

## **MINUTE VOLUME**

### **16 DECEMBER 2020**

Council	28 October 2020 .....	1301
Local Review Body	4 November 2020.....	1311
Cabinet	5 November 2020.....	1313
Education Committee	12 November 2020.....	1317
Cabinet (Police & Fire)	19 November 2020.....	1321
Cabinet	26 November 2020.....	1325
Audit & Scrutiny Committee	26 November 2020.....	1331
Council	26 November 2020.....	1341
Appointments Committee	1 December 2020.....	1345
Planning Applications Committee	2 December 2020.....	1347
Local Review Body	2 December 2020.....	1351
Cabinet	3 December 2020.....	1353
Licensing Committee	8 December 2020.....	1359
Appeals Committee	9 December 2020.....	1363



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

**Minute of virtual meeting held at 7.00pm on 28 October 2020.**

**Present:**

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

Provost Fletcher in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Mhairi Shaw, Director of Education; Andy Cahill, Director of Environment; Julie Murray, Chief Officer – Health and Social Care Partnership; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Gerry Mahon, Chief Officer (Legal & Procurement); Kate Rocks, Chief Social Work Officer; Sharon Dick, Head of HR and Corporate Services; Mark Ratter, Head of Education Services (Quality Improvement and Performance); Gill Darbyshire, Chief Executive’s Business Manager; Eamonn Daly, Democratic Services Manager; Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

**Apology:**

Councillor Jim McLean.

**JIM SHAW, MBE**

**1399.** Provost Fletcher advised the Council of the recent sad death of Mr Jim Shaw, MBE, a former East Renfrewshire Councillor from 1996 until 2007, and Deputy Provost from 2003 until 2007.

Having heard Provost Fletcher comment that Mr Shaw had been a highly respected councillor, the Council observed a minute’s silence in his honour.

**DECLARATIONS OF INTEREST**

**1400.** There were no declarations of interest intimated.

## **MINUTE OF PREVIOUS MEETING**

**1401.** The Council considered the Minute of the meeting held on 9 September 2020.

Under reference to Item 1346 (Page 1255 refers), Councillor Wallace reported that he had still not received the clarification the Head of Environment (Chief Planning Officer) had undertaken to provide in respect of Huntly Park.

The Council:-

- (a) approved the Minute of the meeting held on 9 September 2020; and
- (b) otherwise, noted the comment made by Councillor Wallace on the information he was awaiting on Huntly Park.

## **MINUTES OF MEETINGS OF COMMITTEES**

**1402.** The Council considered and approved the Minutes of the meetings of the undernoted, except as otherwise referred to in Items 1403 to 1405 below:-

- (a) Cabinet – 10 September 2020;
- (b) Cabinet (Police & Fire) – 17 September 2020;
- (c) Cabinet – 24 September 2020;
- (d) Audit & Scrutiny Committee – 24 September 2020;
- (e) Planning Applications Committee – 30 September 2020;
- (f) Local Review Body – 30 September 2020;
- (g) Education Committee – 1 October 2020;
- (h) Cabinet – 22 October 2020.

## **PLANNING APPLICATIONS COMMITTEE – MINUTE OF MEETING OF 30 SEPTEMBER 2020**

**1403.** Under reference to the minute of the Planning Applications Committee on 30 September (Page 1282, Item 1381 refers), when it was agreed that the Planning Service would write to the Scottish Government's Reporter's Unit (DPEA) asking for a meeting to discuss the decision making processes of Reporters, Councillor Miller reported that a representative from the Reporter's office would attend the Planning Applications Committee on 2 December.

The Council noted the update.

## **PLANNING APPLICATIONS COMMITTEE – MINUTE OF MEETING OF 30 SEPTEMBER 2020**

**1404.** Under reference to the Minute of the meeting of the Planning Applications Committee held on 30 September 2020 (Page 1282, Item 1382 refers), Councillor Ireland advised that she had made a number of comments in relation to application 2019/0858/TP which had not been included in the Minute. Amongst other things she had noted that the application had previously been rejected; void rates referred to in the Economic Impact Report were not accurate; the application did not comply with policy SG7; and she raised concerns about the condition of the existing building. She acknowledged that the Minute was not a verbatim

record but believed that this information should be included in the Minute as a record that a full discussion had taken place prior to the final decision being made.

Having heard the Democratic Services Manager remind Members that a recording of the meeting containing all the information Councillor Ireland was seeking to be included in the Minute was available on the Council's YouTube channel for public viewing, the Council agreed that the Minute be amended in appropriate terms.

## **AUDIT AND SCRUTINY COMMITTEE – MINUTE OF MEETING OF 24 SEPTEMBER 2020**

**1405.** Under reference to the Minute of the meeting of the Audit and Scrutiny Committee held on 24 September 2020 (Page 1274, Item 1372 refers), when the Accounts Commission report entitled *Equal Pay in Councils Impact Report* and the position as it related to East Renfrewshire was noted, Councillor Wallace highlighted that the report referred to the Council's commitment to equality but also stated that two thirds of the highest paid employees and three quarters of the Council's overall employees were female. He sought clarification regarding whether any concerns had been raised about these statistics at the meeting.

Having heard Councillor Miller report that the information contained within the report had been received positively by Members of the Committee and no specific comments about the Council's recruitment policy had been made at the meeting, the Council noted the comments made.

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

**1406.** The following statements were made:-

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

Councillor Bamforth referred to business considered at the most recent meeting of the Health and Social Care Partnership Integration Joint Board (IJB) at which the main focus had been a series of annual governance reports for scrutiny by the Board. The Audited Annual Accounts had been approved and the Board had been pleased to note that these had been unqualified and demonstrated sound financial governance. Copies were available via the IJB papers or from the IJB Chief Financial Officer.

The Annual Performance Report had been considered and included information on how to use a range of media to engage with the public and recognised that not all services were operating as normal due to the pandemic. Information was provided on young people with mental health issues as instances of emotional distress and self-harm had increased as a result of the pandemic.

The Chief Social Work Officer had shared with the Board her annual report to the Council. The report was to be considered by the Council later in the meeting at which time Elected Members would have the opportunity for full scrutiny of social work activity over the past year. Further discussion had taken place on the impact of the pandemic on children and adult services and the increased isolation being experienced by older people. The impact on the mental health of care home and homecare staff was also discussed.

Councillor Bamforth went on to report that, although the annual reports were by nature retrospective, they had contained useful detail about the pandemic response and recovery going forward. She further reported that a presentation had been provided on the East Renfrewshire Alcohol and Drugs Plan for 2020-23 and the plan was approved for publication.

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

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

Councillor Merrick explained that the Trust's recovery continued even though restrictions, including suspension of indoor fitness classes, had been put in place due to the pandemic and 65% of the Trust's staff remained on furlough. He advised that outdoor fitness classes had continued; swimming lessons had resumed at Barrhead and Eastwood Park with lessons at Neilston due to start soon; and provided an update on libraries and community halls.

Councillor Merrick reported that the Trust had been awarded £90,000 from Creative Scotland to fund initiatives to support the ongoing recovery of performing arts and one of the proposals being considered was the creation of a theatre technical skills programme in partnership with the Education Department to increase capacity and skills within the sector among young people.

He also made reference to eBook, eAudio and Digital Magazine services which had been operating during the lockdown period and the development of online arts classes. The Trust had taken the opportunity to rebuild the Leisure Management System during lockdown which would lead to enhanced customer experience in future. The new system included the launch of an East Renfrewshire Culture and Leisure App which would allow customers to book and view services online.

The Council noted the statements.

**APPOINTMENTS TO INTEGRATION JOINT BOARD AND LICENSING COMMITTEE/BOARD**

**1407.** The Council considered a report by the Deputy Chief Executive seeking appointments to the Integration Joint Board (IJB), the Licensing Committee and the Licensing Board following the resignations of Councillors O'Kane and Lafferty from the IJB and Licensing Board/Committee respectively.

The report provided further information on the IJB including a calendar of meetings for the remainder of 2020 and for 2021 and explained that, although not a requirement, traditionally membership of the Licensing Board and Licensing Committee was the same.

Councillor Buchanan, seconded by Deputy Provost Cunningham, proposed that Councillor Lafferty be appointed to the IJB and Councillor O'Kane be appointed to the Licensing Committee/Board.

Councillor Macdonald, seconded by Councillor Aitken, proposed as an amendment that Councillor Macdonald be appointed to the Licensing Committee/Board.

The Democratic Services Manager clarified that Councillor Lafferty had been appointed to the IJB unopposed and that the appointment of a member to the Licensing Committee/Board would be subject to a vote which in light of current circumstances would be a roll call vote.

On the roll being called, Provost Fletcher, Deputy Provost Cunningham and Councillors Bamforth, Buchanan, Convery, Gilbert, Grant, Ireland, Lafferty, Merrick, O'Kane and Wallace voted for the motion. Councillors Aitken, Macdonald and Swift voted for the amendment. Councillor Miller abstained.

There being 12 voted for the motion, 3 for the amendment and 1 abstention, the motion was accordingly declared carried and it was agreed that Councillor O'Kane be appointed to the Licensing Committee/Board and Councillor Lafferty be appointed to the IJB.

## **POST OF HEAD OF EDUCATION**

**1408.** The Council considered a report by the Deputy Chief Executive seeking approval for a proposed change to Head of Service remits within the Education Department and approval for the establishment of an Appointments Committee as part of the arrangements to fill the vacant post.

The report explained that the recent appointment of Dr Ratter as Director of Education had resulted in a Head of Service vacancy and, in order to support resilience and development of staff and roles within the department, it was proposed that changes be made to the senior role remits. There would be no change to the overall number of posts.

Further information was provided on the revised remits; how these changes would affect the two Heads of Service currently in post; and a proposed timetable for the appointment of the Head of Education Services (Equality and Equity).

Councillor O'Kane was heard further in relation to the revised remits and, seconded by Councillor Cunningham, proposed that Councillors O'Kane and Merrick, as Chair and Vice Chair of Education Committee, be appointed to the Appointments Committee, together with Councillors Buchanan, McLean and Wallace.

Councillor Wallace sought clarification regarding the appointment procedure and, in particular, whether or not the Head of Service post to be advertised was the correct one. Having received clarification from Councillor O'Kane and officers regarding the appointment procedure and confirmation that the Council could approve the revision of departmental remits, Councillor Wallace continued to express concern in this regard. In response to a question from Councillor Swift, the Deputy Chief Executive confirmed that Chief Officer appointments were not delegated to departments. She added that discussions had taken place with officers from HR to ensure the correct procedure was being followed, prior to finalisation of the report.

The Council agreed:-

- (a) to approve the proposed revised Head of Service remits within the Education Department;
- (b) to approve the recruitment procedure as detailed;
- (c) to delegate to the Deputy Chief Executive, in consultation with the Director of Education, to make the necessary arrangements;

- (d) that Councillors O’Kane, Merrick, Buchanan, McLean and Wallace, be appointed to the Appointments Committee;
- (e) that the Director of Education put in place appropriate interim management arrangements for the department, if required.

## **PROVOST’S ENGAGEMENTS**

**1409.** The Council considered and noted a report by the Deputy Chief Executive, providing details of an event attended by Provost Fletcher, highlighting that appropriate social distancing and other safety measures had been adhered to.

## **OUTCOME DELIVERY PLAN 2020-23**

**1410.** The Council considered a report by the Chief Executive, providing details of the Council’s Outcome Delivery Plan (ODP) 2020-23 which set out the Council’s contribution to the delivery of the Community Plan. A copy of the ODP was appended to the report.

The report highlighted that the purpose of the ODP was to communicate the Council’s contribution to the Community Plan with the additional organisational outcome of Customer, Efficiency and People. Furthermore, it was a rolling 3-year plan that was updated annually and had been nearing completion pre COVID-19. However, due to the pandemic formal community planning meetings were paused and approval of the plan had been put on hold.

As the new Community Plan had only been approved in June 2018, a light touch approach had been taken to reviewing the ODP since then and, in light of the pandemic, it had now been revised to take account of recovery planning and the impact of COVID-19 across the Council family. Council departments, East Renfrewshire Culture and Leisure Trust, and the Health and Social Care Partnership (HSCP) had worked on reviewing and updating the ODP mapping diagrams to produce a revised ODP to reflect changes in work priorities as a result of the pandemic. Although intermediate outcomes had remained the same, a number of critical activities had changed to reflect work undertaken to address the impact of COVID-19 across East Renfrewshire communities.

Details of the four main sections of the plan were outlined in the report these being noted as Strategic Outcomes 1-5; Customer, Efficiency and People outcomes; Finance Information – Spending Plans; and Annexes. It was noted that as the ODP was a strategic, Council-wide plan, it could not cover the extensive range of planned activity to be undertaken across the Council over the lifetime of the plan. However, the plan acknowledged the service strategies and operational plans that underpinned strategic outcome delivery.

