

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

**Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 28 January 2016.**

**Present:**

Councillor Jim Fletcher (Leader)	Councillor Ian McAlpine
Councillor Tony Buchanan (Deputy Leader)	Councillor Mary Montague
Councillor Elaine Green	Councillor Vincent Waters

Councillor Fletcher, Leader, in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Caroline Innes; Deputy Chief Executive; Mhairi Shaw, Director of Education; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Jim Sneddon, Head of Democratic and Partnership Services; Andy Corry, Head of Environment (Environmental Services and Roads), Phil Daws, Head of Environment (Housing and Property Services); Iain MacLean, Head of Environment (Planning, Economic Development and City Deal); Jamie Reid, Community Resources Manager; Shona Fraser, Environmental Services Manager; John Davidson, Prevention Services Manager; Diane Pirie, Chief Procurement Officer; Stuart Free, Principal Officer (Asset Management); Michael McKernan, Senior Economic Development Officer; Mark Brand, Outdoor Access Officer; and Paul O'Neil, Committee Services Officer.

**Apologies:**

Councillors Danny Devlin; and Alan Lafferty.

**DECLARATIONS OF INTEREST**

**1877.** There were no declarations of interest intimated.

**AREA FORUM MINUTES**

**1878.** The Cabinet considered the Minutes of the meetings of the undernoted Area Forums which form appendices 1, 2 and 3 accompanying this Minute:-

- (i) Newton Mearns South, Busby, Clarkston and Eaglesham Area Forum – 1 December 2015;
- (ii) Giffnock and Thornliebank, Netherlee, Stamperland and Williamwood Area Forum – 2 December 2015; and

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- (iii) Neilston, Uplawmoor and Newton Mearns North and Barrhead Area Forum – 10 December 2015.

The Cabinet agreed to note the Minutes and approve the recommendations therein.

## **FUTURE OF COMMUNITY ENGAGEMENT ARRANGEMENTS IN EAST RENFREWSHIRE**

**1879.** The Cabinet considered a report by the Deputy Chief Executive, seeking approval for the revised arrangements for community engagement in East Renfrewshire in line with the requirements of the Community Empowerment (Scotland) Act 2015.

Whilst noting that the Community Empowerment (Scotland) Act 2015 had been enacted in June 2015 and was an amalgam of requirements on councils and other public sector bodies, the report explained that at its core the Act was intended to strengthen community planning and give local communities a stronger role in planning, service delivery and improving outcomes and this was where most of the cultural, policy and resource implications were within the Act.

The report highlighted that the Act represented a shift from the traditional representative consultation and engagement models to a significantly more participative model and this shift linked strongly to the Council's organisational capabilities. Details of the new approach that the Council would have to undertake in terms of community engagement were outlined in the report.

The report also referred to the implications of the new arrangements on the operation of the Council's area forums. It was noted that a review into their operation began in 2011 which had concluded that they were no longer fit for purpose. Furthermore, they were based on an outdated structural model that was not flexible and limited meaningful engagement with the wider community. The report also highlighted that as the area forum budgets were ending this financial year, the time was right to bring their operation to an end. Accordingly, it was proposed that the area forums should cease to operate at the end of the current financial year.

The Cabinet, having noted the impact and requirements of the Community Empowerment (Scotland) Act 2015, agreed:-

- (a) a framework for participation requests would be developed by the end of March 2016 as part of the new framework outlined in the report;
- (b) that area forums would cease to operate from April 2016; and
- (c) that departments would continue to be provided with training, support and tools to engage with communities under the new arrangements.

## **ESTIMATED BUDGET OUT-TURN 2015/16**

**1880.** The Cabinet considered a report by the Chief Financial Officer detailing the projected revenue out-turn for 2015/16 and providing details of the expected variances together with summary cost information for each of the undernoted services as at 6 November 2015:-

- (i) Objective and Subjective Summaries;
- (ii) Education Department;

- (iii) Health and Social Care Partnership;
- (iv) Environment Department;
- (v) Environment Department – Support;
- (vi) Corporate and Community Services Department – Community Resources;
- (vii) Corporate and Community Services Department – Support;
- (viii) Chief Executive’s Office;
- (ix) Other Expenditure and Income and Other Housing; and
- (x) Housing Revenue Account.

