future. She also referred to EU funds which were not passed on by the UK Government to farmers, highlighting that this financial resource was not the only one not passed on.

Councillor Lafferty referred to various historical references made, particularly regarding Bonnyton House, echoing Councillor Bamforth's comments about Councillor Swift proposing its closure in 2012. Referring to difficulties regarding the property in 2017, he commended the HSCP Chief Officer and Councillor Bamforth who had worked in partnership with NHSGCC to find a solution to preserve the property, particularly given the closure of the facility at Mearnskirck. He welcomed further investment in Bonnyton House, and commended the care provided there and speed at which Care Commission recommendations had been implemented.

Having highlighted the need to make a difference to local people and action taken to seek and spend funds in East Renfrewshire, Councillor Lafferty referred to the high standard of local education provision which provided choice for parents, referring to how the Council's services compared to others such as those offered by the private sector. Regarding community safety, he highlighted pioneering work done locally through the use of CCTV and the community warden service, stressing the difference these services, which had been developed in partnership with Police Scotland, had made.

Having referred to good health and care services provided locally and made specific reference to the facilities offered by the Heath and Care facilities in Eastwood and Barrhead, Councillor Lafferty welcomed the proposed investment in roads to improve them which would be welcomed. Finally, prior to commending the budget, he commented that whatever the outcome of Brexit there would be an impact on Gross Domestic Product.

Summing up, Councillor Buchanan responded to the terms of the Conservative Group's amendment in the course of which he referred to the reduction of funds of £340m given to the Scottish Government by the UK Government. Regarding teachers' superannuation, he highlighted that the Treasury was now indicating it would only meet 80% of the associated costs, leaving the balance of £600k to be found locally. Referring to 4.79% Council Tax increases announced by various Conservative councils and reductions in frontline services, he commented that austerity was continuing, the root cause being Conservative policy.

Councillor Buchanan stated that some of the Conservative Group amendments had been presented as quite innocuous, but referred to the real impact the savings suggested would have on both the money advice and citizens' advice service and those who relied upon them in the face of austerity. Regarding the proposed increase in wraparound care costs, he considered the impact of the Conservative Group proposal to be appalling.

Turning to the proposed reductions in overtime and agency staff costs, he emphasised that use of both was to support staff, suggesting that the reductions would again impact on officers who were working hard to deliver frontline services for the most vulnerable. Having added that he did not support additional funds being placed in reserves instead of using them to deliver important frontline services, he highlighted that being taken to the brink of Brexit was likely to make the situation worse. He clarified that the savings made in the music instrumental service had been discussed in depth, emphasising that they would not impact on the number of children receiving tuition or the services they received which were well-

received authority-wide, and referring to discussions with teachers and others on the service. Councillor Buchanan argued that the Administration's budget supported not denigrated frontline services required by local residents, commending it to the Council.

On a vote being taken between the motion and the first amendment, 10 Members voted for the motion and 6 Members voted for the amendment. The motion was accordingly declared carried.

Thereafter on a further vote being taken between the motion and the second amendment, 10 Members voted for the motion and 6 Members voted for the amendment.

The motion was accordingly declared carried and it was agreed to:-

- (a) approve the 2019/20 revenue estimates;
- (b) approve the indicative revenue estimates for 2020/21;
- (c) approve the recommended level and utilisation of reserves;
- (d) determine the 2019/20 Council Tax Band D level at £1,230.41; and
- (e) note that management of the Council's finances and service plans would continue to be undertaken on a longer term basis.

## **CAPITAL INVESTMENT STRATEGY**

**805.** Under reference to the Minute of the meeting of 2 March 2018 (Page 229, Item 326 refers) when an update to the Capital Investment Strategy had been approved, the Council considered a report by the Chief Financial Officer seeking approval of a new Capital Investment Strategy.

Taken together with the Treasury Management Strategy report, it provided background information on the scale, objectives, affordability and risks associated with the Council's capital plans. A copy of the revised Strategy, which all councils required to prepare, was appended to the report specifying the long-term capital ambitions of the Council and associated resource implications and risks, having been compiled with regard to these requirements. The proposed Strategy was more extensive than that approved in 2018, and had been developed with regard to the Prudential Code 2017 and Treasury Management Code of Practice 2017.

Having clarified that the Strategy adopted a corporate approach to long-term capital planning beyond the span of the Council's current capital plans, taking direction from the Outcome Delivery Plan and other key plans and strategies, it was confirmed that its objectives would be driven forward by the CMT working with partner organisations and local communities to ensure investment aligned to strategies and that performance was measured against expected outcomes. A long-term strategic and financial view was considered essential for resilience in uncertain times and the Strategy would be updated as required. It was emphasised that a prudent approach to affordability and risk would continue to be taken, with delivery of projects to be closely monitored at officer and Elected Member level. Against the background of the Council's significant capital investment ambitions, the Strategy, together with the Treasury Management Strategy, Capital Plan and Revenue Estimates and Financial Planning reports set out how these would be funded and managed.

The Council approved the updated Capital Investment Strategy.

**GENERAL FUND CAPITAL PLAN 2019/20 – 2026-27**

**806.** The Council considered a report by the Chief Financial Officer, seeking approval of the General Fund Capital Plan covering the eight years from 2019/20 to 2026/27. A copy of the Plan, prepared in line with the approach within the Capital Investment Strategy, accompanied the report.

Having highlighted that a number of issues relating to the Plan had already been commented on earlier in the meeting, Councillor Buchanan explained that the plan set out the wide range of priority projects which would make a major contribution to the Council's strategic objectives. He clarified that over £212m would be invested in the Council's capital projects over the next 8 years, bringing a major boost to the local economy in difficult times and providing new primary and nursery facilities as well as £15m investment in local roads.

Speaking in support of the proposed plan, Councillor O'Kane referred to various issues including the ambitious nature of the Plan, the importance of investment in vibrant modern infrastructure, related revenue savings when older buildings did not require to be maintained, and the importance of investment in 21 Century buildings.

Councillor Swift also commented on the ambitious nature of the programme, adding that it sat in the context of a relatively flat revenue budget and capital contribution from the Scottish Government. He expressed the view that without increasing Council Tax over time it would be hard to fund the Programme, suggesting that many would consider it over-leveraged.

Councillor Aitken referred to the revenue cost implications of the Plan and its overall scale, expressing related concerns regarding the commitments being made. Having acknowledged that additional capital grant would be provided to assist with school building projects, he highlighted that projects such as the proposed Leisure Centre would however need to be fully funded in the context of further real-terms reductions in funding which were anticipated. Councillor Aitken questioned progressing as proposed referring to the affordability of the Plan, considered the proposed approach to be reckless, and commented on future shortfalls anticipated in terms of revenue funding at a time when demand for frontline services, such as for elderly clients, were due to increase. He added that serious financial problems for the future would be created.

Councillor Lafferty confirmed that the Administration was committed to investing in the future for public benefit. He referred to the way in which some countries, such as Finland, invested in facilities using tax, commending the model. Thereafter Councillor Ireland referred to the long-term nature of the Capital Plan, commending projects it was proposed to progress over time and thanking her Administration colleagues for the approach taken.

Councillor O'Kane acknowledged the need to repay loans using revenue funds, but highlighted that the authority had a range of ageing properties which were a long-term drain on financial resources. He referred to the benefits of co-locating services in buildings, having good community spaces within properties, and the related economic impact. He added that the Council was a low borrowing authority and, whilst commenting on related financial issues, highlighted that it was currently able to take advantage of low interest rates for borrowing. Challenging Councillor Aitken's comments on recklessness, he referred to the fiduciary responsibility that existed to make prudent decisions and related advice available and provided to ensure decisions were made on that basis.

Supporting Councillor O'Kane, Councillor Buchanan commented that the proposed investment would result also in savings and represented investment in people and the future, supporting the delivery of services from facilities that were fit for purpose.

The Council:-

- (a) approved the Programme for 2019/20 and authorised officers to progress the projects contained therein; and
- (b) agreed to revise the Plan during the year in the light of updated information relating to funding for school building condition improvements and the Council's decision on the Eastwood Leisure Centre.

## **HOUSING REVENUE ACCOUNT BUDGET 2019/20**

**807.** Under reference to the Minute of the meeting of 2 March 2018 (Page 301, Item 328 refers) when the Council had approved a 3.9% rent increase with effect from April 2018 and that a further increase of 3.9% be applied in April 2019, the Council considered a report by the Director of Environment, seeking approval of the Housing Revenue Account (HRA) for 2019/20.

The report clarified that there was no requirement to approve a rent increase for 2019/20, this having already been approved in March 2018, but that the proposed HRA budget for the year ahead remained to be approved. The report explained that a key legislative challenge for the Council in recent years had been meeting and maintaining the Scottish Housing Quality Standard (SHQS) in addition to which sustainability improvements to the energy efficiency rating of its housing stock under the Energy Efficiency Standard for Social Housing (EESH) were required by 2020 following which these would need to be maintained. These challenges were in addition to addressing routine requirements. Having commented on considerable service improvements in recent years but also related challenges such as in relation to Universal Credit, the report made reference to new homes being built by the Council for local residents the first of which would be occupied shortly.

The report clarified that the rent increase for 2019/20 would provide additional income of £360k, commenting on a range of related issues including staffing, sub-contracting matters, loan charges, modernisation and estate investment. It was explained that to deliver improvements an additional £200k from HRA resources would be added to the Mixed Tenure Scheme (MTS). It was also explained that the Housing Service was currently undertaking a full service review.

Having heard Councillor Devlin and Councillor Lafferty in support of the recommendations, Councillor Wallace welcomed progress on some issues, but expressed concern regarding inefficiencies in the reletting of properties. He also commented on the total revenue to be raised through the rent increases in 2018/19 and 2019/20 on which he intended to seek further clarification following the meeting; the MTS in respect of which he welcomed the allocation of an additional £200k; and the allocation of funds in 2019/20 to make various external improvements to properties. Whilst welcoming the construction of new homes by the authority which the Opposition had supported and considered commendable, Councillor Wallace expressed concern regarding the perceived slow construction rate, highlighting that the Opposition supported this being driven forward.

Councillor Swift commented in similar terms also welcoming the reduction reported in rent arrears and timescales for making non-emergency repairs, but also expressing the view that it was not fully clear why the construction rate for new homes was not faster than it was. He also requested clarification on the pursuit of rent harmonisation which no longer seemed to be pursued but had been considered important at one point.

Having heard Councillor Ireland welcome developments on rent arrears and repairs and comment on the impact that Universal Credit could have on rent arrears, Councillor Devlin confirmed that the issue of rent harmonisation had been under consideration for a number of years.

The Council agreed to approve the proposed Housing Revenue Account budget for 2019/20.

### **HOUSING CAPITAL PROGRAMME 2019/20 – 2023/24**

**808.** The Council considered a report by the Director of Environment, seeking approval of the proposed 5-year Housing Capital Programme from 2019/20 to 2023/24.