The report also provided information in relation to target setting and performance monitoring, and the use of the ODP to test the Fairer Scotland duty that required public bodies to actively consider how they could reduce inequalities of outcome caused by socioeconomic disadvantage in any major strategic decisions. In light of the pandemic and the focus on recovery, targets for indicators would not be included for 2020-21 and would be revised the following year.

In response to questions, the Director of Education confirmed that although physical library visits had decreased, book issues and e-book issues had increased and this trend was being replicated across the country. The Head of Education Services (Quality Improvement and Performance) highlighted that the aim was to make the attainment gap as narrow as



possible but acknowledged that COVID-19 would have an impact on these figures. He advised that schools were working hard to address these issues in school, with additional literacy and numeracy work taking place. Classes had also been held during the October school break and Saturday classes were being held in partnership with the Leisure Trust.

The Deputy Chief Executive reported that a large number of staff were working for home and would be encouraged to add their mobile contact details to emails, where possible, to make them more accessible. Staff had reported both positives and negatives in relation to their working from home experience and it was highlighted that the Council would want to maximise the benefits of that in the longer term, although it was acknowledged that working from home did not suit everyone. She added that customer satisfaction would continue to be monitored through the Citizen's Panel and some areas of work which required extra attention would be reported to the Audit and Scrutiny Committee.

The Director of Environment reported that occupancy of Greenlaw Business Centre had been badly affected by COVID-19 as non-essential office accommodation and call centres were unable to open due to government guidance. He referred to a comprehensive report on supporting town centres and employability which had been submitted to the Cabinet in August, advising that he would send a copy of the report to Councillor Swift for his information.

In addition to the comments made by officers, Councillor Buchanan reported that the employability team were working on a robust response for recovery and a Member/officer working group had also been established to support the recovery process. He added that some targets which were normally contained within the ODP had been removed to allow the post-virus position to be considered.

The Chief Executive added that the Council prepared a comprehensive report on the local government benchmarking framework which compared the Council's position to other local authorities generally and to local authorities with similar demographics. In the longer term it was anticipated that similar comparisons could be added to other reports, including the ODP, but it was sometimes difficult to get a balance between clarity and additional information.

The Council:-

- (a) approved the content of the Outcome Delivery Plan (ODP) 2020-2023;
- (b) noted the changes to the previous ODP, reflecting the impact of COVID-19 on the serviced funded by the Council; and
- (c) noted that targets had not been set for this year as many would require to be re-baselined to reflect the impact of COVID-19.

## **CHIEF SOCIAL WORK OFFICER'S ANNUAL REPORT 2019/20**

**1411.** The Council considered a report by the Chief Social Work Officer, providing details of her Annual Report for 2019/20 and seeking approval of the report for submission to the Office of the Chief Social Work Adviser, Scottish Government. A copy of the Annual Report was appended to the report.

The Annual Report provided an overview of the professional activity for social work within East Renfrewshire for 2019-20 through the delivery of statutory functions and responsibilities held by the Chief Social Work Officer. The impact of COVID-19 on the production of the annual report was highlighted and it was explained that the report provided a narrative of

social work and social care activity across 5 broad headings, these being Governance and Accountability arrangements; Service Quality and Performance; Resources; Workforce; and COVID-19.

A number of areas of strong performance and success were highlighted including the enhancement of the Family Wellbeing Service; reductions in the number of children and young people looked after away from home; enhanced levels of participation and engagement by looked after children and young people; and in adult social work and social care continued high numbers of adults reporting that their outcomes were met.

The report also highlighted a continuing number of significant challenges and risks facing social work and social care in East Renfrewshire. These included dealing with rising incidences of domestic abuse; implementation of learning from the Care Review in all aspects of work with looked after children and young people; increasing expectations and demands from the public and stakeholders, the impact of COVID-19; and the management of increased service demand at a time of diminishing resources and workforce capacity. It was noted that there would be a changing landscape for health and social care services in future as a consequence of COVID-19, and social care would be required to adapt to ensure the recovery, rising demand and renewal associated with protecting and caring for our most vulnerable citizens and all those who were at risk in our communities was supported.

The Chief Social Work Officer was heard in detail on the report, referring to the strong performance of the service over the year, including continued strengthening of partnership arrangements and multi-agency working; a strengthened approach for supporting families; and extra refuge facilities for domestic abuse victims. She explained that in looking forward she was keen to review the impact of COVID-19 on the physical and mental wellbeing of young people, and older people with dependency.

In conclusion, she commended the way in which the HSCP workforce had dealt with the many challenges and risks they had faced during the pandemic.

Members congratulated HSCP staff for their hard work and dedication prior to and during the pandemic and for a very positive annual report. It was recognised that strong work had been undertaken with care experienced young people; adoption rates in East Renfrewshire had increased; and there had been a number of improvements within children's services.

In response to Members, the Chief Social Work Officer reported that a new service was being launched to put a recovery team in place for young people which would include health improvement officers; teachers; family support officers; and third sector providers and would be funded using school counselling funds which could not be used during lockdown. She added that the introduction of a centralised Adult Support and Protection Team to respond to calls dealing with emotional and mental distress, including within local care homes, had been a very positive move.

Having heard Provost Fletcher thank the Chief Social Work Officer for a comprehensive and informative report, the Council approved the content of the Chief Social Work Officer's Annual Report for submission to the Office of The Chief Social Work Advisor, Scottish Government.

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

**1412.** Under reference to the Minute of the meeting held on 24 June 2020 (Page 1195, Item 1283 refers) when the Council noted a report on further actions that had been taken in response to the COVID-19 pandemic, the Council considered a report by the Chief Executive providing an update on recovery work taking place across the Council.

Prior to introducing the report, Councillor Buchanan made a direct appeal to local residents urging them to adhere to the rules which had been introduced by the Government, as the number of COVID-19 cases had increased locally in recent weeks.

The report provided details of the additional activities that had been undertaken since the previous report and highlighted that it was not clear how long the Council would need to continue to deliver these services and functions and what the ongoing financial implications would be.

In response to concerns raised by Councillor Wallace regarding traffic and crowding issues at Giffnock Primary School, Councillor Buchanan advised that information had been issued to all parents outlining the procedures which should be followed when picking up and dropping off children at school, including wearing face coverings and social distancing, and that further information would be issued as required. The Director of Education advised that discussions were ongoing at Giffnock Primary School in respect of complaints which had been received, adding that the campus police officer was monitoring the situation and no increased transmissions of COVID-19 had been detected as a result of any incidents in or around the school at the start and end of the day. In response to a question from Councillor Ireland regarding when external organisations would be able to access school premises, the Director of Education advised that it was highly unlikely that access would be given before Spring 2021 as keeping schools open for pupils was their main priority. In order to allow external clubs to access school buildings extra cleaning regimes would require to be introduced and it was difficult to ensure that appropriate contact tracing was taking place. She added that access to outdoor pitches could not be given without access to toilet facilities within buildings.

The Council noted the report and comments made.

## **UPDATE ON COVID-19 IMPACT ON FINANCIAL PLANNING**

**1413.** Under reference to the Minute of the meeting held on 24 June 2020 (Page 1188, Item 1277 refers), when the Council noted the significant budget gap for 2020/21 arising from COVID-19, the Council considered a report by the Head of Accountancy (Chief Financial Officer) providing an update on the revenue budget position for the current year, in view of the COVID-19 pressures now facing services, and the financial outlook for 2021/22 and beyond.

The report highlighted that finalisation of the 2019/20 accounts had improved the scope for the use of reserves to help address future budget challenges; that recently announced fiscal flexibilities should allow significant financial burdens to be address without excessive depletion of reserves; and proposed that a single year budget be set for 2021/22 with a flexible approach adopted to closing next year's budget shortfall. It was reported that directors' actions to reduce expenditure in 2019/20 had been highly successful. The initial 2019/20 budget plans showed £4.312m would be drawn down from reserves to balance the budget, but the final outturn position, which was still subject to audit confirmation, required only £0.964m of reserves to be used, an improvement of around £3.348m.

The Council noted:-

- (a) the improved financial position for 2020/21;
- (b) that the recently announced fiscal flexibilities should allow the Council to bridge the remaining 2020/21 budget gap; and

- (c) the challenging financial position for 2021/22 and beyond and that further reports would be brought as more information became available.

### **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, agreed to exclude the press and public from the meeting for the item 1414 below on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 6, 12 and 13(b) of Part 1 of Schedule 7A to the Act.

### **CROOKFUR NURSERY CAR PARKING ARRANGEMENTS**

**1414.** The Council considered a report by the Chief Officer (Legal & Procurement) providing an update on current issues regarding the neighbouring Tenant's position in respect of the construction of the Nursery/Family Centre and associated car park in Crookfur Park, Newton Mearns.

The Chief Officer (Legal & Procurement) was heard further regarding the report and in answer to questions, following which the Council agreed to:-

- (a) delegate to the Chief Officer (Legal & Procurement) authority to make the East Renfrewshire Council (Crookfur Park) Compulsory Purchase Order 2020; and
- (b) note the liability for compensation payments arising from the acquisition and authorise the Chief Officer (Legal & Procurement), in conjunction with the Directors of Environment and Education, to negotiate and settle any compensation claims arising.

### **VALEDICTORY – MHAIRI SHAW – DIRECTOR OF EDUCATION**

**1415.** Provost Fletcher invited Councillor O'Kane, as Convener of Education, to make comment about the forthcoming retirement of Mhairi Shaw, Director of Education. He paid tribute to the work of Mrs Shaw, during her time as Head Teacher, Head of Service and Director of Education in East Renfrewshire, and referred to a number of achievements during her time in post, most notably the high standards of education which had continued to improve under her guidance; building new schools, nurseries and family centres; bringing the mental health and wellbeing of children and young people to the fore; and supporting the lowest 20% of learners, and children and young people with additional support needs.

On behalf of the Council, pupils, parents, and staff, Councillor O'Kane wished Mrs Shaw a long and happy retirement.

Thereafter, a number of Elected Members were heard to pay tribute to Mrs Shaw.

Mrs Shaw replied in suitable terms.

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

**Minute of virtual meeting held at 2.00pm on 4 November 2020.**

**Present:**

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

Councillor Jim McLean  
Councillor Jim Swift

Councillor Ireland in the Chair

**Attending:**

Matt Greenen, Senior Strategy Officer (Planning Adviser); Siobhan Wilson, Solicitor (Legal Adviser); Eamonn Daly, Democratic Services Manager (Clerk) and Liona Allison, Assistant Committee Services Officer.

**Apologies:**

Councillors Betty Cunningham (Vice Chair) and Stewart Miller.

**DECLARATIONS OF INTEREST**

**1416.** There were no declarations of interest intimated.

**NOTICE OF REVIEW – REVIEW 2020/11 – ERECTION OF ONE AND A HALF STOREY SIDE EXTENSION FOLLOWING DEMOLITION OF EXISTING EXTENSION (AMENDED DESIGN) AT 29 EAST KILBRIDE ROAD, BUSBY (REF NO: 2020/0307/TP)**

**1417.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr P Di Mambro, against the decision taken by officers to refuse planning permission in respect of the erection of a one and a half storey side extension following demolition of the existing extension at 29 East Kilbride Road, Busby.

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

Members of the Local Review Body were not able to visit the site prior to the meeting due to the restrictions associated with the COVID-19 pandemic. However the Local Review Body had visited the site previously as part of its consideration of an earlier planning application. In addition the Planning Adviser had produced street map screen shots of the site which had been circulated to members of the LRB.

Prior to consideration of the review the Democratic Services Manager clarified that the reason for the review was that the application had been refused and not due to non-determination of the application as stated in the covering report.

The Senior Strategy Officer then summarised the papers before the Members. He outlined the proposal referring to the site; the representations received; and the response from the applicant to the representations. He referred to the reasons for the refusal of the application and to the notice of review submitted by the applicant in which the reasons for the review request were set out.

Commenting further he referred to the existing planning consent for an extension that had been granted, explaining that whilst this was contrary to the development plan it was not considered overly dominant or incongruous in terms of its size and location on the site.

He concluded by reminding Members that the application should be considered in terms of the development plan and other material considerations, one of which was the proposed Local Development Plan (LDP)<sup>2</sup>. The relevant policies in the proposed plan were similar to those in the existing development plan.

The Senior Strategy Officer was heard thereafter in response to questions from Members following which the Local Review Body, having considered the information previously circulated and the information provided by the Senior Strategy Officer, agreed that it had sufficient information to determine the review without further procedure.

Thereafter the Local Review Body agreed to uphold the decision of the Appointed Officer as set out in the decision notice dated 4 September 2020 and refuse planning permission.

CHAIR

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

**Minute of virtual meeting held at 10.00am on 5 November 2020.**

**Present:**

Councillor Tony Buchanan (Leader)  
Councillor Caroline Bamforth

Councillor Colm Merrick  
Councillor Paul O’Kane

Councillor Buchanan in the Chair

**Attending:**

Caroline Innes, Deputy Chief Executive; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Murray Husband, Head of Digital and Community Safety; Louise Pringle, Head of Communities, Revenues and Change; Alison Balingall, Senior Revenues Manager; Debbie Hill, Chief Procurement Officer; Graeme Smith, Communications Manager; Eamonn Daly, Democratic Services Manager and Liona Allison, Assistant Committee Services Officer.