Whilst noting that the estimated year-end position showed a net favourable variance on net expenditure of £593,800, the report highlighted that for General Fund services the projected underspend was noted as £684,100 and that this variance was anticipated in addition to the planned transfer to reserves of £1.010 million agreed at the meeting of the Council on 12 February 2015. Furthermore, the Housing Revenue Account was currently forecasting an overspend of £90,000 and this had arisen as overheads must now be recovered only from revenue works and not from capital projects.

The report also explained that the provisions of the Local Government in Scotland Act 2003 placed a statutory requirement on Significant Trading Operations to achieve a break even position over a rolling three year period. However, it was noted that none of the Council’s services fell within the definition of a Significant Trading Operation.

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

The Cabinet, having noted the reported probable out-turn position of the revenue budget 2015/16, agreed that:-

- (a) all departments currently on target to remain within budget be required to monitor and maintain this position to the year-end;
- (b) those departments currently forecasting a year-end overspend position be required to bring net expenditure back within budget; and
- (c) all service departments ensure that effective control and measurement of agreed operational efficiencies are undertaken on a continuous basis.

## **REVIEW OF PROCUREMENT DURING FINANCIAL YEAR 2014/15**

**1881.** The Cabinet considered a report by the Chief Officer – Legal and Procurement, providing an update on procurement activities within the Council during the 2014/15 financial year and highlighting areas where further improvements had been identified and would be addressed during the current financial year.

The Cabinet noted the progress made within Corporate Procurement and supported the improvements identified in the report for the current year.

## **DECRIMINALISED PARKING ENFORCEMENT – PROCUREMENT OF BACK OFFICE SUPPORT SERVICES**

**1882.** Under reference to the Minute of the meeting of 5 April 2012 (Page 2339, Item 1874 refers), when it was agreed to approve an exemption from tendering procedures to allow a contract to be negotiated with Glasgow City Council for the provision of back office support services in relation to the introduction of Decriminalised Parking Enforcement (DPE), the Cabinet considered a report by the Director of Environment, seeking an exemption from the Council's Standing Orders Relating to Contracts, in accordance with clause 6(iv), for the procurement of back office support services in relation to DPE.

Whilst noting that the current 3-year contract had an option to extend into a fourth year, the report highlighted that by doing so this might exceed the total spend agreed previously by the Cabinet of £150,000. Furthermore, the contract with Glasgow City Council had been working well for nearly 3 years, since 1 April 2013, with very good performance levels, providing a valued service to the Council. The report outlined the reasons why the Council should extend the contract highlighting that the estimated the value of the contract might rise to £185,000.

The Cabinet:-

- (a) noted the circumstances of the request for the exemption from Standing Orders Relating to Contracts;
- (b) approved an exemption in accordance with clause 6(iv) of the Council's Standing Orders Relating to Contracts for the procurement of back office support services in relation to Decriminalised Parking Enforcement; and
- (c) approved the continuation of the current contract with Glasgow City Council as the preferred supplier of the services to the Council, subject to an updated Service Level Agreement being agreed by officers of each Council.

## **ENVIRONMENTAL HEALTH – CORE AUDIT REPORT BY FOOD STANDARDS SCOTLAND – MAY 2015**

**1883.** The Cabinet considered a report by the Director of Environment, advising of the results of a recent audit by Food Standards Scotland (FSS) on the effectiveness of the Council's official controls in relation to Hygiene of Foodstuffs in Food Business Establishments and the Application of the Food Hygiene Information Scheme.

The report explained that the FSS audit of the Council had taken place between 19 and 21 May 2015 and had focussed on database accuracy, file accuracy and most importantly, compliance with the current code(s) of practice. FSS carried out paper audit checks and actual re-visits to premises, using the last report to compare the hygiene reports against current conditions and activities which were termed "reality check" visits by FSS.

Whilst noting that the audit checks were overall very favourable, the report highlighted that FSS had commented that the Council's interpretation of the Food Hygiene Information Scheme was good practice although it had made two recommendations for action listed in the audit summary. Details of the recommendations were outlined in the report and it was noted that they had now been implemented.

The Cabinet noted and welcomed the findings of the recent audit by Food Standards Scotland and the remedial actions that had been taken to address the areas of concern highlighted within the audit report.

### **GREATER RENFREWSHIRE AND INVERCLYDE LEADER PROGRAMME 2014-20**

**1884.** The Cabinet considered a report by the Director of Environment, providing an update on the progress made to date with the Greater Renfrewshire and Inverclyde Leader Programme for the period 2014-20.

Whilst noting that the LEADER programme was an European Commission initiative which aimed to encourage bottom-up development, co-operation, networking and innovation in rural areas, the report explained that the Council operated a separate LEADER programme during the period 2007-2013.