The report clarified the position on various issues, including how the capital programme had recently been dominated by the need to invest to meet the Scottish Quality Housing Standard (SHQS); and the need to meet the first Energy Efficiency Standard for Social Housing (EESH1) by 2020/21. Potential exemptions regarding the latter were referred to. Having clarified that the Scottish Government was introducing further energy efficiency targets for social housing to be achieved by 2025 (EESH2) and commented on related investment requirements, the report explained that funds had been carried forward to the 2019/20 programme linked to some project delays in 2018/19 and that the possibility existed of some further delay in 2018/19 and additional carry forward. Pressures placed on the HRA capital programme was amongst other issues highlighted.

The report provided details of the key areas that the Capital Programme would focus on for the next 5 years, which included investment of more than £4.5m in central heating; of nearly £2m in electrical works primarily house re-wiring and the upgrading of smoke detectors; and of more than £10m in external structural projects primarily targeted at continuing the Council's programme of roof and render renewal. Other projects itemised included investment of £4.8m in installing new internal elements such as kitchens, bathrooms, windows and doors; £1.5m in sheltered housing; and £12.92m to complete the first phase of the new-build council housing programme which would be complemented by ongoing investment on phase 2 in 2020/21 and beyond.

The report commented on a range of further matters including how the programme was financed, related issues and monitoring arrangements, concluding that the high levels of investment within the programme were essential to allow the Council to continue to meet the SHQS, to meet future EESH requirements, and to provide homes that would address the needs and aspirations of current and prospective tenants. It was emphasised that although continued investment was affordable and would be welcomed by tenants, resources were tight and prudent financial management was required.

Councillor Wallace commented on programme slippage during both 2017/18 and 2018/19, clarifying, supported by Councillor Swift, that the Opposition supported work being driven forward on the construction of new homes. In response to Councillor Swift who asked if there was anything the Council could do to help Housing Associations build houses given progress was slower than anticipated, Councillor Devlin expressed the view that the vast majority of tenants preferred their landlord to be the local authority.

The Council:-

- (a) approved the proposed 2019/20 to 2023/24 Housing Capital Programme; and



- (b) authorised the Director of Environment to progress the projects contained within the 2019/20 programme, and to commence preparations for future years up to, but not including, legal commitment of resources until future budgets had been approved.

## **SCHEME OF MEMBERS' REMUNERATION AND EXPENSES**

**809.** The Council considered a report by the Deputy Chief Executive on the Scheme of Members' Remuneration and Expenses for 2019/20. A copy of the Scheme was appended to the report.

The report explained that the Scheme provided details of the levels of basic salary payable to all councillors, and the increased salaries paid to the Leader and the Civic Head (Provost), these amounts being prescribed in legislation. The Scheme also provided details of those positions in the Council that had been identified as Senior Councillor positions for the purpose of the regulations, and the levels of salary to be paid to each postholder. In addition, the Scheme provided details of those other categories in respect of which Elected Members were entitled to claim expenses, such as the performance of approved duties, travelling expenses, and subsistence allowances.

Councillor Macdonald, seconded by Councillor Aitken, moved that the Scheme of Members' Remuneration and Expenses for 2019/20 be approved, but on the understanding that the collective additional funds of £9,480 were not accepted by Elected Members but used towards a fund set up to facilitate the return of Armed Forces Fun Day for one day during the Summer of 2019.

Councillor Buchanan, seconded by Councillor Miller, moved as an amendment that the Scheme of Members' Remuneration and Expenses for 2019/20 be approved. He commented that it was for Elected Members to decide if they wished to accept the increase in their salary as had always been the case.

Having heard Councillor Devlin comment on travelling expenses issues, Councillor Swift expressed the view that Councillor Macdonald's proposal could have been accommodated within the revenue budget had he proposed this Motion when that was being considered, criticising it being raised now.

Councillor Bamforth highlighted that this issue had been discussed at a previous Council meeting and that the Armed Forces Day flag raising still took place. She added that the Armed Forces supported the Council's approach given problems they had resourcing their contribution to the Fun Day, and considered more valuable the Council supporting the welfare post established to support armed services personnel, this being a post jointly funded by East Renfrewshire and Renfrewshire Councils.

Councillor Wallace considered it unfortunate that the important issue of support for the armed forces was being politicised by an Elected Member when nothing could be further from the truth and it being linked to the subject of the report under consideration in the way it had been.

Councillor Macdonald clarified that he was not raising the issue as a political one. He explained that his motivation was linked to give something back collectively to the community which the Council served. He considered the Armed Forces participation in the event immaterial as the event was hugely enjoyed locally and enhanced the local area.

Thereafter on a vote being taken, 2 Members voted for the motion and 15 Members voted for the amendment. The Amendment was accordingly declared carried and the Council agreed to approve the Scheme of Members' Remuneration and Expenses for 2019/20 18.

### **Resolution to Exclude Press and Public**

At this point in the meeting, on the motion of the Provost, the Council 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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 of Part 1 of Schedule 7A to the Act.

### **Sederunt**

**Councillors Aitken and Macdonald and the Chief Executive left the meeting at this point.**

### **CHIEF EXECUTIVE - APPOINTMENT AS NON-EXECUTIVE DIRECTOR OF SCOTTISH CHARITY**

**810.** The Council considered a report by the Deputy Chief Executive recommending that approval be granted to the Chief Executive to allow her to pursue an appointment as a non-executive Director of a Scottish charity.

The report referred to the charity concerned, confirmed that the role was unpaid, and clarified that the associated time commitment would be met by using personal time and Time Off in Lieu. It was explained that the appointment had not yet been made public as approval by the Council was required, this being the reason for the issue being kept confidential for the time being. The Chief Officer Legal and Procurement has been consulted and had confirmed that the role would not be in conflict with the politically restricted role of Chief Executive or the role of Returning Officer.

In response to Councillor Wallace who sought further clarification on potential conflict of interest issues in light of the mission of the body concerned, Councillor Fletcher, supported by Councillor O'Kane, referred to the option to declare an interest in any issue should the need arise. Councillor O'Kane clarified why he considered this unlikely to be an issue, referring to the collaborative approach of bodies such as the one concerned.

The Council, having heard Councillor Buchanan and Depute Provost Cunningham in support of the proposal and the opportunity it presented, consented to the Chief Executive accepting the appointment.

PROVOST

## CONSERVATIVE AMENDMENT PROPOSALS 2019/20

**Savings**

Procurement Savings ( <i>Environment Department</i> )	£250,000
Advertising Commercialisation ( <i>Environment Department</i> )	£100,000
Property Strategy ( <i>Environment Department</i> )	£100,000
Energy Savings ( <i>Environment and Education Departments</i> )	£100,000
10% Reduction in Agency Staff ( <i>All Departments</i> )	£100,000
10% Reduction in Overtime ( <i>All Departments</i> )	£ 85,000
MART/CAB ( <i>Corporate and Community Services Department</i> )	£115,000
Continuing Underspend ( <i>All Departments</i> )	£500,000
Wraparound Income from 1 August 2019 ( <i>Education Department</i> )	£ 97,000
<b><u>Total Budget Savings</u></b>	<b>£1,447,000</b>
2% Increase in Council Tax	£540,000
Additional Sum Returned to Reserves	£907,000



**MINUTE**

of

**PLANNING APPLICATIONS COMMITTEE**

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 13 March 2019.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Betty Cunningham (Vice Chair)  
Councillor Angela Convery

Provost Jim Fletcher  
Councillor Jim McLean  
Councillor Stewart Miller

Councillor Ireland in the Chair

**Attending:**

Sean McDaid, Principal Planner; John Drugan, and Derek Scott, Planners, Development Management; and Paul O'Neil, Committee Services Officer.

**Apology:**

Councillor Jim Swift.

**DECLARATIONS OF INTEREST**

**811.** Councillor Miller declared that as the applicant of application (Ref No:- 2018/0252/TP) had lodged a complaint about him with the Commissioner for Ethical Standards and as he had not taken part in the consideration of the application at the previous meeting where it was agreed to continue consideration of the application for a site visit, he would not be taking part in the consideration of the application.

**NOTIFICATION OF PLANNING APPEALS AND APPEAL DECISIONS**

**812.** The committee considered and noted a report by the Director of Environment, advising of the intimation by the Directorate for Planning and Environmental Appeals (DPEA) of the outcome of an appeal decision relating to the issue of a High Hedge Notice for a hedge at 70 Stamperland Hill, Clarkston, which had been dismissed by the Reporter.

**APPLICATIONS FOR PLANNING PERMISSION**

**813.** The committee considered reports by the Director of Environment, on applications for planning permission requiring consideration by the committee, two of which had been continued from the meeting on 13 February 2019.

It was agreed that the applications be determined as indicated at Appendix 1 accompanying this Minute, particular reference being made to the following:-

- (i) 2018/0643/TP – Erection of 5 detached houses with associated roads, parking and landscaping following demolition of existing house at 18 Fruin Avenue, Newton Mearns by Mr William Paton

Under reference to the Minute of the meeting of 13 February 2019 (Page 714, Item 778(i) refers) when it was agreed that consideration of the application be continued to allow a site visit to take place, the committee resumed consideration of the application.

The site visit had taken place immediately prior to the meeting.

The Principal Planner referred to the proposed development and the site visit that had been undertaken and advised that officers were recommending that the application be approved, subject to the:-

- (a) conditions detailed in the report and subject to the terms of Condition 7 being altered as detailed below:-

**Condition 7**

Development shall not commence until plans of the maximum achievable visibility splays in both directions at the junction of the new access with the existing road have been submitted to and approved in writing by the planning authority. Following approval the visibility splays shall be provided prior to occupancy of any house and thereafter maintained free from any obstructions exceeding a height of 1.05m above the adjacent road.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exist.

- (b) conclusion of a legal agreement relating to the:-
- (i) payment of a commuted sum to secure the affordable housing provision; and
- (ii) payment of a development contribution relating to education (pre-5, primary and secondary); community facilities (community halls and libraries and sports); parks and open space; and green network and access.

Councillors Cunningham and Convery were heard in support of the application in the course of which Councillor Miller expressed concerns about the standing water which was visible at the site during the course of the site visit.

In reply, the Principal Planner stated that the water was previously a pond and that the concerns expressed by Councillor Miller would be addressed by the terms of Condition 6 as detailed in the report.

The committee agreed that the application be approved, subject to the:-

- (a) conditions detailed in the report and subject to the terms of Condition 7 being altered as detailed below:-

**Condition 7**

Development shall not commence until plans of the maximum achievable visibility splays in both directions at the junction of the new access with the existing road have been submitted to and approved in writing by the planning authority. Following approval the visibility splays shall be provided prior to occupancy of any house and thereafter maintained free from any obstructions exceeding a height of 1.05m above the adjacent road.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exist.

- (b) conclusion of a legal agreement relating to:-
- (i) the payment of a commuted sum to secure the affordable housing provision; and
  - (ii) the payment of a development contribution relating to education (pre-5, primary and secondary); community facilities (community halls and libraries and sports); parks and open space; and green network and access.

**Sederunt:**

Councillor Miller left the meeting at this stage.

- (ii) 2018/0762/TP – Erection of agricultural worker's dwellinghouse at site 180m north of Foretrees Farmhouse, Fereneze Road, Neilston, by Mr Gordon Pollock

Under reference to the Minute of the meeting of 13 February 2019 (Page 714, Item 778(ii) refers) when it was agreed that consideration of the application be continued to allow a site visit to take place, the committee resumed consideration of the application.

The site visit had taken place on 12 March 2019.