**Apologies:**

Councillors Danny Devlin and Alan Lafferty.

**DECLARATIONS OF INTEREST**

**1418.** There were no declarations of interest intimated.

**ARRANGEMENTS FOR THE COLLECTION OF COUNCIL TAX AND COUNCIL TAX AND WATER CHARGE WRITE ON AND WRITE OFFS**

**1419.** The Cabinet considered a report by the Deputy Chief Executive advising of new arrangements for Council Tax collection and seeking approval for the write off of Council Tax and water and sewerage charges as well as the write on of historical credit balances.

The report explained that an exercise was underway to replace the current system used for, amongst other things, the billing and collection of Council Tax. As part of this a data cleansing exercise was being carried out. It was explained that the current system contained historical data back to 1993-94. However historic debts prior to 2000-01 could not be pursued in addition to which in terms of data protection the retention of data deemed unnecessary was not permitted. It was also noted that the data cleansing exercise had identified a number of historical credit balances.

An examination of the years in question had identified net debt balances of £949,077.50 in respect of Council Tax and £193,410.38 in respect of water and sewerage charges. It was noted that water and sewerage charges were collected by the Council on behalf of Scottish Water but none of the income was retained by the Council. Discussions had taken place with Scottish Water who were in agreement to the write off.

It was clarified that the Council Tax debt to be written off represented 0.1% of the total sum collected since 1996 and could be met from existing bad debt provision which meant that the Council's forward financial planning was unaffected.

Referring to the credit balances that had been identified the report explained that should any new information become available, steps could be taken to "write on" and provide the customer with a refund.

Having heard the Head of Communities, Revenues and Change further on the proposals in the course of which she paid tribute to the work of the team involved in the implementation of the new system in challenging circumstances, Councillor Buchan was heard to welcome the introduction of the new system and the benefits it would bring. He also noted that there would be no impact on the Council's financial planning as adequate bad debt provision had been made.

Councillor Merrick also having paid tribute to the work of the team in delivering the system under challenging circumstances, the Cabinet:-

- (a) noted that a new software system would be implemented for the billing and collection of Council Tax and for administering Housing benefits and Council Tax reductions;
- (b) approved the write off of Council Tax arrears totalling up to £949,077.59;
- (c) noted that the write-off of these sums would have no net impact on the Council's accounts or financial planning as provision had been made for the debt, in full, in previous years and these debts were now over 20 years old;
- (d) noted that Water and Sewerage charges totalling up to £193,410.38 were also being written off in discussion with Scottish Water;
- (e) noted that a data cleansing exercise on historical data was underway; and
- (f) approved the write on of historical credit balances without prejudice to future refunds.

## **DEVELOPMENT OF SYSTEMS INTERFACE FOR HOUSING SERVICES**

**1420.** The Cabinet considered a report by the Deputy Chief Executive seeking an exemption from tendering in relation to the Council's current job costing system to enable information to be passed to the Council's new core housing management system.

The report explained that in 2019 the Council had purchased a new housing management system, NPS Housing, replacing the legacy system OHMS (Open Housing Management System).

The report emphasised the importance of developing an interface between Servitor, the Council's job costing system, and NPS Housing. This interface would allow information to



pass between both systems providing enhanced performance management reporting such as information on appointments and repair status which in turn supported the aspiration of Housing Services to have officers accessing systems 'in the field' or from remote working locations. Furthermore, the progression of the interface provided opportunity to create efficiencies in current processes and working practices.

The report explained that an options appraisal exercise had taken place. Each of the potential options was listed and it was explained that the favoured option was the creation of the interface as outlined. It was noted that the cost of the proposal was £170,000 this comprising capital outlay of £80,000 with an annual support charge of £15,000 for a six-year term. The capital costs would be met from the Housing Capital Programme with revenue costs being funded through the Housing Revenue Account.

The Head of Digital and Community Safety was heard further on the report. In response to questions from Councillor Bamforth he explained the additional benefits of pursuing Option 1, particularly when compared to Option 2, these being that Option 1 allowed for a number of potential development opportunities and a better degree of "future proofing" for the service.

The Cabinet approved an exemption from tendering in accordance with Contract Standing Order 15 (iii) to allow interface development work to Servitor in order for information on repair works, work variances, appointments etc. to pass to the Council's new system NPS Housing.

## **HEWLETT PACKARD ENTERPRISE – SERVER HARDWARE PROCUREMENT**

**1421.** The Cabinet considered a report by the Deputy Chief Executive seeking an exemption from tendering in relation to the procurement of server hardware directly from Hewlett Packard Enterprise (HPE)

The report explained that HP servers were used across the Council and the Leisure Trust in the delivery of critical services.

Hardware lifecycle management was a key activity undertaken by ICT, ensuring technology was managed, maintained and supported through its working life. Server replacement was now required.

It was explained that HPE provided a number of proprietary tools for managing servers, and that any change of vendor to this core technology area incurred significant time and cost impacts with regards training, management tools and implementation, and best practice dictated no frequent change in this regard.

HP server hardware was previously available to the Council via the Crown Commercial Service Framework. However the term of the framework had now lapsed and procuring this critical hardware from HPE via an alternative framework was currently not an option.

It was explained that replacement of existing HP servers with new hardware was essential to support the phased replacement programme of the technology lifecycle to ensure as smooth a transition as possible. This was reinforced with ICT staff having the skills and knowledge of HP hardware to support the programme.

It was noted that the cost of the replacement hardware would be in the region of £150,000 subject to final quotation and would be funded from approved 2020/21 capital funding.

1316

The Head of Digital and Community Safety having commented further, and Councillor Buchanan having recognised the need for upgrading the Council's current IT infrastructure both in terms of having a more robust system and better value for money through reduced downtime, the Cabinet approved an exemption from tendering in accordance with Contract Standing Order 15 (iii) to allow the procurement of HP server hardware to ensure a smooth transition from existing aging hardware which is nearing the end of its useful life and support contracts.

CHAIR

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

**Minute of virtual meeting held at 10.00am on 12 November 2020.**

**Present:**

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

Councillor O’Kane in the Chair

**Attending:**

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

**DECLARATIONS OF INTEREST**

**1422.** There were no declarations of interest intimated.

**CHAIR’S REMARKS**

**1423.** Councillor O’Kane welcomed Dr Ratter to his first meeting as Director of Education and wished him well in his new role.

**EARLY LEARNING AND CHILDCARE ADMISSIONS POLICY**

**1424.** The committee considered a report by the Director of Education seeking approval for a revised policy and procedures relating to the application and admission arrangements for early learning and childcare establishments within East Renfrewshire. A copy of the proposed policy was appended to the report.

The Education Senior Manager (Leading Business Change) explained that with the introduction of 1140 hours of early learning and childcare (ELC) with effect from the start of the current school year, the department had taken the opportunity to review its existing admissions policy with a view to aligning it more closely with the schools admission policy. This would result in a more consistent approach across the department and the new policy, if approved, would be in place for the start of the 2021/22 academic year, for which applications would be invited in the near future.

He went on to explain that the revised arrangements set out the statutory duty of the Council to secure that the minimum amount of ELC was made available for each eligible child residing within the authority and clearly defined the arrangements in place to ensure that this could be delivered to all eligible families. This would be undertaken whilst reflecting the Scottish Government's blueprint principles of ensuring a high quality provision which was flexible, affordable and accessible. In addition, the revised arrangements reflected the Scottish Government's *Funding Follows the Child* approach, providing families with choice on how they wished to access their funded entitlement, in line with the Council's financial capacity.

Councillor Wallace sought clarification around the issue of deferred entry and enquired if this had been contentious in the past. In response, the Head of Education Services (Equality and Equity) explained that this could be contentious as parents of children whose birthday fell in January and February were entitled to a fully funded additional year whereas children whose birthday fell between August and December could request a deferral until the following academic year but that, in these circumstances there was no automatic right to an additional fully funded year of ELC. She went on to explain that the Scottish Government was planning to change the relevant legislation in the near future. This issue was of concern to the Council as parents of children with January and February birthdays tended to exercise their entitlement to an additional fully funded year of ELC to the maximum and this could have financial and resource implications for the Council. She concluded by explaining that the Scottish Government was listening carefully to the concerns of councils through the Association of Directors of Education in Scotland (ADES).

Councillor Wallace expressed the view that all members of the committee were acutely conscious of the importance of early learning in the development of children and he was encouraged to note that the department shared his concerns around future resourcing and would continue to raise the issue of deferred entry with the relevant parties. Councillor O'Kane advised that he would also raise the matter through CoSLA's Children and Young People Board.

Councillor Bamforth sought clarification regarding the priority status of children who had been granted deferred entry to school at the request of parents without the support of the Educational Psychology Service. In response, the Head of Education Services (Equality and Equity) confirmed that, where applications exceeded capacity, such children would be considered as Priority 7 with priority being given to younger children whose parents had not taken up their full entitlement to 1140 hours but that in all cases the department took such decisions on the basis of educational benefit to the child.

The committee agreed to approve the revised arrangements for application and admission to early learning and childcare establishments.

## **ELIGIBILITY FOR SCHOOL CLOTHING GRANTS**

**1425.** The committee considered a report by the Director of Education seeking approval for a School Clothing Grant (SCG) policy and extension of the qualifying criteria for the clothing grant to include Council Tax Reduction (CTR) as an indicator of eligibility. A copy of the draft policy was attached as an appendix to the report.

The Education Senior Manager (Leading Business Change) explained that the current qualifying criteria and process for applying for and awarding SCG had developed over time through custom and practice and that currently there was no formal policy for the administration of this important benefit. The proposed policy sought to formalise current practice and set out a clear policy and procedure. The Council had seen a significant increase in the number of applications for CTR in recent months as a result of the financial

hardship being experienced by families exacerbated by the COVID-19 pandemic with many families requiring additional support, often for the first time. A number of applications had been received for SCG by way of CTR entitlement and these had been placed on hold due to the uncertainty over the qualifying criteria. In seeking to support these families, the Director of Education had agreed to award SCG based on CTR, with the SCG policy updated and formalised to reflect this change. This would ensure that families in receipt of CTR, but who may not be in receipt of other benefits, could still access this benefit and would bring East Renfrewshire into line with many neighbouring authorities.

He concluded by explaining that the department was continuing to work closely with the Revenues and Benefits team to improve access to SCG amongst other benefits, to ensure that all families who were entitled to this benefit could receive it. A new IT system was in the final stages of deployment within the Revenues and Benefits service and would offer enhanced opportunities to explore auto-entitlement and data matching to improve access and take up of this important additional benefit for families on low incomes. In addition, the new system would ensure that assessments of entitlement would be improved, ensuring that eligible applicants were approved and paid in a timely manner.

Responding to Councillor Bamforth who sought clarification on the income threshold applied in East Renfrewshire when considering applications for SCG in comparison to other neighbouring authorities, the Education Senior Manager (Leading Business Change) explained that thresholds in relation to national benefits such as Working Tax Credit and Child Tax Credit were set by HMRC. However, he undertook to make further investigations into the thresholds for granting CTR being applied by neighbouring authorities and respond directly to Councillor Bamforth on his findings.

Councillor Wallace welcomed the formalisation of the policy on eligibility for SCG whilst expressing the view that the inclusion of CTR as a qualifying criterion could result in an increased number of applications in light of the current economic situation.

Councillor O'Kane welcomed the homologation of the inclusion of CTR as a qualifying criterion for SCG which had been introduced in response to the financial situation brought about by the Covid-19 pandemic, and the formalisation of the policy.

Thereafter, the committee agreed to:-

- (a) approve the School Clothing Grant policy and the inclusion of Council Tax Reduction as a qualifying criterion for payment; and
- (b) homologate the decision of the Director of Education to include Council Tax Reduction as a criterion for School Clothing Grant.

## **PRESENTATION – SQA RESULTS 2020**

**1426.** Under reference to the Minute of the meeting of 20 August 2020 (Page 1235, Item 1329 refers), when it had been noted that further, more detailed, analysis of the awards made to East Renfrewshire learners following the revision of awards initially made by the Scottish Qualifications Authority (SQA) would be carried out by the department, Councillor O'Kane invited the Director to make a brief presentation to the committee.

The Director provided an extremely comprehensive comparison of performance in 2020 highlighting that East Renfrewshire schools had once again performed very well and that the quality of awards had increased at all stages. Pupils had achieved outstanding, best ever results at S4, S5 and S6 as well as performing extremely well in a wide range of vocational

qualifications which now provided access for pupils to a very wide range of courses. Leaver destinations for learners in the senior phase had also produced the best ever results with 97.5% of leavers going on to positive destinations and 96.7% still in positive destinations as measured by Skills Development Scotland's (SDS) follow-up survey. He went on to advise that results for all East Renfrewshire young people, and particularly for the most disadvantaged pupils, had again improved, continuing the year on year trend seen over recent years; that levels of attainment for young people from the most deprived backgrounds as measured by the Scottish Index of Multiple Deprivation (SIMD) had increased at a faster rate than the overall cohort; and that this group had performed well above comparator groups nationally. The results provided clear evidence that East Renfrewshire had continued to raise the bar for all learners as well as further reducing the attainment gap and also that it continued to focus on excellence and equity to ensure that the department delivered on its vision of *"Everyone Attaining, Everyone Achieving through Excellent Experiences"*. The Director concluded his presentation by referring to a number of case studies which highlighted the results of a range of interventions tailored to the individual needs and learning styles of pupils and which had resulted in improved awards for those concerned.