The report explained that the new programme covering the period 2014-20, would involve East Renfrewshire, Inverclyde and Renfrewshire Councils working together on a joint approach for the new LEADER programme. The Scottish Government had agreed to this proposal on the basis that there would be considerable benefits of doing so, such as achieving economies of scale in operational and organisational aspects and being able to adopt a more strategic approach in coming together as one programme to deliver and implement the LEADER programme for the new period.

The report highlighted that the Local Development Strategy and Business Plans for the Greater Renfrewshire and Inverclyde area had been submitted to the Scottish Government for review in summer 2015 and were approved in late November 2015. Furthermore, the Scottish Government had confirmed an indicative funding amount of £2.3 million it being noted that the minimum grant that could be awarded would be £5,000 with the maximum being £125,000. Details of those organisations and the types of projects that would be eligible for funding through the programme were outlined in the report.

The report concluded by indicating that the new LEADER Programme and the Local Development Strategy provided the Council and its partners with a framework to ensure the delivery of a wide range of activity and support to help create sustainable economic development within the Council's rural communities.

The Cabinet:-

- (a) noted the collaborative position with the Greater Renfrewshire and Inverclyde LEADER Programme 2014-20; and
- (b) welcomed the proposed LEADER Programme, Local Development Strategy and Business Plan which would cover the next 5 years.

### **SECTION 21 PATH AGREEMENT AT GLENIFFER VIEW, NEILSTON**

**1885.** The Cabinet considered a report by the Director of Environment, seeking approval for a proposed Section 21 Path Agreement between East Renfrewshire Council and Sheila Smith and Margaret Laurie which would allow for the introduction of a path running across the proposed housing development site at Neilston Road, towards the public Right of Way at Low Broadlie Road. Copies of the plan showing the proposed path and path agreement were appended to the report.

The Cabinet approved the proposed Section 21 Path Agreement at Gleniffer View, Neilston.

## **SECTION 21 PATH AGREEMENT AT SALTERLAND, BARRHEAD**

**1886.** The Cabinet considered a report by the Director of Environment, seeking approval for a Section 21 Path Agreement between East Renfrewshire Council and Mrs Lorna McKay which would allow the completion of a new section of the Levern Walkway path in Barrhead.

The Cabinet approved the proposed Section 21 Path Agreement at Salterland, Barrhead.

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

At this point in the meeting, on the motion of the Leader, the Cabinet 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 items of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 6, 8 and 9 of Part I of Schedule 7A to the Act.

## **PROPOSED GROUND LEASE FOR A BIOGAS PLANT AT GREENHAGS BY NEWTON MEARNS**

**1887.** Under reference to the Minute of the meeting of 20 August 2015 (Page 1560, Item 166 refers) when the Cabinet authorised officers to enter into missives and conclude a ground lease, subject to suspensive conditions being met, with Greenhags Energy Company Limited or a permitted assignee, to enable the development of a biogas plant at Greenhags by Newton Mearns, the Cabinet considered a report by the Director of Environment, explaining that following further test bores the original location had been discovered to be unsuitable and seeking approval to enter into a ground lease, subject to suspensive conditions, for an alternative part of the Council owned grazing at Greenhags to enable Greenhags Energy Company Limited to develop a biogas plant.

The Cabinet agreed to:-

- (a) delegate authority to the Director of Environment in consultation with the Chief Officer – Legal and Procurement to finalise terms (including any changes to provisional terms); and
- (b) enter into missives and conclude a ground lease, subject to suspensive conditions being met, with Greenhags Energy Company Limited, or a permitted assignee, to enable the development of a biogas plant on 2.0 hectares (4.94 acres) of Council owned land at Greenhags by Newton Mearns.

## **SALE OF RHUALLAN HOUSE**

**1888.** Under reference to the Minute of the meeting of 1 October 2015 (Page 1631, Item 1747 refers) when it was agreed to re-market Rhuallan House, the Cabinet considered a report by the Director of Environment, providing an update on the proposed sale of Rhuallan House.

The Cabinet agreed to:-

- (a) proceed with Option 1 as detailed in the report; and

- (b) delegate authority to the Director of Environment in consultation with the Chief Officer – Legal and Procurement to make the necessary arrangements for the disposal of the property.