Whilst noting that the proposed development was a significant distance from Mossneuk Farm, the main farmhouse, and that the occupant of Foretrees Farmhouse worked 35 hours per week as a teacher over 39 weeks of the year and a further 35 to 50 hours a week on the farm, Councillor Cunningham sought clarification why the proposed development was required, as in her opinion the occupant of Foretrees Farmhouse could vacate the property and this would provide the accommodation required by the applicant without the need for the proposed development. She also expressed concerns about the access road to the application site.

Councillor Convery whilst acknowledging that the application site was not easy to access and that the main farmhouse was a significant distance from the proposed development, noted from the Labour Requirement Report submitted with the application stated that the farm needed 5 full-time workers, 3 of which should be resident on the farm for animal welfare and security reasons. She further noted that the current requirement for 3 resident full-time workers was therefore not met.

In response to a question by Councillor Ireland, the Principal Planner confirmed that the terms of Condition 1 which related to the occupancy of the proposed development could be enforced if it was found that the applicant had breached the terms of the condition.

Councillor Cunningham stated that in her opinion the proposed development was not justified in the course of which she emphasised that the current application was the same as the application previously refused by the committee at its meeting on 5 December 2018.

Provost Fletcher commented on a number of issues that had been raised in relation to the application. In particular, the fact that Foretrees Farmhouse had been advertised for rent; and that the existing occupant of that property whilst being an employee of the farm also worked as a teacher. He sought clarification whether there was a need for the proposed development and how the Council would ensure that the proposed development would be used for the purpose as stated on the application.

In response, the Principal Planner explained the process that was followed in the assessment of the application and the factors that had been taken into account. He stated that having considered all these matters, officers had concluded that there was a need for a residential house on the farm.

The Principal Planner also responded to a question by Councillor McLean regarding the occupancy of Foretrees Farmhouse, in the course of which he referred to the terms of the Labour Requirement Report which stated that 3 full-time workers should be resident on the farm for animal welfare reasons. He also emphasised that the reference to that property was simply to provide a context in relation to the proposed development site and that the question of the occupancy of that property was a separate matter.

At this stage, Councillor Ireland seconded by Councillor Convery moved that the application be approved, subject to the conditions detailed in the report.

Councillor Cunningham seconded by Councillor McLean, moved as an amendment that the application be refused on the grounds that there was no justification for the proposed development; that there already existed another dwellinghouse on the farm for an agricultural worker where the existing occupant was not employed full-time on the farm; and that the proposed development could be built elsewhere on the farm.

On a vote being taken, three members voted for the motion and two members voted for the amendment. The motion was accordingly declared carried and it was agreed that the application be approved, subject to the conditions detailed in the report.



**Sederunt:**

Councillor McLean left the meeting at this stage and Councillor Miller re-entered the meeting.

CHAIR



**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997**

Index of applications under the above acts decided by the Planning Applications Committee on  
13th March 2019

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**Reference No:** 2018/0643/TP

**Ward:** 2

**Applicant:**

Mr William Paton  
84 Lister Street  
Glasgow  
United Kingdom  
G4 0BY

**Agent:**

Ark Architecture & Design  
14 Royal Terrace  
Glasgow  
United Kingdom  
G3 7NY

**Site:** 18 Fruin Avenue, Newton Mearns, East Renfrewshire, G77 6HA

**Description:** Erection of 5 detached houses, with associated roads, parking and landscaping following demolition of existing house.

**Decision:** Approved subject to conditions following conclusion of a legal agreement

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**Reference No:** 2018/0762/TP

**Ward:** 1

**Applicant:**

Mr Gordon Pollock  
Mossneuk Farm  
Gleniffer Braes  
By Neilston  
Scotland  
G78 3AL

**Agent:**

Derek Scott Planning  
21 Lansdowne Crescent  
Edinburgh  
Scotland  
EH12 5EH

**Site:** Site 180 metres north of Foretrees Farm House, Fereneze Road, Neilston, East Renfrewshire

**Description:** Erection of agricultural worker's dwellinghouse

**Decision:** Approved subject to conditions

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766

**Reference No:** 2017/0756/TP

**Ward:** 1

**Applicant:**

Cruden Homes/AGN Constructions Ltd  
Cruden Campus  
5 Clydemill Road  
Cambuslang Investment Park  
Glasgow  
Scotland  
G32 8RE

**Agent:**

McInally Associates Ltd  
16 Robertson Street  
Glasgow  
Scotland  
G2 8DS

**Site:** Land at Shanks Park, Blackbyres Road, Barrhead, East Renfrewshire

**Description:** Erection of residential development with associated open space, roads, landscaping and associated works (major) (planning permission in principle)

**Decision:** Approved subject to conditions following conclusion of a legal agreement

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

**Minute of Meeting held at 2.30pm in the Council Chamber, Council Headquarters, Giffnock on 13 March 2019.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Betty Cunningham (Vice Chair)

Councillor Angela Convery  
Councillor Stewart Miller

Councillor Ireland in the Chair

**Attending:**

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

**Apologies:**

Provost Fletcher and Councillors Jim McLean and Jim Swift.

**DECLARATIONS OF INTEREST**

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

**NOTICE OF REVIEW – REVIEW 2019/01 – FORMATION OF DRIVEWAY INCORPORATING REDUCTION IN GROUND LEVELS AND REDUCTION IN HEIGHT OF BOUNDARY WALL AT 29 EAST KILBRIDE ROAD, BUSBY (REF NO: 2018/0691/TP)**

**815.** Under reference to the Minute of the meeting of 13 February 2019 (Page 719, Item 780 refers), when it was agreed that consideration of the review case be continued to allow the Planning Adviser to seek clarification from the Roads Service that in the event that the Local Review Body was to overturn the decision of the Appointed Officer as set out in the decision notice of 9 January 2019 and grant planning permission, whether it would be appropriate to attach a condition to the consent to the effect that egress from the application site would be restricted to a left-hand turn only onto East Kilbride Road, Busby, the Local Review Body resumed consideration of a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr Paolo Di Mambro against the decision taken by officers to refuse planning permission in respect of the formation of driveway incorporating reduction in ground levels and reduction in height of boundary wall at 29 East Kilbride Road, Busby.

The Planning Adviser reported on the outcome of the consultation with the Council's Roads Service, where it was noted that the Roads Service had advised that the proposed condition would fail to address the adverse impact on road safety that a vehicular access onto the A727 East Kilbride Road at this location would create.

Furthermore, the Roads Service had advised that the condition being proposed:

- (i) Could not be effectively policed;
- (ii) Could not be enforced and would be without the threat of punitive action (e.g. penalty points on driving licence);
- (iii) Had the potential to introduce unsafe consequential manoeuvres on other parts of the public road network (e.g. having turned left from the access, a vehicle may use the mouth of the B759 Carmunnock Road to about-turn in order to head in the desired direction); and
- (iv) Failed to address the more serious concern of vehicles turning right into the site.

Following discussion, it was agreed to uphold the decision of the Appointed Officer as set out in the decision notice of 9 January 2019 and refuse planning permission.

**NOTICE OF REVIEW 2019/02 – ERECTION OF SINGLE STOREY SIDE AND REAR EXTENSIONS AND INSTALLATION OF TWO FRONT DORMER WINDOWS AND ONE DORMER WINDOW AT REAR AT 22 VICTORIA CRESCENT, CLARKSTON (REF NO: 2018/0721/TP)**

**816.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Tim Hunter and Naula Ashe against the decision taken by officers to refuse planning permission in respect of the erection of a single storey side and rear extensions and installation of two front dormer windows and one dormer window at the rear at 22 Victoria Crescent, 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.

In accordance with the decision taken at the meeting on 10 August 2016, the Local Review Body had carried out an unaccompanied site inspection of the application site immediately prior to 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 to overturn the decision of the Appointed Officer as detailed in the decision notice of 18 January 2019 and grant planning permission,

**NOTICE OF REVIEW 2019/03 – ERECTION OF FIVE FLATS FOLLOWING THE DEMOLITION OF EXISTING DWELLINGHOUSE, ASSOCIATED CAR PARKING AND LANDSCAPING WITH ASSOCIATED PARKING AND BIN STORAGE AT 163 AYR ROAD, NEWTON MEARNS (REF NO: 2017/0850/TP)**

**817.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by AYA Developments Limited against the decision taken by officers to refuse planning permission in respect of the erection of five flats following demolition of existing dwellinghouse with associated car parking and landscaping with associated parking and bin storage at 163 Ayr Road, Newton Mearns.

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.

In accordance with the decision taken at the meeting on 10 August 2016, the Local Review Body had carried out an unaccompanied site inspection of the application site immediately prior to the meeting.

Having been advised that the applicant had submitted new evidence which was not before the Appointed Officer at the time the determination of the application was made and having noted the procedure that required to be followed should the new information be taken into account, the Local Review Body decided not to give consideration to the new information in the determination of the review.

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 to uphold the decision of the appointed officer as set out in the decision notice of 14 December 2018 and refuse planning permission.

CHAIR





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

**Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 14 March 2019.**

**Present:**

Councillor Paul O’Kane (Deputy Leader)  
Councillor Caroline Bamforth  
Councillor Danny Devlin

Councillor Alan Lafferty  
Councillor Colm Merrick

Councillor O’Kane, Deputy Leader, in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Mhairi Shaw, Director of Education; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Louise Pringle, Head of Communities, Revenues and Change; Sharon Dick, Head of HR and Corporate Services; Candy Millard, Head of Strategic Services; Fiona Caldwell, Operations Manager, Revenues; Mark Waugh, Principal Accountant (Capital); Robert Spencer, Principal Accountant (Revenue); Lorna Young, Corporate Policy Officer; and Paul O’Neil, Committee Services Officer.

**Apology:**

Councillor Tony Buchanan (Leader).

**REQUEST TO RECORD PROCEEDINGS**

**818.** The Deputy Leader intimated that a request had been received for permission to audio record the meeting. Having given consideration to the request the Cabinet decided that permission be denied.

**DECLARATIONS OF INTEREST**

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

**LOCAL GOVERNMENT BENCHMARKING FRAMEWORK - 2017/18 PERFORMANCE**

**820.** The Cabinet considered a report by the Chief Executive, providing an update on the national Local Government Benchmarking Framework (LGBF) together with an overview of the Council’s performance against the LGBF indicators from 2016/17 to 2017/18. A summary of the LGBF performance report was appended to the report.

The report explained the background to the LGBF highlighting that the framework provided comparative analyses for a total of 80 indicators at a Council level although as two related to museums only 78 were relevant to the Council. Furthermore, there had been an increase in the number of LGBF indicators from a total of 73 recorded for 2016/17 with the main additions being to the indicator set for Economic Development.

Noting that the Council's performance against the LGBF data set showed a positive picture of performance, the report highlighted that over 50% of the indicators being reported for the Council (i.e. 67) sat within the top quartile. However, it was noted that data for 11 of the Children's Services indicators had not yet been published.

Furthermore, the 2017/18 data showed that the Council continued to perform strongly in key outcome areas where it was making differences to people's lives such as in education, housing and recycling. Whilst noting that the overall cost for support services had been reducing in recent years, the report explained that any slowing of this trend reflected investment in the Council's workforce and more modern practices. The Council continued to make good progress in reducing absence rates and invoice processing times following targeted action.