Dr Angell welcomed the excellent report and noted in particular the improvements seen at Barrhead High School; further evidence of the closing of the attainment gap; and the increased uptake and variety of vocational course choices. He expressed his thanks to all school staff for an excellent performance in extremely difficult circumstances.

Councillor Merrick also commented on the excellent results achieved by young people and in support of Dr Angell particularly welcomed the further evidence of progress in closing the attainment gap. His comments were echoed by Mr Morris who thanked the Director for an excellent presentation and commended the hard work of all teaching and ancillary staff in light of the additional effort required in preparing and submitting assessments to the SQA within a short timeframe.

Councillor Buchanan added his congratulations to all staff and pupils for yet another set of outstanding results achieved in very difficult circumstances which would continue into next year. He noted that school staff were already working on pupil assessments for 2021 with a view to ensuring that all young people achieved the results which their efforts deserved.

Councillor O'Kane thanked the Director and all staff within the Department for their efforts in helping pupils to achieve an excellent set of results under a different system of assessment which would be used again in 2021. He expressed the view that the final results awarded to pupils had been fully merited. He concluded by explaining that he would continue to raise with CoSLA the need for clarity around the final shape of assessments in 2021 in order to ensure that staff could give pupils the best possible support at this important phase of their lives.

The committee agreed to note the report.

CHAIR

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

**Minute of virtual meeting held at 10.00am on 19 November 2020.**

**Present:**

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

Councillor Barbara Grant  
Councillor Alan Lafferty

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; Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

**Also Attending:**

Chief Superintendent Mark Sutherland, Chief Inspector Bryan McGeogh, Police Scotland; and Local Senior Officer James McNeill, and Group Manager Alan Coughtrie, Scottish Fire and Rescue Service.

**Apology:**

Councillor Paul O’Kane (Vice Chair).

**DECLARATIONS OF INTEREST**

**1427.** There were no declarations of interest intimated.

**POLICE SCOTLAND – PERFORMANCE REPORT OVER THE SECOND QUARTER OF 2020/21**

**1428.** The Cabinet considered a report by the Divisional Commander, Police Scotland, providing details of the performance of the police over the second quarter of 2020/21. The report also provided statistical information in relation to various categories of crimes and offences committed during the reported period together with comparative statistics for the corresponding period in 2019/20.

Chief Superintendent Sutherland commented briefly on how Police Scotland had responded to the COVID-19 pandemic since the previous quarter. He highlighted that Police Scotland continued to strive for the correct balance between policing the pandemic and responding to ongoing community concerns. At this stage, he invited Chief Inspector McGeogh to comment on the performance report.

Chief Inspector McGeogh reported on the performance of the police against the five local policing priorities contained in the East Renfrewshire Policing Plan 2020-23. He began by highlighting that in terms of drug dealing and seizures the police had made several arrests and seized a quantity of controlled drugs with the number of detections having increased from 9 to 14 when compared to the corresponding period the previous year. He also reported that the number of crimes of violence and serious assaults had both reduced compared to the previous year. Crimes of violence had reduced from 246 to 229 and Serious Assaults from 14 to 13. However, it was noted that the number of domestic abuse crimes had increased from 155 to 172 when compared to the corresponding period for the previous year and the number of domestic incidents attended by the police had also increased from 259 to 275. He advised that this trend was not unique to East Renfrewshire and had also been identified in other areas. The number of reported sexual crimes and acquisitive crimes had both seen a reduction compared to the previous year. He further reported that the police recorded an increase of 722 calls from the public in relation to anti-social behaviour over the reported period, although the number of calls had reduced significantly since quarter 1, and crimes of vandalism had also reduced compared to the previous year.

Concluding his remarks, Chief Inspector McGeogh reported that community engagement continued to highlight road safety as a priority and a number of people had been reported for road traffic offences. He added that officers had worked with colleagues from the Council's Roads and Transportation service on a new initiative which developed road signs that encouraged victims of domestic abuse to come forward and provided details of a helpline they could contact. The joint initiative had received positive feedback and would continue into the next quarter.

Chief Superintendent Sutherland provided further information regarding the forthcoming move to Level 4 for many areas in the West of Scotland including East Renfrewshire, which included legislation to prevent members of the public from travelling between local authority areas other than in certain specified circumstances. He advised that Police Scotland would continue to balance supporting the new legislation and addressing normal policing demands in the area, and that education and engagement would be used to encourage people to follow the new legislation in the first instance with enforcement being used as a last resort.

There followed a short question and answer session in the course of which Chief Superintendent Sutherland and Chief Inspector McGeogh responded to a number of questions and provided clarification on a range of operational issues within East Renfrewshire and the crime statistics recorded in the report.

The Cabinet noted the terms of the report.

## **SCOTTISH FIRE AND RESCUE SERVICE (SFRS) PERFORMANCE REPORT FOR THE SECOND QUARTER OF 2020/21**

**1429.** The Cabinet considered a report by the Local Senior Officer, Scottish Fire and Rescue Service (SFRS), providing details of the performance of SFRS in East Renfrewshire during the second quarter of 2020/21. An analysis of the incidents identified in the six areas for demand reduction that had taken place in each of the Council's five wards during the reported period was outlined in the report.



Local Senior Officer McNeill commented briefly on the challenges the service had faced during these unprecedented times and referred to some local management changes. At this stage he invited Group Manager Coughtrie to comment on the performance report.

Group Manager Coughtrie provided an overview of the activity during the reported period. He highlighted that during the course of quarter 2 there had been 16 accidental dwelling fires with no casualties arising from these fires. It was believed that the reduction in fire casualties could be attributed to an increase in premises with functional detectors which was a very positive statistic. In terms of unintentional harm and injury 5 non-fire casualties had been recorded. He reported that there had been 38 incidents of deliberate fire setting and 2 non-domestic fires.

Reporting that there had been 58 Unwanted Fire Alarm Signals during the quarter, Group Manager Coughtrie highlighted that this was a significant reduction on the 3 year average. He also reported that the community action team continued to operate 7 days a week to react quickly to any calls for advice on fire safety and their "Make the Call" campaign encouraged the general public and community partners to refer people who may be at greater risk of fire including smokers; people with mobility problems; and those on medical oxygen. A training programme had also been developed for home care and care home staff which would be rolled out virtually during quarter 3.

There followed a short question and answer session in the course of which Local Senior Officer McNeill and Group Manager Coughtrie provided clarification on a range of operational issues within East Renfrewshire. In particular, Local Senior Officer McNeill advised that the parliamentary review group on fireworks was ongoing and he would provide any updates on that to Members in due course.

The Cabinet noted the terms of the report.

CHAIR



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

**Minute of virtual meeting held at 10.00am on 26 November 2020.**

**Present:**

Councillor Tony Buchanan (Leader)	Councillor Alan Lafferty
Councillor Caroline Bamforth	Councillor Colm Merrick
Councillor Danny Devlin	Councillor Paul O’Kane

Councillor Buchanan, Leader, in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Mark Ratter, Director of Education; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Andy Corry, Head of Environment (Operations); Phil Daws, Head of Environment (Strategic Services); Lesley Bairden, Chief Finance Officer (HSCP); Mary Docherty, Education Resources Senior Manager; Sarah Jane Hayes, Customer Service Manager; Eamonn Daly, Democratic Services Manager; Linda Hutchison, Senior Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

**DECLARATIONS OF INTEREST**

**1430.** There were no declarations of interest intimated.

**CHARGING FOR SERVICES 2021/22**

**1431.** The Cabinet considered the undernoted reports by the appropriate Directors regarding the outcome of the charging for services exercises carried out in each of the departments and recommending proposed fees and charges for 2021/22.

The reports referred to the range of services reviewed within each department, the outcome of the reviews, proposed changes, and associated resource implications:-

- (i) Corporate and Community Services Department;
- (ii) Health and Social Care Partnership;
- (iii) Education Department; and
- (iv) Environment Department; and

The Cabinet, following discussion, agreed as follows:-

- (a) Corporate and Community Services Department
  - (i) to note that the statutory fees were set by the National Records of Scotland (NRS) in November each year; and

- (ii) to increase all non-statutory fees and charges by 1.9% for 2021/22 in line with the forecasted rate of inflation.
- (b) Health and Social Care Partnership  
That the recommendations regarding fees and charges policies as proposed be approved.
- (c) Education Department  
That the recommendations regarding fees and charges policies as proposed be approved.
- (d) Environment Department  
That the recommendations regarding fees and charges policies as proposed be approved.

## **GARDEN WASTE CHARGING PROPOSAL**

**1432.** The Cabinet considered a report by the Director of Environment, regarding proposals to commence charging for the collection of garden waste with effect from 1 April 2021 to generate income and help avoid service cuts.

Having confirmed that councils did not have a statutory duty to collect garden waste from domestic properties and that several already charged or intended to charge a supplement for collecting this waste stream, the report commented on the challenging financial position facing the Council for 2021/22 and beyond. Reference was made to a particular recommendation made by the Audit and Scrutiny Committee, and approved by the Cabinet, supporting the ongoing development of proposals by the Environment Department to generate new income or maximise potential income from various existing arrangements, including the collection of garden waste. In this context, the report proposed the introduction of a charging scheme for the optional collection of garden waste with effect from 1 April 2021. It was confirmed that all residents would still continue to receive a free weekly food waste collection.

The report summarised how the scheme could operate in practice through the application of a permit scheme, and the options residents had who did not wish to participate. It was clarified that there had been an uptake of between 50-70% of households in local authority areas which had introduced such charges, that the proposed scheme was more generous than those operated by many other Scottish councils, and that the service would be offered for 50 weeks per annum. The proposed fee was £40 per annum for one bin per household, to allow uptake to be assessed, but the possibility of additional garden waste bins per property would be investigated as soon as possible. The position on the collection of Christmas trees was clarified.

It was explained that, subject to approval of the report, preparations for the scheme would have to start in order to implement a payment system, produce permits, recruit additional administration/operational staff required, and communicate the scheme to members of the public. The report emphasised that the service required to be of a high quality and totally reliable, requiring some additional investment in fleet and staff. Although there would be some costs associated with the management, operation and supervision of the scheme, it was anticipated that net income of around £800k could be generated. It was clarified that the proposal formed part of the Environment Department's savings proposals for 2021/22.

Having emphasised the context within which the proposal was being made, the Director of Environment commented on the scheme in detail, including the operational arrangements, related capacity issues and preparations required in advance of the service commencing. A wide range of issues were discussed, including the overall financial position of the Council; and the lack of clarity on the 2021/22 financial settlement the Council would receive which would remain unclear until early in 2021. Other matters raised and discussed in detail included resource and operational issues regarding the scheme; some reservations regarding the proposal which Elected Members felt merited further consideration at this stage and prior to the proposal being approved; and challenges associated with implementing the scheme by April 2021 without advance preparation starting shortly. It was confirmed that the scheme would be discussed by the Budget Strategy Group.

The Cabinet, following detailed consideration, agreed:-

- (a) that the Director of Environment be authorised to progress further work on the implementation of the operational arrangements for the garden waste charging scheme; and
- (b) to note that the decision on whether or not to implement the scheme would be taken at a future meeting in conjunction with overall budget proposals when the Council's financial position was clearer.

## **COUNCIL NEW BUILD DEVELOPMENT PROGRAMME**

**1433.** The Cabinet considered a report by the Director of Environment, providing an update on the Council's ambitious new build housing programme.

The report explained that over the past 40 years, approximately 50% of rented housing stock owned by the Council had been sold through the Right to Buy scheme, the greatest proportion of properties sold having been more popular family homes in sought after areas, leaving a stock of just under 3,000 homes. Council housing remained highly sought after, with many people opting for the Council as a landlord rather than a private landlord or housing association. The Council also remained the area's most affordable housing provider.

It was highlighted that the ambition for the new build development programme had grown in the past few years, in respect of which, in November 2016, the Cabinet approved a proposal to build up to 120 Council houses in two phases subject to consultation. This included approximately 80 properties at four sites in Barrhead (phase 1), and a further 30-40 on the Eastwood side of the authority (phase 2). Subsequently, in January 2018, the Cabinet had approved a proposal for phase 3 to increase the new build project target from 120 to 240 units. It had been recognised then that the delivery of new housing could take 2-4 years, depending upon the infrastructure developments required beforehand.