CHAIR





**MINUTE**

of

**NEWTON MEARNS SOUTH, BUSBY, CLARKSTON AND EAGLESHAM AREA FORUM****Minute of Meeting held at 7.00pm in Mearns Castle High School on 1 December 2015.****Present:**Provost Alastair Carmichael  
Councillor Barbara Grant

Councillor Alan Lafferty

Inspector Alan Dickson and Sergeant Paul Murray (Police Scotland); George McLachlan (Busby Community Council); and John Seenan (East Renfrewshire Neighbourhood Watch Association).

Provost Carmichael in the Chair

**Attending:**

Eamonn Daly, democratic Services Manager.

**Apologies:**

Councillors Ian McAlpine, Stewart Miller and Jim Swift; and Station Manager David Fothergill, Scottish Fire and Rescue Service.

**MINUTE OF PREVIOUS MEETING**

1. The forum considered and approved the Minute of the meeting of 8 September 2015.

**PROJECT MONITORING AND PROPOSALS 2015/16**

2. The forum considered a report by the Deputy Chief Executive, providing an update on projects previously approved by the forum and the balance outstanding in the General Services budget for 2015/16.

In addition in view of the funding available and the time of the next meeting, the report sought delegated authority for the Head of Democratic and Partnership Services, in consultation with the Chair, to consider and approve any projects submitted up to the end of the financial year.

The forum noted the report and agreed to grant the delegated authority as outlined.

## **POLICE AND FIRE SERVICES – UPDATE**

3. In the absence of a representative from the Scottish Fire and Rescue Service, Provost Carmichael invited Inspector Dickson to give an update on the activities of the police in the forum's area since the date of the last meeting.

Inspector Dickson explained that overall there had been relatively low levels of criminal and antisocial activity in the area since the last meeting. He reported that the national drink-drive campaign would start on Friday 4 December and that a more targeted, intelligence-led approach was being used this year. In response to questions he confirmed that the number of drink driving offences had reduced since the introduction of the legislation last year, and that more people were deciding not to drink at all if driving.

Inspector Dickson also referred to the usual festive safety campaigns that were being repeated.

Discussion also took place on recent information released by DVLA suggesting that the number of vehicles with unpaid Vehicle Excise Duty (VED) had increased since the need for vehicles to display discs had been removed. In this regard inspector Dickson outlined the police role and power available to them and that checking for vehicles where no duty had been paid was principally a matter for DVLA to tackle, although some of the initiatives undertaken by the police in partnership with DWP and trading standards were outlined, as part of which VED checks were made.

Inspector Dickson also reported on the start of the local winter initiative and that patrols of shopping and other retail areas would be increased. In particular a lot of safety advice and information was being provided to premises that would be handling large amounts of cash over the festive period.

Finally Inspector Dickson reported that the former ward sergeant, Tom Devine had now retired and was being replaced by Sergeant Murray.

The forum noted the information.

## **QUESTION AND ANSWER SESSION**

4. Mr Seenan referred to the recent tragic events in Paris and enquired if whether in light of these had the police priorities changed in terms of potential risk of similar events taking place in the UK. In reply, Inspector Dickson explained that the UK threat level had been at "severe" since the "Charlie Hebdo" shootings, also in Paris. Notwithstanding he explained that there was no specific evidence to suggest that there was any increased threat in Scotland following the recent shootings but that intelligence and associated plans were constantly under review. He explained that the key message from the police was that the public should be alert but not alarmed.

Following further discussion, the forum noted the position.

## **DATE OF NEXT MEETING**

5. It was noted that the next meeting would be held in Williamwood High School on 1 March 2016 at 7pm.

**MINUTE**  
**of**  
**GIFFNOCK AND THORNIEBANK, NETHERLEE, STAMPERLAND**  
**AND WILLIAMWOOD AREA FORUM**

**Minute of Meeting held at 7.00pm in Woodfarm High School, Woodfarm on 2 December 2015.**

**Present:**

Councillor Mary Montague

Lynne Arnott (Thornliebank Seniors Forum); Monty Cowen (Jewish Representative Council); and Sergeant Paul Murray (Police Scotland).

Councillor Montague in the Chair

**Attending:**

Paul O'Neil, Committee Services Officer.

**Apologies:**

Councillors Jim Fletcher and Ralph Robertson; Station Manager David Fothergill; and Lisa-Marie Patton (Thornliebank and Giffnock Tenants and Residents Association).

**MINUTE OF PREVIOUS MEETING**

1. The forum considered and approved the Minute of the meeting held on 2 September 2015.

**PROJECT MONITORING AND PROPOSALS 2015/16**

2. The forum considered a report by the Deputy Chief Executive, providing details of the balance outstanding in the General Services budget for 2015/16; a project previously approved by the forum in 2015/16; and a project that had been submitted for consideration.