The report emphasised that the LGBF indicator set was only one means of recording and measuring the Council's performance and that to achieve a balanced picture, the outcomes the Council was reporting on over the next year through the Community Plan, incorporating Fairer East Ren, Outcome Delivery Plan and through various audits, inspections and self-assessments should be noted. In addition, there was a wide range of performance information scrutinised and reported by the Council which was not statutory and provided detailed information on performance at mid and year-end points. Furthermore, where an area of improvement had been identified, detailed action plans were in place to improve performance.

The Cabinet noted the Council's performance against the Local Government Benchmarking Framework indicators and the action taken by departments to address any performance issues.

## **ESTIMATED REVENUE BUDGET OUT-TURN 2018/19**

**821.** The Cabinet considered a report by the Chief Financial Officer, detailing the projected Revenue Budget Out-turn for 2018/19 and providing details of the expected year-end variances together with summary cost information for each of the undernoted services as at 4 January 2019:-

- (i) Objective and Subjective Summaries;
- (ii) Education;
- (iii) Contribution to Integration Joint Board;
- (iv) Environment Department;
- (v) Environment Department – Support;
- (vi) Chief Executive's Office;
- (vii) Chief Executive's Office – Support;
- (viii) Corporate and Community Services Department – Community Resources;
- (ix) Corporate and Community Services Department – Support;
- (x) Other Expenditure and Income;
- (xi) Joint Boards;
- (xii) Contingency – Welfare;
- (xiii) Health and Social Care Partnership; and
- (xiv) Housing Revenue Account.

Whilst noting that as at 4 January 2019 the estimated year-end position showed a net favourable variance on net expenditure of £1,835,000 based on current information, the report indicated that for General Fund services the projected underspend was £1,794,000. However, the Council Tax collection position was slightly lower than forecast, with a reduction in income of £250,000 now anticipated, bringing the total forecast underspend on General Fund services to £1,544,000 or 0.7% of the annual budget. The projected revenue budget out-turn variance reflected the increased pressures arising from the latest pay award offer.

The report concluded by highlighting that a number of operational variances required management action to be taken 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. Furthermore, in view of the tighter than anticipated 2019-20 provisional grant settlement and the impact of the recent increases in pay offers, all departments were expected to consolidate and maximise underspends wherever possible in the current year in order to address future budget provision.

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

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

### **GENERAL FUND CAPITAL PROGRAMME 2018/19**

**822.** The Cabinet considered a report by the Chief Financial Officer, monitoring expenditure as at 1 February 2019 against the approved General Fund Capital Programme 2018/19 and recommending adjustments where necessary in light of issues that had arisen since the programme had been approved.

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 projected shortfall of £318,000 which represented 0.94% of the resources available and was within manageable limits. Detailed explanations of the reasons for the major movements within the programme were outlined in the report.

The Cabinet agreed to:-

- (a) **recommend to the Council** that the proposed adjustments to the General Fund Capital Programme 2018/19 be approved; and
- (b) note that the shortfall of £318,000 would be managed and reported within the final accounts for the year.

### **HOUSING CAPITAL PROGRAMME 2018/19**

**823.** The Cabinet considered a joint report by the Chief Financial Officer and the Director of Environment, monitoring expenditure as at 1 February 2019 against the approved Housing Capital Programme 2018/19 and recommending adjustments where necessary in light of issues that had arisen since the programme had been approved.

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 projected shortfall of £85,000 which represented 0.94% % of the resources available and was within management limits.

The Cabinet agreed to:-

- (a) **recommend to the Council** that the movements within the Housing Capital Programme 2018/19 be approved; and
- (b) note that the shortfall of £85,000 would be managed and reported within the final accounts for the year.

### **TRADING UNDER BEST VALUE**

**824.** The Cabinet considered a report by the Chief Financial Officer, requesting that consideration be given to the classification of Council activities in terms of trading operations as defined by the Local Government in Scotland Act 2003 and as modified in June 2013 by the Local Authority (Scotland) Accounts Advisory Committee (LASAAC). Details of the review of services that had been undertaken; a summary of trading operations and the criteria used to determine if they were “significant” were appended to the report.

The report explained that in terms of the Local Government in Scotland Act 2003, the Council was required to consider its trading operations on an annual basis and determine those which should be regarded as “significant”. Having noted the criteria that required to be met for a trading operation to be considered as “significant” and a further test of significance that required to be taken into account, the report explained that having taken these conditions into account, the result of the review for 2018/19 was that the Council had no Significant Trading Operations.

The Cabinet agreed that in terms of the Local Government in Scotland Act 2003 that there were no trading services operated by the Council that should be classified as “significant”.

### **DEBT MANAGEMENT FOR COUNCIL TAX - SUNDRY DEBT INCOME AND HOUSING BENEFIT OVERPAYMENTS**

**825.** The Cabinet considered a report by the Deputy Chief Executive, seeking approval to write-off as irrecoverable sums associated with Council Tax and Water and Sewerage charges; Sundry Debt Income and Housing Benefit Overpayments.

Whilst noting that the Council’s debt recovery policy listed situations where write-off of debts would be considered when all viable means of collection had been exhausted, the report highlighted that there was accountancy provision for such write-offs and as such they did not affect the Council’s overall financial position.

The Cabinet:-

- (a) approved the write-off of the following sums, totalling up to £352,890.57 without prejudice to subsequent recovery procedure:-
  - (i) Council Tax arrears totalling up to £218,584.00;
  - (ii) Sundry Debt Income totalling up to £43,567.03;
  - (iii) Housing Benefit Overpayments totalling up to £90,739.54; and

- (b) noted that Water and Sewerage charges totalling up to £72,163.54 were also being written off in discussion with Scottish Water.

## **NON-DOMESTIC RATES DEBT MANAGEMENT**

**826.** The Cabinet considered a report by the Deputy Chief Executive, seeking approval to write-off as irrecoverable Non-Domestic Rates totalling £897,823.63 and seeking an exemption from normal tendering procedures to allow continued Non-Domestic Rates provision by Renfrewshire Council over the next 2-3 years whilst an option appraisal was being developed for future provision of this service.

The report explained that write-offs of Non-Domestic Rates were made annually as part of normal business processes and that there was accountancy provision for such write-offs and as such they did not affect the Council's overall financial position.

Whilst noting that there was a level of historical debt represented in the report, as a result of a data cleansing exercise, this too had been provided for in the accounts for a number of years, but had not been formally written off. It was noted that Renfrewshire Council was also conducting a similar data cleansing exercise for its own records.

The Cabinet:-

- (a) approved the write-off of a total of £83,608.75 of irrecoverable Non-Domestic Rates, without prejudice to subsequent recovery procedure, as part of the annual write-off procedure;
- (b) noted that as a part of a data cleansing exercise led by Renfrewshire Council, historical debts were being reviewed to determine which were unrecoverable and should now be written off;
- (c) noted that the write-off of these historic unrecoverable debts would have no net impact on the Council's accounts as provision had been made for the debt, in full, in previous years;
- (d) approved the write-off of £814,214.88 of historical debt going back to 2005 as part of the first phase of the data cleansing exercise which would have no net impact on the Council's revenue accounts;
- (e) noted that a further report would be submitted to a future meeting of the Cabinet once all historical debt had been reviewed; and
- (f) approved an exemption from normal tendering arrangements to allow continuation of existing administration arrangements for Non-Domestic Rates via Renfrewshire Council for the next two to three years, acknowledging that longer term there would be an options review for delivery of this service.

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

**827.** Under reference to the Minute of the meeting of the Cabinet of 26 January 2017 (Page 2197, Item 2361 refers), when the new Rent Arrears Policy had been approved, the Cabinet considered a report by the Director of Environment, seeking approval to write-off former Tenant Rent and Court Expenses which could not be recovered through the debt collection process.

The Cabinet:-

- (a) approved the write-off sum up to the value of £75,323.02 of former Tenant irrecoverable Rent and Court Expenses whilst acknowledging these could be pursued and recovered in future should additional information and opportunities arise;
- (b) noted that £71,222.59 of this amount was written off against the Housing Revenue Account (HRA) and the remaining £4,100.43 was written off against the Non-Housing Revenue Account as this was accrued by homeless households placed in temporary accommodation; and
- (c) noted that the write-off of these historic unrecoverable debts would have no net impact on the Council's accounts as provision had been made for the debt in full, in previous years.

### **EAST RENFREWSHIRE COUNCIL CLIMATE CHANGE REPORT 2017/18**

**828.** The Cabinet considered a report by the Director of Environment, providing details of the Council's 2017/18 Climate Change Report which had been submitted to Scottish Ministers in accordance with the provisions of the Climate Change (Duties of Public Bodies: Reporting Requirements)(Scotland) Order 2015. A copy of the document was appended to the report.

The report explained that the 2017/18 report demonstrated that good progress was being made by the Council in terms of climate change mitigation. Details of the progress that had been made in terms of the reduction in CO<sup>2</sup> omissions together with details of the factors which had led to the reduction in the emissions were outlined in the report.

The Cabinet noted the Council's 2017/18 Climate Change Report which had been submitted to Scottish Ministers.

### **GLASGOW CITY REGION – REGIONAL SKILLS INVESTMENT PLAN 2019/24**

**829.** The Cabinet considered a report by the Director of Environment, providing an update on the development of a Regional Skills Investment Plan for the period 2019/24 and seeking endorsement of the plan.

Whilst noting that Glasgow City Region had one of the most highly skilled labour markets in the UK with more than 42% of the working age population having degree level qualifications although it also had 11% of working age adults with no qualifications, the report explained that skills investment was devolved to the Scottish Government and delivered through a range of national programmes by Skills Development Scotland and further and higher education bodies.

The report indicated that a draft Skills Investment Plan for the City Region had been prepared that set out Glasgow City Region performance in relation to employment and skills indicators and provided an analysis of supply and demand trends for skills and labour, now and in the future. It was noted that the plan contained 6 strategic outcomes and 7 priority action areas, details of which were outlined.

The report concluded by highlighting that the comprehensive nature of the Glasgow City Regional Skills Investment Plan offered the Council and its partners a strong strategic framework for taking future action. At a local level, the Skills Investment Plan would be

progressed by the Local Employability Partnership and the Council's Work EastRen employability service. The final Skills Investment Plan would be approved by the Regional Economic Partnership and thereafter by the City Region Cabinet in April 2019.

The Cabinet:-

- (a) endorsed the draft Regional Skills Investment Plan; and
- (b) agreed to its implementation within East Renfrewshire.

CHAIR





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

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 14 March 2019.**

**Present:**

Councillor Stewart Miller (Chair)  
Councillor Barbara Grant (Vice Chair)  
Councillor Charlie Gilbert

Councillor Annette Ireland  
Councillor Jim Swift

Councillor Miller in the Chair

**Attending:**

Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Ross Mitchell, Senior Auditor; Gill Darbyshire, Chief Executive's Business Manager; Linda Hutchison, Clerk to the Committee; and Jennifer Graham, Committee Services Officer.

**Also Attending:**

John Cornett and Elaine Barrowman, Audit Scotland.

**Apology:**

Provost Jim Fletcher.