The report confirmed that there had been infrastructure delays at phase 1 sites which had impacted on delivery of the project, and highlighted that the Maidenhill sites in phases 2 and 3 were not owned by the Council, with development times based on the progress of the landowners/house builders. It was clarified that subsidy funding was only available in annual tranches.

Further details on progress made on each phase and site and on related issues was provided, including the number of units to be built relative to the initial target set. Reference was also made to related procurement options and financial issues. The report confirmed that the proposals for all sites were discussed with local Tenant & Residents Associations,

and that Housing Services had written to all residents in the surrounding areas for the first 3 completed sites inviting them to comment on proposals. Although this approach would continue, online methods might need to be used for this due to COVID-19 related restrictions on public gatherings.

It was concluded that the ambitious council house new build programme was on track to deliver the target of 240 new council homes which, on completion, would include approximately 141 new homes in Barrhead and 101 in Newton Mearns. The programme had been designed not only to meet local housing needs, but also to make best use of the land availability in the area. Whilst ambitions remained to extend the programme further, clarity on the level and availability of Scottish Government grant funding was required to determine the feasibility of doing so.

The Cabinet, having welcomed the developments, agreed to note:-

- (a) progress made to date; and
- (b) the proposals for future developments.

#### **EARLY LEARNING AND CHILDCARE (EXPANSION 2020)**

**1434.** The Cabinet noted that consideration of the report on Early Learning and Childcare (Expansion 2020) had been continued to a future meeting and the reason for this.

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

**1435.** The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer), monitoring expenditure as at 30 September 2020 against the approved General Fund Capital Programme 2020/21 and recommending adjustments where necessary in light of issues that had arisen since the programme had been approved.

Whilst referring to the latest developments relating to the programme, including the latest income and expenditure movements and cash flow management issues, the report indicated that the projected shortfall of £425,000 which represented 0.91% of the resources available was within manageable limits.

The report highlighted that COVID-19 was continuing to have a significant effect on both the timing and cost of capital projects and the report reflected an element of rescheduling of current and future schemes in line with available resource capacity. These delays in the programme had resulted in a net decrease in borrowing required for the year of £0.040m. It was clarified that this was not a saving as the planned borrowing would just be delayed until future financial years.

The Cabinet:-

- (a) agreed to **recommend to the Council** that the movements within the General Fund Capital Programme 2020/21 be approved; and
- (b) noted the shortfall of £0.425m and that income and expenditure on the programme would be managed and reported on a regular basis.

## HOUSING CAPITAL PROGRAMME 2020/21

**1436.** The Cabinet considered a joint report by the Head of Accountancy (Chief Financial Officer) and Director of Environment, monitoring expenditure as at 30 September 2020 against the approved Housing Capital Programme 2020/21 and recommending adjustments where necessary in light of issues that had arisen since the programme had been approved.

Whilst referring to the latest developments relating to the programme, including the latest income and expenditure movements and cash flow management issues, the report indicated that the projected shortfall of £135,000 which represented 1.4% of the resources available was within manageable limits.

The Cabinet:-

- (a) agreed to **recommend to the Council** that the movements within the Housing Capital Programme 2020/21 be approved; and
- (b) noted the shortfall of £0.135m and that income and expenditure on the programme will be managed and reported on a regular basis.

CHAIR





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

**Minute of virtual meeting held at 2.00pm on 26 November 2020.**

**Present:**

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

Councillor Miller in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Michelle Blair, Chief Auditor; Barbara Clark, Chief Accountant; Anthony Jenkins, Brexit Coordinator; Linda Hutchison, Clerk to the Committee; and Liona Allison, Assistant Committee Services Officer.

**Also Attending:**

John Cornett, Pauline Gillen and Morven Fraser, Audit Scotland.

**Apologies:**

Councillors Jim McLean and Jim Swift.

**DECLARATIONS OF INTEREST**

**1437.** There were no declarations of interest intimated.

**CHAIR'S REPORT**

**1438.** 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.

**2019/20 ANNUAL ACCOUNTS FOR THE COUNCIL'S CHARITABLE TRUSTS AND RELATED EXTERNAL AUDIT OPINION AND INTERNATIONAL STANDARD ON AUDITING (ISA) 260 REPORT**

**1439.** Under reference to the Minute of the meeting of 25 June 2020 (Page 1200, Item 1291 refers), when the committee had noted that the final Annual Accounts for the Council's

charitable trusts and related documents would be submitted to this meeting, the committee considered a report by the Head of Accountancy (Chief Financial Officer) explaining that the audit of the 2019/20 Annual Accounts for the seven charitable trusts for which the Council acted as Trustee had been completed, and submitting a copy of these for consideration. The External Auditor's report on the trusts, completed in compliance with ISA 260, was also submitted for consideration.

The Head of Accountancy (Chief Financial Officer) welcomed that the audit had been completed by the end of November in line with the revised timetable for this, especially given the associated challenges faced. She thanked the Chief Accountant, the accountancy team, the core systems team and the Auditors for their joint contribution to this achievement, not only in relation to the trusts, but also in terms of the Council's main Annual Accounts.

Whilst referring to the 2019/20 Accounts and related issues, Ms Gillen confirmed that, in keeping with normal practice, some comments on the audit of the charitable trusts had been included in the main Annual Audit Report relating to the Council. Having referred to the ISA 260 report and ISA 580 letter of representation which had been provided, she confirmed that the Accounts were unqualified, with no issues having been identified during the audit.

Ms Gillen explained that during the audit of the 2018/19 Accounts, a difficulty had been identified obtaining audit evidence in support of some of the payments made from trust funds, but no such issue had been found for 2019/20 with supporting paperwork having much improved. As reflected in comments in the Annual Audit Report to the Council, she highlighted that some of the trusts had not made any awards in the past 6 years, acknowledging however that there were issues associated with the nature of the funds that made it difficult to amalgamate them or make them dormant. In response to Councillor Ireland, she confirmed that the actions requested last year regarding the Netherlee School 1937 Endowment Trust had been implemented.

The committee agreed to:-

- (a) note the External Auditor's report on matters arising from the audits of the registered charities for 2019/20 under requirements of ISA 260;
- (b) note the amalgamated Annual Accounts for 2019/20 for the seven charitable trusts for which the Council acted as Trustee; and
- (c) remit the report to the Council for consideration.

#### **2019/20 EAST RENFREWSHIRE COUNCIL ANNUAL ACCOUNTS, DRAFT ANNUAL AUDIT REPORT AND RELATED ISA 260 REPORT**

**1440.** Under reference to the Minute of the meeting of 25 June 2020 (Page 1200, Item 1291 refers), when the committee had noted the unaudited Annual Accounts for 2019/20 and that a report on the final Accounts and associated draft Annual Audit Report to the Council and the Controller of Audit would be submitted to this meeting, the committee considered a report by the Head of Accountancy (Chief Financial Officer) regarding the Annual Accounts for 2019/20, the associated draft Annual Audit Report prepared by the External Auditor which would be issued in final form after the financial statements had been certified, and a further report by the External Auditor on matters arising from the audit of the Council's financial statements for 2019/20 reported under ISA 260 requirements. The draft Audit report provided an overview of the main issues arising from the 2019/20 audit.

The Council had received an audit certificate which was unqualified. As it had operated comfortably within budget, it had not required to fully draw down £4,312k from reserves as planned, but rather only £911k. The Council's Non-Earmarked General Fund reserve had therefore decreased by £911k, resulting in a balance of £9,643k as at 31 March 2020. This equated to 3.8% of the annual budgeted net revenue expenditure, which was slightly below the Council's most prudent target of 4%, but better than forecasted when the budget had been set for 2020/21.

Capital expenditure of £50,844k had been invested, in addition to which an operating surplus of £598k had been made on the Housing Revenue Account, thus increasing the accumulated surpluses brought forward to that Account to £2,316k.

Mr Cornett referred to the documents provided which included the ISA 260 report and ISA 580 letter of representation. Whilst referring to the Accounts and related issues, he confirmed that it was proposed to issue an unqualified auditor's certificate on the Accounts.

Referring to significant findings from the audit of the financial statements, Mr Cornett made reference to the inclusion of an Emphasis of Matter paragraph in the independent auditor's report relating to the valuation of land and buildings for the Council for 2019/20. He clarified that the Council's valuer had used the Royal Institute of Chartered Surveyors (RICS) guidance as a basis for the valuation work, declaring in certificates a degree of significant uncertainty regarding the valuations due to the impact of COVID-19. He confirmed that appropriate disclosures had been made in the Accounts, with External Audit simply wishing to draw attention to this as it was considered fundamental to users' understanding of the Accounts. Mr Cornett stressed that this issue was not particular to the Council and likely to be in common with most, if not all, council audits across Scotland and the UK this year, as well as all public sector and commercial audits because of the uncertainties created by COVID-19.

Mr Cornett made reference to adjustments made to the Accounts associated with the impact of the McCloud Pension adjustment on pension fund disclosures, clarifying that this should be the final adjustment the Council needed to make going forward. He commented that an adjustment had also been made to reflect the Clyde Valley Waste Treatment arrangements to reflect the Council's share of the valuation of that asset.

Mr Cornett stressed that the Accounts and supporting papers presented to the External Auditors had been of a very high standard, and that the help and support provided by the finance team during the audit had been very good also, particularly from the Head of Accountancy (Chief Financial Officer), the Chief Accountant and the rest of the team. He added that, given the challenges of remote working, the audit process had progressed as well as it could have, with useful learning points identified by all parties. It was explained that moving forward, there was a wish to retain some practices that had worked well this year.

Whilst making reference to the remainder of the Annual Audit Report which covered wider dimensions such as financial management and financial sustainability, Mr Cornett commented that strong arrangements were in place and used well to support financial management and decision making within the Council. He referred also to the challenges around financial sustainability moving forward, especially in view of COVID-19 on which reflections had been provided in the Annual Audit Report, adding that it was recognised that issues referred to may have moved on since the report was prepared at a point in time. A recommendation had been made to reflect COVID-19 in the Council's financial plans moving forward, but it was recognised that there was a sequence of events to be completed to be able to do so which would be influenced by issues such as the continued impact of COVID-19 and decisions made by the UK and Scottish Governments. Mr Cornett highlighted that financial planning would be an iterative process moving ahead, due to the scale of change, and one which would not be completed by this time next year, albeit some progress would be expected to have been made.

He expressed the view that the revised governance changes made by the Council in response to COVID-19 had been both effective and transparent in terms of decision making. Comments had also been made in the Audit Report on Best Value, in terms of the Council's own self-assessment and following up previous work from the Best Value Assurance Review a few years ago.

Councillor Miller welcomed Mr Cornett's views regarding officers which were shared by Elected Members. The Head of Accountancy (Chief Financial Officer) concurred that an excellent effort had been made to complete the audit by the revised deadline, that much uncertainty remained, and that issues would not be fully resolved in the forthcoming year. She confirmed that the Accounts would be considered by the Council later in the day, outlining the new arrangements made to sign these electronically.

The committee agreed:-

- (a) to note the draft Annual Audit Report to the Council and Controller of Audit 2019/20 and the External Auditor's Report on matters arising from the audit of the Council's 2019/20 Financial Statements prepared under requirements of ISA 260;
- (b) to note the content of the Council's Annual Accounts for 2019/20 and related comments made; and
- (c) to remit the report to the Council for consideration.

## **INTERIM TREASURY MANAGEMENT REPORT 2020/21**

**1441.** Under reference to the Minute of the meeting of 13 August 2020 (Page 1226, Item 1318 refers), when the committee had noted the Treasury Management Annual Report for 2019/20, and recommended to the Council that the organisations specified in that report for investment of surplus funds be approved, the committee considered a report by the Head of Accountancy (Chief Financial Officer) on treasury management activities for the first six months of 2020/21.

The report explained that, in line with the CIPFA Code of Practice on Treasury Management 2017, the Audit and Scrutiny Committee was responsible for ensuring effective scrutiny of the Council's treasury management activities. In accordance with that requirement, the interim Treasury Management Report for 2020/21 was attached to the report for consideration.

Whilst highlighting key aspects of the report, the Chief Accountant confirmed that the Council's prudent treasury management position had allowed it to cope with the additional cash flow demands arising from COVID-19, especially on grant payments to businesses and the self-employed. Long term borrowing had been fairly static, with only a small amount of debt paid off during the period covered by the report. Some short term borrowing had been pursued in the summer to allow for peaks in creditor payments.

The Chief Accountant clarified that in accordance with the Council's strategy on variable rate loans not exceeding 30% of the total debt outstanding, this had peaked at just over 7% in the first 6 months of 2020/21, and would increase slowly as Public Works Loan Board (PWLB) borrowing was repaid, or reduced as further PWLB loans were taken. Other issues referred to included a slight decrease in short term investments due to capital and revenue cash flow; daily expenditure and income fluctuations as reflected in short term balances; and the prudential indicators which helped confirm that capital investment plans and treasury management decisions remained affordable, prudent and sustainable. The Chief Accountant

highlighted that indicators 3 and 4 demonstrated that the Council was operating well within its limits, despite the inclusion within the projected outturn figures of the Council's share of the new Clyde Valley Waste Plant liability. She clarified that the list of counterparties for which approval was sought had been amended slightly from that referred to in the 2019/20 Annual Report, reasons for which were outlined.