Whilst noting that the project proposal that had been submitted did not meet the funding criteria and therefore could not be considered, the forum was advised that as there was a balance outstanding in the forum's budget, and given that the date of the next meeting was close to the end of the financial year, it was proposed that delegated authority be granted to the Head of Democratic and Partnership Services, in consultation with the Chair, to consider and approve any projects submitted up to the end of the financial year.

The forum agreed:

- (a) to note that the project proposal that had been submitted did not meet the funding criteria and therefore could not be considered;
- (b) that delegated powers be granted to the Head of Democratic and Partnership Services in consultation with the Chair to approve any projects up to the end of the current financial year; and
- (c) to otherwise note the terms of the report.

### **POLICE AND FIRE SERVICES – UPDATE**

3. In the absence of a representative from the Scottish Fire and Rescue Service, Councillor Montague invited Sergeant Murray to give an update on the activities of Police Scotland in the forum's area since the date of the last meeting.

Sergeant Murray explained that overall there had been relatively low levels of criminal and antisocial activity in the area since the last meeting. He reported that the national drink-drive campaign would begin on Friday 4 December and that a more targeted, intelligence-led approach was being used this year. He also referred to the usual festive safety campaigns that were being repeated. Furthermore, it was noted that the local winter initiative would begin and that patrols of shopping and other retail areas would be increased.

In response to a question by Mr Cowen, Sergeant Murray confirmed that the number of drink driving offences had reduced since the introduction of the legislation last year, and that more people were deciding not to drink at all if driving.

The forum noted the position.

### **DATE OF NEXT MEETING**

4. It was reported that the next meeting of the forum would be held in Woodfarm High School on Wednesday, 24 February 2016 at 7pm.

**MINUTE**  
**of**  
**NEILSTON, UPLAWMOOR AND NEWTON MEARNS NORTH AND BARRHEAD**  
**AREA FORUM**

**Minute of Meeting held at 7.00pm in the Council Offices, 211 Main Street, Barrhead on 10 December 2015.**

**Present:**

Inspector Alan Dickson (Police Scotland); Grace Brookmyre (East Renfrewshire Faith Forum); and Joyce Miller, (Uplawmoor Community Council).

Mrs Brookmyre in the Chair

**Attending:**

Jennifer Graham, Committee Services Officer.

**Apologies:**

Councillor Kenny Hay (Chair); and Station Manager David Fothergill (Scottish Fire and Rescue Service).

**CHAIR**

1. In the absence of the Chair and Vice Chair, Mrs Brookmyre agreed to Chair the meeting.

**MINUTE OF PREVIOUS MEETING**

2. The forum considered and approved the Minute of the meeting held on 10 September 2015.

**POLICE UPDATE**

3. Mrs Brookmyre invited Inspector Dickson to update members on the activities of Police Scotland locally since the last meeting.

Inspector Dickson reported that the national drink-drive campaign had started and that a more targeted, intelligence-led approach was being used this year. He added that the number of drink driving offences had reduced since the introduction of new legislation last year, and that more people were deciding not to drink at all if driving.

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Inspector Dickson also reported on the start of the local winter initiative and that patrols of shopping and other retail areas would be increased. In particular a lot of safety advice and information was being provided to premises that would be handling large amounts of cash over the festive period.

Finally Inspector Dickson reported that two new Sergeants, Sergeant Paul Murray and Sergeant Stewart Ward Boyce, had been appointed to the local area.

The forum noted the information.

## **PROJECT MONITORING AND PROPOSALS 2015/16**

4. The Forum considered a report by the Deputy Chief Executive, giving details of the budget allocation for 2015/16 and submitting a proposal for consideration.

Following discussion on the proposal submitted, the forum agreed:-

- (a) that further information be sought on the work carried out in Glasgow by Metropolitan Insulation Services to ascertain how effective the sound proofing had been;
- (b) that delegated powers be granted to the Head of Democratic and Partnership Services in consultation with the Chair to approve any projects up to the end of the current financial year, including making a final decision on the noise reduction project referred to at (a) above; and
- (c) otherwise, to note the report.

## **QUESTION AND ANSWER SESSION**

5. No issues were raised.

## **DATE OF NEXT MEETING**

6. It was reported that the next meeting of the Forum would be held in the Council Offices, Main Street, Barrhead on Thursday, 25 February 2016 at 7.00pm.