**DECLARATIONS OF INTEREST**

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

**CHAIR'S REPORT**

**831.** The Chair referred to comments made previously by members of the committee on the limited resources they could access to allow them to progress fully their valuable role. He reported that a Scrutiny and Evaluation Officer had been appointed from 1 April for a temporary period of one year which would enable the committee to progress some detailed scrutiny work. That officer's role would include supporting investigations and the production of related reports and recommendations for submission to the Cabinet. One of his initial tasks would be to help the committee identify and scope areas of work they wished to progress as part of its work plan for the year ahead.

The committee, having heard the Chair welcome the appointment, noted the position.

## REVIEW OF STRATEGIC RISK REGISTER AND RISK MANAGEMENT PROCESS

**832.** Under reference to the Minute of the meeting of 16 August 2018 (Page 487, Item 540 refers), when the position on the Strategic Risk Register (SRR) and progress with risk management across the Council had been noted, the committee considered a report by the Chief Executive regarding the most recent biannual update of the Register and general progress on risk management.

The SRR, a copy of which was appended to the report, itemised key risks that required to be considered and associated actions put in place to manage these. Having referred to related operational risk registers in place, the report confirmed that several strategic risks had been amended to include additional control measures and rescored for significance, clarifying that a thorough review of all the strategic risks had been undertaken by the Corporate Management Team (CMT). In total there were now 29 strategic risks, 10 of which were evaluated as high and 19 as medium. Risks evaluated as low had been removed from the SRR and would be monitored within departmental or operational registers as appropriate. Relevant significant risks which could impact on achieving the Council's outcomes regarding the work of the Integration Joint Board (IJB) and Culture and Leisure Trust had been considered.

In addition to referring to risks added to the SRR, information was provided on risk scores that remained high; amended risk descriptions; risks which had increased from medium to high; and those which had reduced from high to medium. It was confirmed that although reports on the SRR were submitted to the committee every 6 months and the Cabinet annually, the register was considered to be a live document and updated continually, with the review of the SRR playing a fundamental role in ensuring that the Council met its objectives as detailed in Fairer East Ren, the Modern Ambitious Programme and the Outcome Delivery Plan. A risk owner for each strategic risk had been identified from amongst the CMT.

Having heard the Business Manager highlight key aspects of the report, Councillor Swift referred to the risk of failing to deliver 1,140 hours of free early learning and childcare by August 2020 (Risk 1.1). He reported that an external provider had argued that the Council's approach was destabilising the market and could lead to some private and third sector facilities closing. He considered it important that the risk was reviewed as provision across all sectors was required and account needed to be taken of the financial position of all those operating in this field. Councillor Miller commented that further reference to this might be made at the forthcoming Council meeting.

During discussion on the risk of failure to implement a new core system and anticipated benefits and savings not being delivered (Risk 6.14), in reply to Councillor Grant the Head of Accountancy confirmed the purposes of the system, that discussions with the provider had been ongoing since December, and that it was anticipated that the new ledger, which was one element of the system, would be in place by Summer 2019. Over time, the system was expected to facilitate access to financial information across the authority and deliver savings and efficiencies. It was clarified that when the new system was in place the risk, which was a transitional one, would be reduced.

In reply to Councillor Ireland who referred to the risk of ensuring sufficient catchment places for children and young people in light of new residential development, (Risk 2.3), the Head of Accountancy provided further clarification during which she commented on the allocation of funding for such provision and an assumption that could be made that all children would attend a local authority operated nursery, when this might not necessarily be the case.

The committee:-

- (a) agreed that the Chief Executive's Business Manager provide feedback to appropriate senior officers on comments made by members of the committee at the meeting on the SRR for consideration; and
- (b) otherwise, noted the development of the SRR; that it was considered to be a live document; and that it would be updated and amended by the CMT.

### **NATIONAL EXTERNAL AUDIT REPORT – LOCAL GOVERNMENT IN SCOTLAND – FINANCIAL OVERVIEW 2017/18**

**833.** The committee considered a report by the Clerk on the publication by Audit Scotland of a report entitled *Local Government in Scotland – Financial Overview 2017/18* which under the committee's specialisation arrangements had been sent to Provost Fletcher and Councillor Ireland for review. The Head of Accountancy had been asked to provide comments and a copy of her feedback was attached to the report.

The Audit Scotland report covered budgets and spending; Councils' financial position; an IJB overview; and the financial outlook for local authorities, on each of which the Head of Accountancy had provided comments. The audit report had found that Scottish Government revenue funding, the most significant element for councils, had reduced by 2.3% in real terms in 2017/18. It was explained how Grant-Aided Expenditure (GAE) was calculated, mainly on population-based factors. Although Audit Scotland's findings were valid in terms of ease of finding information about distribution methods, it was felt that the report underplayed the sophistication of the GAE methodology. It was explained that indicators relating to population size were broken down into demographic groups such as the number of both primary and secondary pupils. Regarding education the high proportion of children in the local population and high number of placements in the needs based GAE calculation resulted in the Council attracting a higher allocation than normal for a Council of its size. Other issues commented on included indicators for social care and otherwise, other GAE issues, the correlation between deprivation and funding, other funding accessible to local authorities, and Council Tax changes and the impact of these locally.

Regarding the financial position, reference was made to the use made of reserves and how the Council had restored its unallocated general reserve above its target of 4% by the year end. Having commented on other reserves issues, including how they had been built up over time to address future pressures and those established for specific purposes, it was confirmed that the Council's level of outstanding debt was well below the national average reflecting a prudent approach taken on this but that there were also plans to increase borrowing in future to support the capital programme in an affordable way. It was reported that no equal pay claims remained outstanding locally.

The Audit Scotland report also included an overview on IJBs for 2017/18. It was confirmed amongst other things that responsibility for the operation, finances and governance of integrated health and care services lay with the IJB rather than the Council, that unlike some others the East Renfrewshire IJB had not reported a deficit for 2017/18, and that no additional funding had been required from the Council. Other matters commented on included that the IJB had welcomed a medium-term financial plan for health and care services published by the Scottish Government in 2018.

Regarding the financial outlook, reference was made to various issues including the close to flat cash grant settlement the Council had received in 2018/19 which lacked provision for

demand and inflationary pressures, the Scottish Government's recently declared intention to announce multi-year settlements for councils from December 2019, and ongoing financial constraints expected in future reflecting that most council services were not classified as priorities under the Scottish Government's strategy. The 3-year budgeting approach adopted by the Council, the publication of its Financial Plan, the way in which the Council balanced its budget, the updating of the Capital Plan and the recent approval by the Council of its first Capital Investment Strategy were amongst a range of matters commented on. Reference was also made to how the Council was continuing to transform services, most recently through its Modern Ambitious Programme, which helped meet clients' needs and addressed budget challenges, 70% of savings over the current 3-year plan having been made through efficiencies.

Overall it was concluded that the Council was well placed in terms of addressing the challenges referred to, but that it would continue to face substantial challenges in future.

The Head of Accountancy commented on and highlighted key aspects of the report, following which, in response to questions, she confirmed that the Audit Scotland report was made available to both local authorities and the Scottish Government, and that the Scottish Government took cognisance of concerns and issues raised within such reports. She explained that for many years both COSLA and local authorities had been raising the need for the way in which GAE was allocated to be refreshed, but acknowledged that this was not straightforward as many factors required to be taken into account. Mr Cornett confirmed that the report would be amongst a range of documents and information the Scottish Government would use and reflect on when considering the allocation of funds.

Regarding health and social care integration, it was confirmed that feedback on an Audit Scotland report on progress on this issue had been published relatively recently and that it would be the subject of a report to both the IJB and the Council's Audit and Scrutiny Committee in the near future.

In response to a further question from Councillor Ireland regarding the report which had previously been considered by the committee on 21 February 2019 in relation to the UK withdrawal from the European Union (EU), the Clerk confirmed that the feedback provided had been noted at the meeting but that it was an option for the committee to seek a further update on this issue for submission to a future meeting if it chose to do so at some point.

The committee noted:-

- (a) that it was an option for the committee to request a further report at some point in future, if it wished to, on the implications for the authority of the UK's withdrawal from the EU; and
- (b) otherwise, the report and comments made.

## **EAST RENFREWSHIRE COUNCIL – ANNUAL AUDIT PLAN 2018/19**

**834.** The committee considered a report by the External Auditor regarding the 2018/19 Annual Audit Plan. The Plan provided an overview of the planned scope and timing of the audit to be carried out in accordance with International Standards on Auditing (ISAs), the Code of Audit Practice and other relevant guidance. It was confirmed that the Plan set out the work necessary to allow the External Auditor to provide an independent report on the financial statements and meet the wider scope requirements of public sector audit, including the audit of Best Value. Reference was also made to the way in which the wider scope of

public audit contributed to assessments and conclusions on the audit dimensions of financial management, financial sustainability, governance and transparency, and value for money and also the way added value was achieved for the Council through external audit work.

Based on discussions with staff, attendance at committee meetings and a review of supporting information, the report highlighted the main financial statement risks and issues as well as risks of a wider dimensional nature identified for the Council, and audit work planned in relation to these. Various reports to be prepared, including the Annual Audit Report, were referred to as were the audit of trusts registered as Scottish charities, the audit fee, and the responsibilities of the committee, Head of Accountancy and appointed Auditor. Having summarised the approach to be adopted on the Annual Accounts, it was clarified that an opinion on them would be given on a range of issues, including whether they gave a true and fair view and were properly prepared in accordance with International Financial Reporting Standards and legislative requirements.

Other issues commented on included other information in the Annual Accounts to be reviewed and reported on; materiality levels; and the annual assessment of the Internal Audit function to ensure it operated in accordance with the main requirements of Public Sector Internal Audit Standards (PSIAS) which would be the subject of a separate report. Having referred to the reliance it was proposed to place on Internal Audit's work and related issues, detailed reference was made to the four audit dimensions framing the wider scope of public sector audit requirements, conclusions on which would help contribute to an overall assessment and assurance on best value.

Whilst making further comments on best value, the report highlighted that work planned during the year included continued follow-up of the Council's response to the 2016/17 Best Value Assurance Report (BVAR), and the actions reported in the Annual Audit Report in 2017/18. Other planned work included considering the Council's arrangements for equal opportunities and carrying out aspects of options appraisals focusing on the Council's Modern Ambitious Programme and Transformation Programme thus far. Reference was also made to Housing Benefit (HB) performance audits including a more strategic approach to be taken to the HB performance audit from 2019/20, the review of the Council's HB service carried out during the 2017/18 audit, and plans to continue to review the relative performance of all councils' HB services throughout the year taking a more risk based and proportionate approach to changes in performance at an individual council level. More generally, issues on independence and objectivity; and quality control were commented on.

Councillor Miller welcomed Mr Cornett and Ms Barrowman to the meeting, following which Mr Cornett made some general comments on the audit approach that had and would be adopted. Thereafter Ms Barrowman referred to various key aspects of the report. Whilst itemising and commenting on the key audit risks identified which required specific audit testing and on which an update would be provided in the Annual Audit Report, it was clarified that a number were not specific to East Renfrewshire. She also commented on the audit timetable, the audit fee, the review of Internal Audit, and follow up work to be carried out on the BVAR report. Ms Barrowman thanked the Head of Accountancy and her staff for their assistance in preparing the 2018/19 Annual Audit Plan.