The committee agreed:-

- (a) to **recommend to the Council** that the organisations for investment of surplus funds be approved in accordance with Appendix 2 to the report; and
- (b) otherwise, to note the report and related comments made.

### **WITHDRAWAL FROM THE EUROPEAN UNION - UPDATE**

**1442.** Under reference to the Minute of the meeting of 13 August 2020 (Page 1227, Item 1319 refers), when the committee had agreed that a further update on the UK's exit from the European Union (EU) be provided following 31 October 2020, this being the deadline set by which an agreement required to be reached between the EU and the UK subject to formal ratification, the committee considered a joint report by the Directors of Corporate & Community Services and Environment, providing a further update on the UK's exit from the EU and work within the Council in response to this.

The report confirmed that the UK had ceased to be a member of the EU on 31 January 2020, entering a transition period then until 31 December 2020. Both parties still remained in talks regarding the future relationship between them from 1 January 2021 onwards, despite the deadline of 31 October having passed.

An update was provided on the work of the Council's well-established Brexit Working Group (BWG), which was now being convened more frequently, the membership of which had been expanded since the previous update had been provided and now included representation from Environmental Health and Trading Standards.

It was highlighted that the ongoing response to COVID-19, coupled with heightened risks of disruptive weather, meant that an end to the transition period on 1 January 2021 was far more likely to see concurrent risks realised, and require issues to be considered also by the Council Resilience Management Team (CRMT). Reference was made to the Brexit Risk Register which was updated regularly; and multiple disruptive scenarios considered during a concurrent risk exercise on 17 November. The latter had been attended by officers from East Renfrewshire, Inverclyde, Renfrewshire and West Dunbartonshire Councils to enable discussions on mutual aid, general sharing and best practice to take place. The purpose and operation of a national Multi Agency Coordination Centre (MACC) to be established and led by Police Scotland, to act as a national strategic command for incidents, was also referred to.

Having commented on a range of other ongoing issues under consideration, such as by COSLA and local authorities, which included the EU Settlement Scheme, the report concluded that whilst the COVID-19 response had impacted on the regularity of Brexit related work, many of the related procedures and preparations were well established, having been implemented for previous Brexit deadlines. It was reported that the pressures of there being no deal at the end of the transition period had been exacerbated due to COVID-19.

The Brexit Coordinator confirmed that discussions still remained ongoing between the UK and the EU on various issues, and highlighted that the BWG was now meeting fortnightly. He commented on scenarios discussed at, and the value of, the concurrent risks exercise that

had been carried out which would inform further discussions locally, including by the CRMT. Whilst referring to the uncertainties surrounding the final outcome of the talks between the UK and EU, he referred to the MACC being established by the Scottish Government.

Reference was made to an update due very shortly from the Home Office on the EU Settlement Scheme in terms of the position in East Renfrewshire, on which the Brexit Coordinator undertook to provide an update the following week for members of the committee.

Councillor Miller, supported by Councillor Ireland, highlighted that businesses disliked uncertainty. Thereafter, in response to Councillor Grant who supported local companies securing contracts and sought clarification on tendering beyond the transition period, the Brexit Coordinator advised that the exact arrangements would be subject to the outcome of the ongoing discussions between UK and EU, but that as of 1 January the arrangements could be as they are just now, at least initially. In relation to the Working Time Directive, the Brexit Coordinator advised that, subject to a deal being reached between the UK and EU, there was expected to be continuity of legislation for a period of time in the first instance pending any future changes to it being made.

In response to Councillor Ireland, the Brexit Coordinator confirmed that he would be happy to share a report on the concurrent risks workshop with the committee after it had been submitted to the CRMT. He also clarified that it was hoped to increase publicity and promote further the EU Settlement Scheme locally when some of the restrictions relating to COVID-19 were relaxed, such as through the use of posters which was available from the Home Office and deploying resources available through the Council's own Communications Team.

The committee, having considered how it wished to proceed, agreed:-

- (a) to note that the Brexit Coordinator would provide further information shortly to the Clerk for circulation to members of the committee on the EU Settlement Scheme in respect of East Renfrewshire on receipt from the Home Office;
- (b) that a further update be provided to a future meeting of the committee, including on the outcome on the concurrent risks workshop, following the conclusion of negotiations between the UK and EU; and
- (c) otherwise, to note the report and related comments.

## **INTERNAL AUDIT PLAN 2020/21 – IMPLEMENTATION PROGRESS - JUNE TO SEPTEMBER 2020**

**1443.** The committee considered a report by the Chief Auditor regarding progress made on the implementation of the revised 2020/21 Internal Audit Plan from 1 June to 30 September 2020. It was confirmed that only one audit report in relation to planned 2020/21 audit work had been issued in quarter 2, information on which was provided. Details of three audit reports relating to 2019/20 audit work were also provided in respect of which management responses had been received.

Reference was also made to the quarterly performance indicators (PIs) for the section, one of which was not being met due to COVID-19 restrictions on audit work that could be carried out, although some audit work was continuing. The report confirmed that there had been two new requests for assistance dealt with using contingency time, neither of which had resulted in financial loss to the Council. It was also explained that the reduced and revised Internal Audit Plan would be kept under review, with any further adjustments brought to the committee's attention as required.

Whilst commenting on the report, the Chief Auditor confirmed that officers in her section were continuing to provide assistance to other sections to help respond to the COVID-19 emergency, such as to help process business grants. She also referred to a significant risk that the internal audit targets would not be met for 2020/21 due to COVID-19 related restrictions, undertaking to provide further updates on this to the committee. The Chief Auditor also reported that she now intended to submit a report to the next meeting on further revisions to the Internal Audit Plan, particularly as it had just come to light that there would now be fewer audit days available than anticipated.

The committee agreed:-

- (a) not to seek any of the reports issued during the quarter at this stage;
- (b) to note that the Chief Auditor would submit a report to the next meeting on further amendments to the 2020/21 Internal Audit Plan; and
- (c) otherwise, to note the report and related comments.

#### **AUDIT SCOTLAND COVID-19 GUIDE FOR AUDIT AND RISK COMMITTEES AND RELATED COMMENTS**

**1444.** Under reference to the Minute of the meeting of 24 September 2020 (Page 1271, Item 1369 refers), when the committee had agreed that a report on the issues raised within the *COVID-19 Guide for Audit and Risk Committees*, published by Audit Scotland in August 2020, be prepared and submitted to this meeting, the committee considered a report by the Clerk, on the feedback provided.

It was confirmed that the Guide highlighted the wide impact of the pandemic on society, the strength of the associated response of public sector bodies, and that COVID-19 had exacerbated many pre-existing risks and challenges they faced. It also emphasised the crucial and increasingly important role of audit and risk committees, suggesting key issues for them to consider to focus attention on the short-term challenges faced in the response phase of the pandemic.

It was clarified that the Guide posed a series of questions to assist auditors and public bodies effectively scrutinise and provide challenge in key areas requiring additional focus at present, categorising these under the headings of internal control and assurance; financial management and reporting; governance; and risk management. To enable the committee to consider the position on each question posed, feedback had been sought and received from the Corporate Management Team (CMT) and other senior officers, a copy of which was appended to the report. It was clarified that the Performance and Audit Committee of the Integration Joint Board was also considering issues raised within the Guide.

The Clerk highlighted key aspects of the report and the considerable effort made by the CMT and other senior officers to provide comments on the various questions within the Guide. She invited the committee to consider the feedback received and any further action deemed appropriate.

In response to Councillor Grant who asked Mr Cornett for his views on the report and the way forward, he commented that a very comprehensive response had been prepared providing the type of assurances the committee ought to be looking for. He highlighted that the challenge moving forward would be how the environment might change under COVID-19 and other factors. Having acknowledged the resource required to provide detailed feedback, he

suggested it would be useful for the committee to remain alert to how those changes might impact upon assurances received from officers, taking account of the committee's terms of reference. He also suggested that it would be useful to ascertain if there was a route to receiving assurances on how the challenges impacted upon the partnership arrangements between the Council and other bodies, and how COVID-19 was impacting on those other organisations and possibly therefore the Council.

The committee, following discussion:-

- (a) agreed that a further update be provided in due course, around March or April 2021, in respect of which the Clerk would liaise with members of the committee to ascertain which specific issues they wished to seek feedback and focus on, or seek further assurances about, at the appropriate time; and
- (b) otherwise, noted the report and related comments.

#### **CABINET RESPONSES TO AUDIT AND SCRUTINY COMMITTEE INVESTIGATIONS ON INCOME GENERATION AND COMMERCIALISATION; AND CLIMATE CHANGE**

**1445.** The committee considered a report by the Clerk, submitting for review the responses approved by the Cabinet on the recommendations made by the Audit and Scrutiny Committee on both Income Generation and Commercialisation; and Climate Change.

The report confirmed that, following the submission of the report on the committee's investigation on Income Generation and Commercialisation to the Cabinet on 5 December 2019, following a slight delay due to the impact of COVID-19, a response had been considered and approved by the Cabinet on 24 September 2020. It reflected that all 12 of the committee's recommendations had been agreed, and that despite the challenges of dealing with COVID-19 related issues, work had been started in many of the areas, with future work planned in due course.

It was also confirmed that the final report on the committee's investigation on Climate Change had been completed early in 2020 but that, due to the position on COVID-19, its submission to the Cabinet had been delayed to 13 August 2020. It was confirmed that the committee had made 24 recommendations, a key one being that the Council's strategy on climate change be renewed. As the recommendations had been known for some time, the Cabinet had considered a report in response by the Director of Environment at the same meeting outlining a proposed approach for the development of a Climate Change Strategy and Action Plan, particularly in view of the recommendations arising from the Audit and Scrutiny Committee's work. It was clarified that the Head Environment (Strategic Services) had already indicated that he intended to submit a further report to the Cabinet early in 2021 on developments.

Having highlighted key issues within the report, the Clerk invited the committee to consider when it might wish to review progress on implementation of the recommendations that had been accepted from both investigations. Regarding the report on income generation and commercialisation, and in line with one of the recommendations that had been accepted, it was proposed that an invitation now be extended from the Chair of the committee to the Chair of the Performance and Audit Committee of the Integration Joint Board to share information and discuss good practices arising from the review.

During discussion, Councillor Miller proposed that an update on the implementation of the recommendations on Climate Change be submitted in November 2021. Regarding the recommendations on income generation, Councillor Grant asked if it was known if any of the suggestions made to generate new income, or maximise potential from existing arrangements,



had been taken forward by the Environment Department. The Clerk reported that she did not know the definitive position, although she understood some were not necessarily considered viable, but that the definitive position might not be known for some time.

Councillor Grant referred to the new Christmas lights displayed in some parts of the authority and sought clarification on related funding, if they had been sponsored commercially, and if there was a possibility of other initiatives been sponsored in such a way. Having referred also to work completed at Fairweather Hall car park and the possibility of work of the type there being sponsored and recognised, more generally she encouraged anyone with any ideas of this type or other ways of maximising income generation to suggest these to the appropriate party.

Having heard the Clerk comment that she was not aware of how the Christmas lights had been funded, the Head of Accountancy (Chief Financial Officer) commented that she was not aware of any local sponsorship having been received and the financial challenges for local businesses doing so this year in the current situation. More generally she commented that such suggestions could be worth considering in future. Councillor Ireland confirmed that the new lights had been funded through the Scottish Government's Town Centre Regeneration Fund, to complement those funded by the Business Improvement District.

Having heard Councillor Ireland seek an update on the suggestion made on asset management and taking a more commercial approach to managing vacant buildings given the role of the commercial landlord, the Chief Executive sought the committee's forbearance on seeking this update, as the team involved was fully committed at present looking at issues relating to schools, such as ventilation, and would also be called upon during the forthcoming months to address a range of COVID-19 related issues. She also referred to challenges facing the property market and the value of allowing that market to settle a little before an update was sought.

Referring to all of the recommendations made within the report on income generation and commercialisation, Councillor Miller stated that his preference was for a report to be submitted to the committee on the position on all of them in November 2021, rather than an earlier date, suggesting why this was most appropriate to allow progress to be made. The other members of the committee concurred that this was an acceptable way forward.

The committee:-

- (a) noted the responses approved by the Cabinet to the Audit and Scrutiny Committee's investigations, including the extent to which the recommendations had been accepted;
- (b) agreed that reports be submitted to the committee in November 2021, on progress on implementation of the recommendations accepted by the Cabinet;
- (c) noted that an invitation would now be extended from the Chair of the Committee to the Chair of the Performance and Audit Committee of the Integration Joint Board to share information and discuss good practices arising from the Income Generation and Commercialisation review; and
- (d) otherwise, noted the report and comments made, including that it would be useful for anyone with any ideas regarding income generation maximisation, such as through potential sponsorship, to suggest these to appropriate parties.