The Committee noted the 2018/19 Annual Audit Plan and timetable for the publication of related documents, including the Annual Audit Report for 2018/19.

## **INTERNAL STRATEGIC AUDIT PLAN 2019/20 – 2023/24**

**835.** The committee considered a report by the Chief Auditor on the Internal Audit Strategic Plan for 2019/20 to 2023/24 which included the proposed Annual Audit Plan for

2019/20. It was clarified that the Internal Audit function operated in accordance with Public Sector Internal Audit Standards (PSIAS)

The report explained that the Plan had been prepared following consultation with key partners and clarified, amongst other things, that new audits added to the audit universe included a cyber security checklist. Similarly, some audits had been deleted from the universe as they were no longer applicable, had low risk assessments, or had been merged with other audits. It was clarified that 20 audit days had been included in the Plan for providing an internal audit service to the East Renfrewshire Culture and Leisure Trust (ERCLT), the scope of audits to be carried out using these days having been agreed with the management of ERCLT and members of its Finance and Resources Committee. Resulting audit reports would be issued directly to the Trust's Chief Executive.

Referring to audit needs compared to resources available, the report explained that over the 5-year period of the Plan there was a projected shortfall of 315 audit days which was considered manageable but would be kept under review. The current staffing levels of the Internal Audit section were considered adequate at present, subject to a vacant post being filled in the first quarter of 2019/20, this having been assumed when calculating the number of audit days available. Whilst making reference to one of the performance indicators for the section measuring direct audit days as a percentage of the total days available the target for which was 75%, the report explained that there was a possibility that this would not be fully met. This would be kept under review and reported on quarterly to the committee.

Whilst highlighting key aspects of the report, the Senior Auditor clarified that as well as the report specifying the plan for 2019/20, a schedule reflecting which audits were to be undertaken up to and including 2023/24 had been provided. Having confirmed that climate change was amongst the new audits added to the audit universe, in response to Councillor Grant, he clarified that the relatively high scheduled number of days for the Housing Benefit/Universal Credit audit reflected that the work involved sampling a range of data.

The committee agreed to approve the Internal Audit Strategic Plan for 2019/20 to 2023/24.

CHAIR

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

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 19 March 2019.**

**Present:**

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

Councillor Convery in the Chair

**Attending:**

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

**Apology:**

Councillor Betty Cunningham (Vice-Chair).

**DECLARATIONS OF INTEREST**

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

**STREET TRADER'S LICENCE – APPLICATION FOR GRANT**

**837.** The committee considered a report by the Chief Officer - Legal and Procurement regarding an application for the grant of a Street Trader's Licence from Mr James Kerrigan to operate a fast food van on Muriel Street, Barrhead (Agenda Item 3 refers).

In accordance with the Regulations the application had been advertised and 7 letters of objection had been received. Mr Kerrigan was present. Four objectors, all objectors having been invited to the meeting, were also present.

The objectors, Mr Burrell, Mr Muir, Ms Muir and Ms Thomson were heard in support of their objections which related to concerns about road safety in an already congested area; parking; access for articulated lorries; food smells; and litter problems. They were also heard in answer to questions from the committee and Mr Kerrigan.

Mr Kerrigan was heard regarding the application and in answer to the concerns raised by the objectors. He was also heard in answer to questions from the committee and objectors in the course of which he advised that he would be willing to alter the location of the hot food

van on Muriel Street to accommodate some of the concerns raised. He also advised that he would ensure bins were in place outside the van and would clear any litter on vacating the area.

The committee agreed to a short adjournment to consider the matter.

On reconvening, the committee agreed that the application for a Street Trader's Licence be granted for a period of one year at Muriel Street, Barrhead, subject to all necessary permits and permissions being obtained by the applicant.

### **PAYMENTS AND ADDITIONAL CHARGES – PRIVATE HIRE CAR AND TAXI LICENCE CONDITIONS AMENDMENT**

**838.** The committee considered a report by the Chief Officer - Legal and Procurement seeking views on whether to take any further action in respect of a complaint made against a private hire driver and to consider the introduction of amendments to licence conditions to address unacceptable practices by operators/drivers in relation to payment.

The report referred to an incident which had occurred in August 2018 and a subsequent complaint to the Council regarding a Private Hire Car Driver. Further details of the alleged incident were provided including an allegation that a passenger had vomited in the private hire car and soiled the seat, and that the driver had subsequently prevented one of the passengers from exiting the car until an appropriate payment for cleaning the vehicle had been made.

Following an investigation into the incident by the Civic Government Enforcement Officer, the driver had received a stern warning about his behaviour, and it was for the committee to decide if they wished the driver to appear before them to explain his actions. The parents of one of the passengers had also requested that East Renfrewshire Council introduce a policy with regard to the demand by taxi and private hire drivers for soiling charges and payments in general.

The committee was requested to consider the introduction of a further condition to the private hire and taxi driver/operator conditions as follows:-

*“Taxi and private hire operators (drivers) must not request payment of a soiling charge unless that payment has been discussed with and accepted by the passenger(s) prior to commencement of the journey. In the event that soiling subsequently occurs, payment may be requested but, if the passenger(s) is/are unable to make payment, then arrangements must be made for payment to be collected at a later date by arrangement with the passenger(s). Under no circumstances are drivers allowed to prevent passengers leaving the vehicle even if payment has not occurred. Drivers must not attempt to forcibly drive passengers to an ATM or any other location without the prior agreement of the passenger(s). This procedure must also be followed if a fare or any other charge is unable to be paid.”*

The Senior Solicitor advised the committee that the parents of the passenger involved in the incident were present in the public gallery. Following discussion, the committee agreed that they be invited to comment on the report.

Having heard briefly from the parents, the committee agreed to a short adjournment to consider the matter.



On reconvening, the committee agreed that the report be continued to allow further investigation of the complaint to be made.

CHAIR



**MINUTE**  
**of**  
**APPEALS COMMITTEE**

**Minute of Meeting held at 10.00am in the Committee Room, Council Headquarters, Giffnock on 21 March 2019.**

**Present:**

Councillor Betty Cunningham (Vice Chair)	Councillor Barbara Grant
Councillor Barbara Grant	Councillor Annette Ireland
Councillor Stewart Miller	

Councillor Cunningham in the Chair

**Attending:**

Gerry Mahon, Chief Officer – Legal and Procurement; Alison Findlay, Policy and Employment Law Adviser; and Paul O’Neil, Committee Services Officer.

**Apology:**

Councillor Angela Convery.

**DECLARATIONS OF INTEREST**

**839.** 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 following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 7A to the Act.

**DISMISSAL APPEAL – HEALTH AND SOCIAL CARE PARTNERSHIP**

**840.** The Appellant appeared, accompanied by a friend, in connection with her appeal. Candy Millard, Head of Health and Social Care Localities appeared on behalf of management.

Both parties made their submissions to the Committee and were heard in answer to questions on their submissions, during which Ms Gayle Smart, Localities Intensive Services Manager, entered the meeting as a witness for management and was heard in response to questions from both parties and Elected Members.

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Following consideration, both parties were recalled and advised by the Chair that the Committee had agreed that the grounds of the appeal had not been substantiated and that the appeal was not upheld.

CHAIR

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

**Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 28 March 2019.**

**Present:**

Councillor Paul O’Kane (Chair)	Councillor Alan Lafferty
Councillor Colm Merrick (Vice Chair)	Dr Frank Angell
Councillor Caroline Bamforth	Ms Dorothy Graham
Councillor Danny Devlin	Mr Des Morris
Councillor Charlie Gilbert	

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); Tracy Morton, Education Senior Manager; Clare Creighton, Quality Improvement Officer; and Jennifer Graham, Committee Services Officer.

**Also Attending:**

Maurice Gilligan, Skills Development Scotland.

**Apologies:**

Councillor Tony Buchanan (Leader); and Ms Mary McIntyre.

**Variation in Order of Business**

In accordance with the terms of Standing Order 19, Councillor O’Kane altered the order of business to facilitate the conduct of the meeting.

**DECLARATIONS OF INTEREST**

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

**WEST PARTNERSHIP – PROGRESS WITH PHASE 2 IMPROVEMENT PLAN**

**842.** The committee considered a report by the Director of Education providing an update on the progress being made with the West Partnership Phase 2 Plan.

The report explained that an improvement plan tracker had been developed to monitor progress with actions from the West Partnership Phase 2 Improvement Plan and progress with the actions was discussed and updated at each Board meeting. Actions at risk of being missed were considered by the Board and mitigating steps taken as required. It was further reported that 80% of tasks had either been completed, superseded or were on track; 12% had yet to begin; and 8% were currently at risk.

The committee agreed to:-

- (a) note the progress made with the Phase 2 Improvement Plan;
- (b) note that progress was also being made in other areas of work; and
- (c) instruct the Director of Education to bring a further report on completion of the first year of the plan to the committee in August 2019.

### **CUSTOMER SERVICE EXCELLENCE AWARD**

**843.** The committee considered a report by the Director of Education advising of the outcome of the most recent Customer Service Excellence assessment for the Education Department.

It was reported that a two-stage assessment was undertaken in January 2019 consisting of a review of the department's self-assessment submission and a review of the actual service delivered on-site. The second part of the review focussed on the Early Years curriculum provided for children and the associated professional learning and training to develop Early Years staff and the assessment report recognised the department's continued commitment to provide excellent services and seek continuous improvement. Twenty two areas were recognised as "compliance plus" which were identified as areas which exceeded the requirements of the standard. Two areas of improvement were identified as; including the possibility of better publicising opportunities for stakeholders and citizens to become involved in early learning and childcare careers; and consideration of early learning courses delivered on an outreach basis.

The committee agreed to:-

- (a) note the continuing high standard of the award in recognition of the department's high quality services; and
- (b) approve the approach to ensuring the department's sustained commitment to continuous improvement.

### **PROGRESS OF HILLVIEW PRIMARY SCHOOL IN ADDRESSING AREAS OF IMPROVEMENT FROM EDUCATION SCOTLAND REPORT**

**844.** Under reference to the Minute of the meeting of 1 February 2018 (Page 265, Item 298 refers), when it was agreed that the Director of Education carry out a further follow-through review of Hillview Primary School within 12 months and bring the resulting report to Education Committee, the committee considered a report by the Director of Education advising of progress made in Hillview Primary School in addressing the recommendations contained in the report by Education Scotland published in February 2017.

The report referred to the follow-through report which had been considered in February 2018 highlighting that the school had made a positive start in meeting the recommendations from the Education Scotland report.

A further follow-through review was carried out by the Quality Improvement Team in January 2019. The progress report outlined a number of key strengths within the school, highlighting that children were proud of their school, and referring to the strengthened senior leadership team which had accelerated the pace of change across the school. It was reported that there had been a significant improvement in the attainment of Curriculum for Excellence levels and performance was at the highest to date in all four curricular areas. A small number of areas for development had been identified and would be addressed through the school's improvement plan for session 2019-2020.

Having heard Councillor O'Kane, on behalf of the committee, congratulate all those associated with the improvements which had been made, the committee agreed to note the progress made by Hillview Primary School in addressing the recommendations made in the inspection report by Education Scotland.

## **DEVELOPING THE YOUNG WORKFORCE**

**845.** Councillor O'Kane invited Clare Creighton, QIO and Maurice Gilligan, Skills Development Scotland to make a presentation to the committee on progress with and outcomes from the Developing Young Workforce Implementation Plan.

Ms Creighton referred to the Developing Young Workforce Implementation Plan which had been created in close partnership with Skills Development Scotland (SDS). The plan focussed on five key areas including, increasing opportunities for young people to undertake learning; offering a broader range of qualifications in the senior phase; encouraging partnership working between schools, colleges and employers to information curriculum design and delivery; adoption of Foundation Apprenticeships in the senior phase; and greater understanding for young people and parents about the world of work.

Ms Creighton provided a comparison of East Renfrewshire's Leaver Destinations for 2016/17 and 2017/18 compared to the national average. They showed that 97.4% of young people in East Renfrewshire had gone to a positive destination in 2017/18 compared to the national average of just over 94%. A comparison of the destinations by school from 2015/16-2017/18 was also provided highlighting that only one school in East Renfrewshire remained below the national average in 2017/18. Further information was provided on the number of leavers with 1 or more vocational qualifications at level 6 or better, highlighting that East Renfrewshire was the highest ranking local authority for this statistic.

Mr Gilligan reported that Education Scotland had undertaken a review of Career Information, Advice and Guidance Services (CIAG) in East Renfrewshire in November 2018. They had examined activities that impacted on the quality of customer experience, and CIAG service delivery was evaluated against quality indicators outlined in the "External quality arrangements for the review of CIAG services delivered by SDS". The report was published in January 2019 with one of the key themes being graded as excellent and the remaining four graded as very good. A follow up report was expected in April/May 2020.

The Data Hub had been highlighted as an area of excellent practice as it could be used to better tailor support to an individual well in advance of them leaving school. He reported that the destinations of all young people were currently known and they would continue to work with those in negative destinations.

Ms Creighton reported that various data sources, including labour market information, would continue to be used to plan the curriculum in the senior phase. She referred to the senior phase offer which provided young people with a range of courses at schools, colleges, universities and with other training providers. She advised that some of the courses on offer included an HNC in Quantity Surveying; a City and Guilds in Barbering; and a foundation apprenticeship in social services, children and young people.

In the course of discussion, Councillor Devlin expressed disappointment that Barrhead High School was the only secondary school in East Renfrewshire below the national average for positive destinations. In response, the Head of Education Services (Quality Improvement and Performance) advised that there had been an improvement in the Barrhead High School destination figures in recent years and the number of young people in positive destinations had improved since September 2018, after these figures had been released. He added that the attainment figures for Barrhead High School continued to improve and the Education Department worked closely with SDS to offer additional support to the school.

Further information was provided on apprenticeship opportunities across the Council's services. In response to a question about course trends, Ms Creighton explained that applications for courses varied widely from year to year, although jobs within the construction industry remained popular, and there was currently a focus on early years employment as a reaction to changes to the expansion of Early Learning and Childcare.

Thereafter, having heard Councillor O'Kane thank Ms Creighton and Mr Gilligan for an interesting and informative presentation, the committee agreed to note the presentation and the comments made.

CHAIR



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

**Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 4 April 2019.**

**Present:**

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

Councillor Alan Lafferty  
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); Phil Daws, Head of Environment (Strategic Services); Robert Spencer, Principal Accountant (Revenue); and Paul O'Neil, Committee Services Officer.

**Apology:**

Councillor Colm Merrick.

**REQUEST TO RECORD PROCEEDINGS**

**846.** The Leader intimated that a request had been received for permission to audio record the meeting. Having given consideration to the request the Cabinet decided that permission be denied. It was further agreed that any subsequent request that was submitted would also be denied.

**DECLARATIONS OF INTEREST**

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

**CABINET WORK PLAN PROGRESS 2018/19 AND CABINET WORK PLAN 2019/20**

**848.** Under reference to the Minute of meeting of the Cabinet of 26 April 2018 (Page 370, Item 396 refers), when the Cabinet agreed amongst other things that progress against the Cabinet Work Plan be reviewed in April 2019 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 2018/19 Cabinet Work Plan and submitting for consideration the draft Work Plan for 2019/20. Details of the progress made against the 2018/19 Plan together with a copy of the draft Plan for 2019/20 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 2018/19 plan; and highlighted the items of business included in the draft Plan for 2019/20.

The report concluded by indicating that the Cabinet Work Plan was a forward planning exercise which would continue to ensure the strategic focus of the Council was maintained. Furthermore, 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) noted the performance against the Cabinet Work Plan for 2018/19;
- (b) approved the content of the draft Cabinet Work Plan for 2019/20; and
- (c) agreed that progress against the Cabinet Work Plan be reviewed in April 2020 and updated annually thereafter.

#### **ESTIMATED REVENUE BUDGET OUT-TURN 2018/19**

**849.** The Cabinet considered a report by the Chief Financial Officer, detailing the projected Revenue Budget Out-turn for 2018/19 and providing details of the expected year-end variances together with summary cost information for each of the undernoted services as at 1 February 2019:-

- (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 1 February 2019, the estimated year-end position showed a net favourable variance on net expenditure of £2,343,000 based on current information, the report indicated that for General Fund services the projected underspend was £1,924,000. However, it was noted that the Council Tax collection position was slightly lower than budgeted with a reduction in income of £270,000 now anticipated, bringing the total forecast underspend on General Fund services to £1,654,000. Furthermore, the projected revenue out-turn variance reflected the increased pressures arising from the latest pay award.

The report concluded by highlighting a number of operational variances and reflected management action to consolidate and maximise underspends wherever possible in the current year in order to help address future budget provision.

The Cabinet, having noted the probable out-turn position, agreed to approve the service virements and operational adjustments as set out in the report.

### **HOUSING ASSET MANAGEMENT PLAN 2019/23**

**850.** The Cabinet considered a report by the Director of Environment, providing details of the refresh of the Housing Asset Management Plan (HAMP) for 2019/23. A copy of the Plan was appended to the report.

The report explained that the HAMP related to the delivery of strategic outcome 3.3 of the Community Plan with particular regard to ensuring the provision of good quality affordable housing across the Council area and addressing housing need. The Plan was one of a suite of strategic documents that collectively defined, controlled and improved the management of all Council assets such as Fleet; Open Spaces; ICT; etc. Furthermore, the latest Plan covered Council housing and other assets including garages; lockups; and retail units held on the Housing Revenue Account (HRA).

Whilst noting that the Plan underpinned the aims of Housing Services to provide the best possible housing to meet the needs of current and prospective tenants, the report provided details of the key facts that arose from the analysis of the Plan. Furthermore, the HAMP established the strategic basis for how to most effectively efficiently invest in Council housing to provide warm, dry, affordable and popular housing on the basis of the condition of the housing stock and the need and demand for Council housing.

The Cabinet approved the updated Housing Asset Management Plan 2019/23.

CHAIR



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

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 10 April 2019.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Angela Convery  
Provost Jim Fletcher

Councillor Stewart Miller  
Councillor Jim Swift

Councillor Ireland in the Chair

**Attending:**

Shona Fraser, Operations Manager; Ian Walker, Senior Planner; and Derek Scott, Planner, Development Management; John Davidson, Prevention Services Manager (Environmental Health); and Paul O'Neil, Committee Services Officer.

**Apologies:**

Councillors Betty Cunningham and Jim McLean.

**REQUEST TO RECORD PROCEEDINGS**

**851.** The Committee Services Officer intimated that a request had been received to audio record the meeting. The request was approved.

**DECLARATIONS OF INTEREST**

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

**APPLICATIONS FOR PLANNING PERMISSION**

**853.** The committee considered reports by the Director of Environment, on applications for planning permission requiring consideration by the committee.

It was agreed that the applications be determined as indicated at Appendix 1 accompanying this Minute, particular reference being made to the following:-

- (i) 2018/0623TP – Erection of family centre/nursery school (including phase 2 community changing rooms extension), plant room and cycle/pram shelter, with car parking at Crookfur Pavilion, Crookfur Park, Ayr Road, Newton Mearns, by East Renfrewshire Council

The Operations Manager outlined the terms of the proposal and indicated that following the assessment of the application, it was recommended that the application be approved, subject to conditions.

Councillor Swift expressed concerns about the problem of surface water flowing onto Crookfur Road and sought an assurance that the proposed development would not exacerbate the existing problems that were being experienced.

In reply, the Senior Planner stated that the Council was seeking further information about the proposed drainage arrangements at the application site and that the concerns expressed would be addressed by condition (i.e. Condition 9).

Councillor Miller sought clarification about how much green space would be lost as a result of the proposed development in the course of which the Senior Planner explained that it was difficult to quantify. However, it was noted that the main recreational area in Crookfur Park which was outwith the application site would remain. In response to a further question by Councillor Miller regarding the impact the proposed development would have on parking provision at the application site he advised that the existing parking provision was there to serve both those visiting the existing pavilion and Parklands Hotel and Leisure Centre. Concluding his remarks, he explained that the existing play area would be relocated within Crookfur Park and this would be addressed by condition should the application be approved.

Whilst noting that the proposed nursery would accommodate up to 120 pupils, Councillor Swift expressed concern about the provision of car parking at the site which in his opinion was insufficient.

Provost Fletcher was heard in support of the proposal in the course of which he stated that the proposal formed part of the Council's provision of early learning and childcare which was a popular national policy. Concluding his remarks, he stated that he did not accept that there was a need to provide additional car parking at the site to reflect the number of pupils at the proposed nursery.

Councillor Miller stated that the provision of car parking at the site was not simply for the proposed nursery but also to accommodate those attending Parklands Hotel and Leisure Centre. He also expressed concerns about road safety regarding vehicles leaving the application site and turning right onto Ayr Road.

In reply, the Senior Planner emphasised that the Roads Service was satisfied with the provision of car parking at the application site. However, it was seeking improvements to the right hand turning lane into Crookfur Park and the installation of a signalised pedestrian crossing to facilitate safer pedestrian access to the site from the east.

At this stage, Councillor Ireland, seconded by Provost Fletcher, moved that the application be approved, subject to the conditions detailed in the report.

Councillor Swift moved as an amendment that the application be approved subject to the:

- (a) conditions detailed in the report; and

- (b) creation of an additional 15 car parking spaces at the application site.

In the absence of a seconder, his amendment fell.

The committee agreed that the application be approved, subject to the conditions detailed in the report.

### **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 Paragraph 13 of Part I of Schedule 7A to the Act".

### **NOTICE REQUIRING PROPER MAINTENANCE OF GARDEN LAND IN NEILSTON**

**854.** Under reference to the Minute of the meeting of the committee of 4 October 2017 (Page 159, Item 175 refers), when the committee authorised the service of a notice requiring proper maintenance of land in terms of Section 179 of the Town and Country Planning (Scotland) Act 1997 for the front garden of a property in Neilston, the committee considered a report by the Director of Environment providing an update in respect of the matter.

The committee, having heard the Operations Manager provide background information in relation to the matter and the options that were available to the committee, agreed:

- (a) to discontinue the enforcement action that had been authorised in terms of Section 179 of the Town and Country Planning (Scotland) Act 1997;
- (b) that officers continue to explore alternative actions under other legislative powers in consultation with colleagues from the Health and Social Care Partnership; and
- (c) that in the event that no progress had been made after a period of 6 months, a further report be submitted to the committee providing details of what action the Council proposed to take to resolve the issue.