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

**Minute of virtual Meeting held at 4.00pm on 26 November 2020.**

**Present:**

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

Provost Fletcher in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Louise Pringle, Head of Business Change and Revenues; Barbara Clark, Chief Accountant; Eamonn Daly, Democratic Services Manager; and Liona Allison, Assistant Committee Services Officer.

**Also attending:**

John Cornett, Pauline Gillen and Morven Fraser, Audit Scotland.

**Apologies:**

Deputy Provost Betty Cunningham and Councillor Tony Buchanan (Leader).

**DECLARATIONS OF INTEREST**

**1446.** There were no declarations of interest intimated.

**ANNUAL ACCOUNTS FOR THE COUNCIL’S CHARITABLE TRUSTS AND EXTERNAL AUDIT REPORT FOR 2019/20**

**1447.** Under reference to the Minute of the meeting of the Audit and Scrutiny Committee held earlier that day (Page 1331, Item 1439 refers), the Council considered a report by the Head of Accountancy (Chief Financial Officer) explaining that the audit of the 2019/20 Annual Accounts for the seven charitable trusts for which the Council acted as trustee had been completed, that the Accounts had been amalgamated into one document, and that a copy was now submitted for consideration. In addition, the External Auditor’s report in respect of the Trusts, in compliance with the International Standard on Auditing (ISA) 260, was also submitted for consideration.

Councillor Miller, Chair of the Audit and Scrutiny Committee, having commented on the accounts and thanked all finance staff and external audit for their input, Councillor Wallace sought clarification if any issues of concern had been raised by the external auditor.

In reply the Head of Accountancy outlined matters raised by the external auditor and confirmed that these had been resolved and were not considered to be issues of concern.

The Council approved the 2019/20 Annual Accounts for each of the Trusts and the associated External Auditor's report.

## **EAST RENFREWSHIRE COUNCIL ANNUAL ACCOUNTS AND DRAFT ANNUAL AUDIT REPORT FOR 2019/20**

**1448.** Under reference to the Minute of the meeting of the Audit and Scrutiny Committee held earlier that day (Page 1332, Item 1440 refers), the Council considered a report by the Head of Accountancy (Chief Financial Officer) regarding the Annual Accounts for 2019/20, the associated draft Annual Audit Report prepared by the External Auditor, and a further report by the External Auditor on matters arising from the audit of the Council's financial statements for 2019/20 reported under ISA 260 requirements. The draft Audit report provided an overview of the main issues arising from the 2019/20 audit.

The Council had received an audit certificate which was unqualified. As the Council had operated comfortably within budget it had not required to fully draw down £4,312k from reserves as planned with only £911k being called upon. This represented an improvement of £3,401k. As a consequence the Council's non-earmarked General Fund reserve had decreased by £911k resulting in a balance of £9,643k as at 31 March 2020. At 3.8% of annual budgeted net revenue expenditure this was slightly below the Council's target of 4%, but better than forecast when setting the 2020/21 budget. However it was noted that the balance would reduce by a further £3,500k during the current year in line with 2020/21 budget plans.

It was further noted that capital expenditure of £50,844k had been invested in addition to which an operating surplus of £598k had been made on the Housing Revenue Account, this increasing the accumulated surpluses brought forward to that Account to £2,316k.

Councillor Miller was heard to comment explaining that there had been a good discussion on the accounts and audit report at the Audit and Scrutiny Committee meeting and highlighting the favourable comments made by Audit Scotland about the quality of the information provided by the officers.

Councillor Wallace again questioned whether any issues of concern had been raised by the external auditor. He also questioned the capacity of the Council's Internal Audit service to continue to provide a service, particularly in light of all the additional COVID related grant funding that was being channelled through the Council.

Councillor Miller having indicated that the Audit and Scrutiny Committee was satisfied with the resources and operating practices in place, the Chief Accountant explained that the external auditors had commented on the Council's internal controls and were satisfied with the arrangements in place. It was these controls that were being used in relation to the disbursement of the grant funding that was being made available.

In addition in terms of Internal Audit capacity, the Head of Accountancy confirmed that the Chief Auditor was preparing a revised audit plan that would be submitted to the Audit and Scrutiny Committee for consideration.

Noting the comments made, Councillor Wallace suggested that the COVID-19 pandemic had been a sharp reminder of the unexpected challenges that may need to be faced from time to time and as such it was important to carefully consider how appropriate the use of reserves was in times of relative financial stability.

Councillor O’Kane offered thanks to the Audit and Scrutiny Committee for its work in reviewing the accounts and Audit Scotland report, and officers from both Audit Scotland and the Council’s own finance and internal audit teams for their work.

Thereafter the Council agreed to:-

- (a) approve the Council’s Annual Accounts for 2019/20; and
- (b) note the draft Annual Audit Report to the Council and Controller of Audit 2019/20 and the External Auditor’s report on matters arising from the audit of the Council’s 2019/20 Financial Statements prepared under requirements of ISA 260.

PROVOST



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

**Minute of virtual meeting held at 1.00pm on 1 December 2020.**

**Present:**

Councillor Tony Buchanan  
Councillor Jim McLean  
Councillor Colm Merrick

Councillor Paul O’Kane  
Councillor Gordon Wallace

Councillor O’Kane in the Chair

**Attending:**

Sharon Dick, Head of HR and Corporate Services and Mark Ratter, Director of Education Services.

**DECLARATIONS OF INTEREST**

**1449.** No declarations of interest were intimated.

**Resolution to Exclude Press and Public**

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

**HEAD OF EDUCATION SERVICES (EQUALITY AND EQUITY)**

**1450.** Under reference to the Minute of the meeting of the Council of 28 October 2020 (Page 1305, Item 1408 refers), the committee took up consideration of applications for the post of Head of Education Services (Equality and Equity).

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

CHAIR





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

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

**Present:**

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

Provost Jim Fletcher  
Councillor Jim McLean  
Councillor Stewart Miller

Councillor Ireland in the Chair

**Attending:**

Graham Shankland, Planning and Building Standards Manager; David Love, Principal Planner; Eamonn Daly, Democratic Services Manager and Liona Allison, Assistant Committee Services Officer.

**Apology:**

Councillor Jim Swift.

**DECLARATIONS OF INTEREST**

**1451.** There were no declarations of interest intimated.

**APPLICATIONS FOR PLANNING PERMISSION**

**1452.** 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) 2020/0585/TP – Formation of driveway; Realignment of front boundary and adjacent footway including lowering of ground levels at 29 East Kilbride Road, Busby.

The Planning and Building Standards Manager was heard further on the application. He outlined the way in which the application differed from previous similar proposals, referred to the number of objections received and that the Roads Service had submitted objections on the grounds of road safety.

Commenting on the application, Councillor Miller suggested that in his view the greatest road safety risk would be in relation to traffic travelling from Clarkston rather than from East Kilbride. He also referred to the proposed

dropped kerb and how comments about a proposed dropped kerb and pedestrian safety made by the Reporter when dealing with an appeal against non-determination of an earlier similar proposal were in his view still relevant.

Councillor Convery whilst sympathetic to the wishes of the applicant to have a driveway into his property stated that in her opinion this was outweighed by risks to other road users. This view was supported by Provost Fletcher who also referred to the comments made by the Reporter when dealing with the earlier application.

In response to Councillor McLean, the Planning and Building Standards Manager explained that the proposed "soft island" was for road markings and not a physical barrier and that the Roads Service were concerned that without such a barrier right turns could still be made into the property with the associated road safety concerns.

Councillor Cunningham having supported the other comments made regarding road safety and Councillor Miller having again commented on sight lines for traffic, Councillor Ireland also indicated that she was sympathetic to the wishes of the applicant. However she highlighted the strongly worded concerns expressed by the Roads Service. Taking these into account she indicated that she could not support the application.

In response to a question from Councillor McLean about ways in which site access could be achieved the Planning and Building Standards explained that the service could only assess proposals as submitted. The comments by the Roads Service were unequivocal in that there were significant road safety concerns about the proposal and that it was contrary to policies in both the existing and proposed Local Development Plans.

The committee agreed that the application be refused for the reasons as outlined in the report.

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  
02.12.2020

---

**Reference No:** 2020/0241/TP

**Ward:** 5

**Applicant:**

Mr Gordon Wallace  
32 Newtonlea Avenue  
Newton Mearns  
East Renfrewshire  
G77 5QA

**Agent:**

David Jarvie  
27 Aytoun Road  
Pollokshields  
Glasgow  
G41 5HW

**Site:** 32 Newtonlea Avenue Newton Mearns East Renfrewshire G77 5QA

**Description:** Erection of single storey rear extension - (Amended application form received 12.10.2020)

**Decision:** **Approved subject to conditions**

---

**Reference No:** 2020/0585/TP

**Ward:** 4

**Applicant:**

Mr Paolo Di Mambro  
29 East Kilbride RD  
Glasgow  
Scotland  
G76 8JY

**Agent:**

**Site:** 29 East Kilbride Road Busby East Renfrewshire G76 8JY

**Description:** Formation of driveway; Re-align front boundary and adjacent footway, including lowering of ground levels (AMENDED DESCRIPTION ONLY)

**Decision:** **Refused**



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

**Minute of virtual meeting held at 2.30pm on 2 December 2020.**

**Present:**

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

Provost Jim Fletcher  
Councillor Jim McLean  
Councillor Stewart Miller

Councillor Ireland in the Chair

**Attending:**

Matt Greenen, Senior Strategy Officer (Planning Adviser); Siobhan Wilson, Solicitor (Legal Adviser); Eamonn Daly, Democratic Services Manager (Clerk) and Liona Allison, Assistant Committee Services Officer.

**Apology:**

Councillor Jim Swift.

**DECLARATIONS OF INTEREST**

**1453.** There were no declarations of interest intimated.

**NOTICE OF REVIEW – REVIEW 2020/12 – ERECTION OF TWO STOREY REAR EXTENSION WITH SINGLE STOREY REAR EXTENSION AT 10 LAURISTON GROVE, NEWTON MEARNS (REF NO: 2020/0145/TP)**

**1454.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mrs Isabelle Mohan against the decision taken by officers to refuse planning permission in respect of the erection of a two storey rear extension with single storey rear extension at 10 Lauriston Grove, 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.

Members of the Local Review Body were not able to visit the site prior to the meeting due to the restrictions associated with the COVID-19 pandemic. However photographs were previously taken as part of the planning officer's assessment of the planning application had been circulated in advance of the meeting to members of the LRB.

1352

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 dated 1 July 2020 and refuse planning permission.

**NOTICE OF REVIEW – REVIEW 2020/13 – SUB-DIVISION OF FEU AND ERECTION OF TWO SEMI-DETACHED DWELLINGHOUSES AT 2 BON ACCORD ROAD, BUSBY (REF NO: 2020/0156/TP)**

**1455.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Innovate Homes Ltd against the decision taken by officers to refuse planning permission in respect of the sub-division of feu and erection of two semi-detached dwellinghouses at 2 Bon Accord Road, Busby.

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

Members of the Local Review Body were not able to visit the site prior to the meeting due to the restrictions associated with the COVID-19 pandemic. However photographs taken by the LRB's Planning Adviser showing the cleared site had been circulated in advance of the meeting to members of the LRB.

Following discussion it was agreed to uphold the decision of the Appointed Officer as set out in the decision notice dated 17 August 2020 and refuse planning permission.

CHAIR

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

**Minute of virtual meeting held at 10.00am on 3 December 2020.**

**Present:**

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

Councillor Colm Merrick  
Councillor Paul O’Kane

Councillor Buchanan in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Andy Cahill, Director of Environment; Phil Daws, Head of Environment (Strategic Services); Sharon Dick, Head of HR and Corporate Services; Louise Pringle, Head of Communities, Revenues and Change; Catherine McKay, Senior Marketing Officer; Eamonn Daly, Democratic Services Manager; Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

**Apology:**

Councillor Danny Devlin.

**DECLARATIONS OF INTEREST**

**1456.** There were no declarations of interest intimated.

**CORE SYSTEM IMPLEMENTATION - PROGRESS**

**1457.** The Cabinet considered a report by the Chief Executive providing an update on the implementation of the new Finance/Procurement and HR/Payroll ICT systems.

The report explained that the Modern, Ambitious Programme (MAP) sought to change the way the Council worked, with a particular focus on the capabilities of modernising, digital and data, including complex replacement of some of the most fundamental ICT legacy systems. Procurement exercises had been undertaken for both the Finance/Procurement and HR/Payroll systems and the first phase of the Finance/Procurement system was successfully implemented in November 2019. Positive feedback on the implementation had been received from departments. Work had continued to connect it to other Council systems and, although COVID-19 had caused some delays, it was expected that the programme would transition to “business as usual” late in 2021/22.