CHAIR





**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997**

Index of applications under the above acts considered by Planning Applications Committee on  
10.04.2019

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**Reference No:** 2018/0623/TP

**Ward:** 2

**Applicant:**

Mhairi Shaw  
211 Main Street  
Barrhead  
United Kingdom  
G78 1SY

**Agent:**

Julie Benson  
50 Bell Street  
Glasgow  
United Kingdom  
G1 1LQ

**Site:** Crookfur Pavilion Crookfur Park Ayr Road Newton Mearns East Renfrewshire

**Description:** Erection of family centre/nursery school (including phase 2 community changing rooms extension), plant room and cycle/pram shelter; with car parking

**Decision:** Approved subject to conditions

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**Reference No:** 2019/0027/TP

**Ward:** 1

**Applicant:**

Director Of Education  
211 Main Street  
Barrhead  
Scotland  
G78 1SY

**Agent:**

Katrina Hamilton  
2 Spiersbridge Way  
Spiersbridge Business Park  
Thornliebank  
Scotland  
G46 8NG

**Site:** Cross Arthurlie Primary School 7 Fern Drive Barrhead East Renfrewshire G78 1JF

**Description:** Erection of extension to accommodate a nursery with associated playground; extension to car parking.

**Decision:** Approved subject to conditions



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

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 16 April 2019.**

**Present:**

Councillor Angela Convery (Chair)                      Councillor Stewart Miller  
Councillor Alan Lafferty

Councillor Convery in the Chair

**Attending:**

Jacqui McCusker, Senior Solicitor; and Jennifer Graham, Committee Services Officer.

**Also Attending:**

Sergeant Scott Brown, Police Scotland.

**Apologies:**

Councillors Betty Cunningham (Vice Chair) and Charlie Gilbert.

**DECLARATIONS OF INTEREST**

**855.** 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 items of business on the grounds that they 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 – APPLICATION FOR GRANT**

**856.** The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 3 refers).

The applicant was present together with his representative Mr Hamid.

Sergeant Brown representing the Chief Constable who had made a representation in respect of the application was also present.

The report explained that in determining the application it would be for the committee to decide what weight it wished to attach to the representation by the Chief Constable and its relevance to the type of licence being applied for.

Sergeant Brown was heard in respect of the representation submitted by the Chief Constable and in response to questions from Members.

The applicant and his representative were then heard in respect of the application and in response to questions from Members.

The committee, having taken account of the applicant's previous conviction, its seriousness and relevance to the licence being applied for, and also having taken account of the representation by the Chief Constable, agreed that the application be granted for a period of one year subject to standard conditions.

#### **PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR RENEWAL**

**857.** The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the renewal of a Private Hire Car Driver's Licence (Agenda Item 4 refers).

The applicant, having been invited to attend, was not present.

Following brief discussion the committee agreed to continue consideration of the application to the next meeting to allow the applicant to make a personal appearance, it also being agreed that should the applicant again fail to appear or be represented the committee would proceed to determine the application in his absence.

#### **PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR RENEWAL**

**858.** The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the renewal of a Private Hire Car Driver's Licence (Agenda Item 5 refers).

The applicant, having been invited to attend, was not present. The Senior Solicitor advised that correspondence had been received from the applicant earlier that day seeking a continuation of the application due to a family illness.

Following brief discussion the committee agreed to continue consideration of the application to the next meeting to allow the applicant to make a personal appearance, it also being agreed that should the applicant again fail to appear or be represented the committee would proceed to determine the application in his absence.

#### **PAYMENTS AND ADDITIONAL CHARGES – TAXI AND PRIVATE HIRE CAR LICENCE CONDITIONS AMENDMENT**

**859.** Under reference to the Minute of the meeting of 19 March 2019 (Page 786, Item 838 refers), when it was agreed that the report be continued to allow further investigation of the complaint to be made, the committee considered a report by the Chief Officer - Legal and

Procurement seeking views on whether to take any further action in respect of a complaint made against a private hire driver and to consider the introduction of amendments to licence conditions to address unacceptable practices in relation to payment (Agenda Item 6 refers).

The Senior Solicitor was heard further regarding the report, providing additional information on the incident which had been received since the last meeting, and in response to questions from members.

Following discussion the committee agreed that:-

- (a) no further action be taken regarding the complaint against a private hire driver;
- (b) the licensing conditions be amended to include additional information about requests for payment of a soiling charge, as detailed within the report; and
- (c) the Principal Solicitor carry out the necessary administrative procedures in relation to the additional licensing condition.

CHAIR



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

**Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 25 April 2019.**

**Present:**

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

Councillor Alan Lafferty  
Councillor Colm Merrick

Councillor Buchanan, Leader, in the Chair

**Attending:**

Caroline Innes, Deputy Chief Executive; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Louise Pringle, Head of Business Change and Revenues; Jamie Reid, Strategic Insight and Communities Senior Manager; Alison Findlay, Policy and Employment Law Adviser; and Paul O'Neil, Committee Services Officer.

**Apology:**

Councillor Paul O'Kane (Deputy Leader).

**DECLARATIONS OF INTEREST**

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

**JOINT CONSULTATIVE COMMITTEE (FIRST TIER)**

**861.** The Cabinet considered and noted the Minute of the meeting of the Joint Consultative Committee (First Tier) held on 14 February 2019, which forms Appendix 1 accompanying this Minute.

**BEST VALUE ASSURANCE REPORT – ACTION PLAN UPDATE**

**862.** Under reference to the Minute of the meeting of the Cabinet of 26 April 2018 (Page 369, Item 395 refers), when it was agreed amongst other things to approve the Best Value Assurance Report (BVAR) action plan update, the Cabinet considered a report by the Chief Executive, providing an update on the delivery of the action plan arising from the Council's Best Value Assurance Report (BVAR) that had been published in November 2017, following an audit of Best Value carried out by Audit Scotland on behalf of the Accounts Commission. A copy of the action plan update as at April 2019 was appended to the report.

The report explained that in terms of the Local Government in Scotland Act 2003, councils had a statutory duty to secure Best Value and that the Council had been subject to its second audit of Best Value in 2017 which had covered a range of issues. Arising from that audit, 5 recommendations were made in the areas of member scrutiny; strategic planning; spending against revenue budgets; community engagement and empowerment; and option appraisal.

Whilst noting that evidence had been listed against each of the recommendations as detailed in the appendix to the report, the report indicated that this demonstrated how the Council had completed the actions specified in the action plan. The evidence included supporting elected member scrutiny via training and the recruitment of an additional temporary officer to further enhance the work of the Audit and Scrutiny Committee; clarifying the Council's longer term approach to financial planning and demonstrating the integration of the Council's strategic plans.

Furthermore, specific actions against longer term areas such as reviewing service planning, implementing budgeting, progress on City Deal projects and demonstrating the use of option appraisals had also been progressed and would be taken forward as part of day to day business.

The report concluded by highlighting that the Council had shown its ongoing commitment to achieving Best Value for East Renfrewshire's residents and communities and that a robust monitoring process was in place. The action plan demonstrated the Council's progress and strong culture of continuous improvement and modernisation. It was noted that there would be ongoing annual scrutiny of the Council's arrangements for Best Value as part of the yearly external audit process.

The Cabinet:

- (a) approved the Best Value action plan update as at April 2019; and
- (b) otherwise noted the completion of the actions in the action plan.

### **UPDATE ON MODERN, AMBITIOUS PROGRAMME (MAP)**

**863.** Under reference to the Minute of the meeting of the Cabinet of 21 June 2018 (Page 445, Item 472 refers), when the Cabinet agreed amongst other things to note that work was underway to develop and enhance the Council's approach to reporting on the modern, ambitious programme, the Cabinet considered a report by the Deputy Chief Executive, providing a high level update on the Modern, Ambitious Programme (MAP) including Core Systems and delivery of the Digital Strategy.

The report explained that the Council's Modern, Ambitious Programme (MAP) sought to modernise the way in which the Council worked; addressed the pressures of increasing demands and financial constraints; and concentrated on three of the Council's five capabilities which were noted as modernising, digital and data. Given the financial situation of the Council, MAP projects had tended to focus on financial savings whilst still protecting or improving outcomes for the Council's citizens.

Details of the six major programmes of change were outlined in the report and were noted as Core Systems; Digital; Environmental change programme; HSCP change programme (Fit for the Future); Education change programme; and Corporate and Community Services change programme. Whilst noting the progress that had been made to develop strategic programme reporting for the Council's change programmes, the report provided an update on the Core



Systems programme and indicated that the Council had awarded a 5-year contract for a new Finance/Procurement system with scope for five 12 month extensions should this be required and the award of a 4-year contract for a new HR/Payroll system.

In terms of the Council's Digital Strategy which had been approved at the meeting of the Cabinet on 21 June 2018, the report advised that the Council had now established a Digital Board; and provided a detailed overview of all the digital projects ongoing across the Council together with a scored evaluation of how digital the Council's processes were. Furthermore, the Local Government Digital Office had carried out a Digital Maturity assessment earlier this year which had resulted in a positive outcome. Details of the key departmental change projects being carried out in the Council were also outlined in the report together with confirmation that the 2019/20 savings targets were on track to be delivered.

The Cabinet:

- (a) noted the progress to develop strategic programme reporting for the Council's change programmes;
- (b) noted the award of a 5-year contract for a new Finance/Procurement system, with scope with five 12-month extensions if required;
- (c) noted the award of a 4-year contract for a new HR/Payroll system;
- (d) commented the significant progress to develop a Digital Board and digital programme, including analysis of digital skills and scoring of digital processes;
- (e) acknowledged the positive outcomes of the Local Government Digital Offices Digital Maturity Assessment of the Council;
- (f) noted the overview of the key departmental change projects; and
- (g) noted the departmental confirmation that 2019/20 savings targets were on track to be delivered.

#### **PROGRESS ON THE COUNCIL'S EQUALITY AND HUMAN RIGHTS MAINSTREAMING AND OUTCOMES PROGRAMME: 2017-21**

**864.** The Cabinet considered a report by the Deputy Chief Executive, providing an update on the Council's programme to fulfil its equality and human rights duties in accordance with the report published in April 2017 entitled "Review of the Council's Equality and Human Rights Requirements and Plans for Equality Outcomes 2017-2021". A copy of the document was appended to the report.

The report outlined the Council's equality duties as required by the provisions of the Equality Act 2010 and the Equality Act 2010 (Specific Duties)(Scotland) Regulations 2012 and explained that every two years the Council was required by law to publish a report on the progress made to achieve the equality outcomes it had set, no later than 30 April. In addition, the Council was required to publish a report on progress towards making the general equality duty integral to the exercise of its functions, so as to better perform that duty. The information that should be included in these follow-up reports was also outlined in the report.

Whilst noting the engagement and consultation that had taken place which had employed a number of methods used to track progress in fulfilling the Council's equality commitments. Feedback from discussion workshops from the 'Bridges to Change' conference was also outlined in the report.

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The Cabinet:-

- (a) noted the terms of the report; and
- (b) approved the report for publication on the Council's website by 30 April 2019.

CHAIR