Implementation of the new HR/Payroll system had initially been delayed due to protracted negotiations and staffing issues, and was further delayed due to COVID-19. The Head of

Communities, Revenues and Change confirmed that the system had gone live earlier in the week and a programme of work to fully embed the system would continue during 2021/22. Both systems would continue to be maintained and developed and, in order to manage the ongoing demand, a restructure of several areas of responsibility and an extension of certain temporary resource would be required. It was expected that revenue budget resources would be required for 2022/23, with Modernisation Funding being used to cover interim costs. It was reported that this was one of the most complex change programmes that the Council had ever undertaken and through strong governance, clear goals and sound prioritisation, the programme had demonstrated that it could and would continue to deliver.

Following discussion, the Cabinet:

- (a) noted the successful implementation of the new Finance and Procurement ICT system;
- (b) noted the revised plan for implementation of HR & Payroll system as a result of COVID-19;
- (c) noted that the overall programme remained within budget, but that there may be future costs, dependent on the level of efficiencies that could be projected from future phases of the programme; and
- (d) commended the continued delivery of this complex programme across a challenging year and the ongoing realisation of early business efficiencies from the phases delivered to date.

## **STRATEGIC HOUSING INVESTMENT PLAN 2021-25**

**1458.** The Cabinet considered a report by the Director of Environment seeking approval for the proposed Strategic Housing Investment Plan 2021/22-2025/26 for submission to the Scottish Government. A copy of the plan was appended to the report.

The report explained that the Scottish Government required local authorities to supplement their Local Housing Strategy (LHS) with a Strategic Housing Investment Plan (SHIP) which must set out in detail the Council's affordable housing investment priorities for the following 5 years. The existing SHIP would be rolled forward and added to taking into account increased resources and subsidy levels announced by the Scottish Government. It was further explained that although Government funding had increased by 16% compared to the previous 5 year programme, it was conditional on a number of requirements being met. These included the installation of fire suppression systems; additional indoor space for work or study; improved connectivity; access to outside space; higher energy efficiency standards; and use of modern construction methods.

The SHIP outlined that a total of 579 units of social rented housing could be provided; the number of affordable properties for sale was still to be determined; and approximately 10% of the new units programmed were expected to be suitable for particular needs e.g. wheelchair users, older people, etc. The SHIP also detailed how the Council intended to spend its Resource Planning Allocation from the Scottish Government while highlighting that demand for new social rented housing, especially new council housing, continued to exceed demand. In order to address demand, the Council had agreed an ambitious plan to build 240 new council housing and was currently reviewing the capacity within the HRA business plan to develop more homes. The need to identify available sites was an ongoing challenge and private ownership of a number of sites meant that developmental timescales were often outwith the Council's control.



Welcoming the expansion of social rented housing across the area, the Cabinet:-

- (a) approved the East Renfrewshire Strategic Housing Investment Plan 2021-2026 for submission to the Scottish Government; and
- (b) noted that a further report would be submitted to Cabinet in early 2021/22 in relation to the resulting Strategic Local Programme Agreement with Scottish Government, which would confirm the programme of housing projects to be funded locally over the next 2 years.

## **PLACE BRANDING AND ECONOMIC RECOVERY**

**1459.** The Cabinet considered a report by the Director of Environment seeking approval for the proposed “*place branding*” strategy for East Renfrewshire to assist specifically in promoting local economic recovery from COVID-19 pressure and to create a brand which would allow the Council, in the longer term, to better promote East Renfrewshire as a desirable place in which to live, work, visit and invest.

The report explained that the COVID-19 pandemic had caused unprecedented disruption to the economy and many local business had struggled to cope despite Scottish Government support through various grants. As more residents were now working from home there was an increased opportunity to promote local retail and leisure opportunities and reduce leakage of spend. Place branding would allow the area’s unique features and characteristics to be communicated to support economic recovery and unite East Renfrewshire’s towns and people through a shared sense of pride to live, work and play in East Renfrewshire.

Research on branding was undertaken with a number of stakeholders including local businesses, residents, council officers, and business organisations, and a place brand had been developed supported by local photography, a colourful logo, and a vibrant graphical patchwork showcasing the diversity of the different towns, landmarks and activities within East Renfrewshire. In the short term, place branding would support local businesses during and immediately following the pandemic. However, medium and long term objectives would play a key role in continuing to promote economic development as well as wider corporate objectives for the Council.

The Senior Marketing Officer then made a short presentation on the development of and proposals for the branding strategy

Welcoming the proposals, the Cabinet agreed to approve the proposed branding strategy for East Renfrewshire to assist specifically in promoting local economic recovery from COVID-19 pressure and create a brand which would allow the Council in the longer term to promote East Renfrewshire as a desirable place in which to live, work, visit and invest.

## **TOWN CENTRE CAPITAL FUND 2019-20 AND 2020-21**

**1460.** Under reference to the Minute of the meeting held on 18 November 2019 (Page 1032, Item 116 refers), when it was agreed that a number of projects detailed within the report be approved, the Cabinet considered a report by the Director of Environment providing an update on those projects which received funding from the 2019/20 Town Centre Capital Fund allocation and seeking approval for those projects which would be funded from the additional 2020/21 grant.

The report explained that the 2019/20 projects previously reported to the Cabinet, including an intelligent lighting scheme in Barrhead; public realm improvements in Eaglesham and

Neilston; a community noticeboard in Thornliebank; and an extensive winter lighting programme in various town centre/village locations, were making good progress and were on track to be delivered by the end of September 2021. It had been confirmed that underspend of £122,608 from the 2019/20 allocation could be carried forward for schemes in 2020/21. A list of proposed schemes was provided and included installation of CCTV at Cowan Park, Barrhead; various Town Centre lighting projects; and installation of Menorah Lighting at Clarkston. Although the timescales for delivery would be challenging, particularly in relation to the 2020/21 projects, it was reported that both the existing projects and the proposed projects would make a considerable impact on local town and village centres.

In response to a request from Councillor Bamforth to fund an additional project to relocate the Peter Pan statue from the former Mearnskirk Hospital to a new suitable location, the Head of Environment (Strategic Services) confirmed that this project could be considered if sufficient funding became available through savings in the other listed projects.

The Cabinet:-

- (a) noted the background and objectives of the Town Centre Capital Fund;
- (b) noted the progress of those projects funded in 2019/20;
- (c) approved additional projects totalling £475,000 for 2020/21 as set out in the report; and
- (d) agreed to include on the list of projects a project to relocate the Peter Pan statue from the former Mearnskirk Hospital to a new suitable location, to be carried out subject to sufficient funding becoming available through savings in the other listed projects.

## **EARLY LEARNING AND CHILDCARE (EXPANSION 2020)**

**1461.** Under reference to the Minute of the meeting of the Council of 9 September 2020 (Page 1258, Item 1352 refers) when movements within the General Fund Capital Programme were agreed, the Cabinet considered a report by the Director of Environment providing an update in relation to the progress of the project to deliver the expansion of Early Years provision in East Renfrewshire to meet Scottish Government requirements.

The report explained that building contractors were appointed for the six Early Learning and Childcare (ELC) projects; that completion was originally expected by July 2020; and that the projects had since been delayed due to COVID-19 and Scottish Water issues. Negotiations had taken place with both the contractors and Scottish Water in order to resolve matters as quickly as possible. The building contractors had been working under a restrictive regime since June 2020, as a result of Government guidance, and in order to prevent any costly legal claims in future, it was proposed that the Council would share the additional COVID-19 related costs with the contractors. In addition, due to a tightening of regulations by Scottish Water, costs which had not previously been identified would now be incurred for surface water drainage. Given the urgency of the projects and the advanced stage of construction, approval had already been given for the works to go ahead as, without these connections, the centres could not open. Further information was also provided on other additional costs which had been incurred including an allowance for the sum of post contract changes; additional contingency allowance; and additional equipment and services.

The Director of Environment clarified that every attempt had been made to mitigate the additional expenditure, including identifying potential savings, and a sum of money had been

identified as a rebate from Hub West Scotland and from works at St Cadoc's. The remaining funds would be found from delays and deferrals due to COVID-19 in other projects.

The Cabinet:

- (a) noted the delay in the opening of the nurseries due to the impact of the COVID-19 virus on the construction industry;
- (b) homologated the decision by the Director of Environment to vary the relevant contracts to accommodate additional works in particularly challenging circumstances in an effort to open the nurseries as quickly as possible;
- (c) **recommended to the Council** that additional capital expenditure of £910,000 be approved to cover the additional committed works; and
- (d) **recommended to the Council** that a compensation payment of £803,000 in relation to coronavirus issues be made to Heron Bros as outlined in the report.

CHAIR



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

**Minute of virtual meeting held at 10.00am on 8 December 2020.**

**Present:**

Councillor Angela Convery (Chair)	Councillor Stewart Miller
Councillor Betty Cunningham (Vice Chair)	Councillor Paul O'Kane
Councillor Charlie Gilbert	

Councillor Convery in the Chair

**Attending:**

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

**Also Attending:**

Inspector Stevie Scott and Sergeant David Gilmore, Police Scotland.

**DECLARATIONS OF INTEREST**

**1462.** 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/OPERATOR'S LICENCES – REQUEST FOR REINSTATEMENT OF LICENCES FOLLOWING SUSPENSION**

**1463.** Under reference to the Minute of the meeting of 14 February 2020 (Page 1097, Item 1190) when the committee agreed that the applicant's licences remained suspended pending the outcome of ongoing legal proceedings, the committee considered a report by the Civic Government Enforcement Officer (Agenda Item 3 refers) seeking a determination on whether the suspension relative to the applicant's Private Hire Car Driver's Licence and Private Hire Car Operator's Licence should be revoked in light of the outcome of the applicant's trial.

1360

Mr David Kinloch, Solicitor, representing the applicant, was present.

Inspector Scott and Sergeant Gilmore, representing the Chief Constable, were also present.

Sergeant Gilmore was heard in respect of a letter which had been submitted by the Chief Constable confirming that the Chief Constable's previous complaints had now been withdrawn following the applicant's acquittal at Paisley Sheriff Court.

Mr Kinloch was then heard in respect of the request to reinstate the licences and in response to questions from Members.

The Senior Solicitor confirmed that the applicant's Private Hire Car Operator's Licence had expired in October 2020 and he had already submitted an application for grant of a new licence following his acquittal.

Having fully discussed the circumstances, the committee;

- (a) agreed that the suspension be revoked and the applicant's Private Hire Car Driver's Licence be reinstated with immediate effect; and
- (b) noted that the applicant had reapplied for a Private Hire Car Operator's Licence, as his previous licence had expired in October 2020.

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

**1464.** 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 4 refers).

The applicant was present.

Inspector Scott and Sergeant Gilmore representing the Chief Constable, who had made a representation in respect of the application, were 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 Gilmore was heard in respect of the representation by the Chief Constable and in response to questions from Members.

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

Following discussion the committee, having taken account of the applicant's previous conviction, its seriousness and relevance to the licence being applied for, and the representation by the Chief Constable, agreed that the application be refused on the grounds that the applicant was not a fit and proper person to be the holder of such a licence by virtue of his previous conviction.

**PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT**

**1465.** 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 5 refers).

The applicant, having been invited to the meeting, was not present and the committee decided that they would consider the application in his absence.

Inspector Scott and Sergeant Gilmore representing the Chief Constable, who had made a representation in respect of the application, were 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 Gilmore was heard in respect of the representation submitted by the Chief Constable and in response to questions from Members.

Following discussion, the committee, 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 GRANT**

**1466.** 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 6 refers).

The applicant, having been invited to the meeting, was not present and the committee decided that they would consider the application in his absence.

Inspector Scott and Sergeant Gilmore representing the Chief Constable, who had made an objection in respect of the application, were 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 objection by the Chief Constable and its relevance to the type of licence being applied for.

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

Following discussion the committee, having taken account of the applicant's previous convictions, their seriousness and relevance to the licence being applied for, and the objection by the Chief Constable, agreed that the application be refused on the grounds that the applicant was not a fit and proper person to be the holder of such a licence by virtue of his previous convictions.





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

**Minute of virtual meeting held at 10.00am on 9 December 2020.**

**Present:**

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

Councillor Convery in the Chair

**Attending:**

Saima Nevin, HR Business Partner; Katherine Robb, Senior Solicitor; Eamonn Daly, Democratic Services Manager and Liona Allison Assistant Committee Services Officer.

**DECLARATIONS OF INTEREST**

**1467.** 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.

**DEMOTION APPEAL – HEALTH AND SOCIAL CARE PARTNERSHIP– 1/2020**

**1468.** The appellant appeared, accompanied by her union representative, Ms Rankin, Unison, in connection with her appeal.

Kate Rocks, Head of Public Protection and Children's Services (Chief Social Work Officer) and Lisa Gregson, HR Business Partner, 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 Marie Clare Armstrong (Disciplining Officer) and Gayle Smart (Care at Home Manager) entered the meeting as witnesses for management. Ms Armstrong and Ms Smart were heard in response to questions from both parties and Elected Members.

1364

Thereafter both parties withdrew from the meeting.

Following consideration, both parties were recalled and advised by the Chair that the committee had agreed to uphold the decision to issue a Final Written Warning but to overturn the decision to demote the appellant, and that arrangements should be made to reinstate the appellant including the provision of appropriate training.

CHAIR