

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

**Minute of Meeting held at 7.00pm in the Council Chamber, Council Headquarters, Giffnock, on 14 September 2016.**

**Present:**

Provost Alastair Carmichael	Councillor Alan Lafferty
Depute Provost Betty Cunningham	Councillor Gordon McCaskill
Councillor Tony Buchanan	Councillor Stewart Miller
Councillor Danny Devlin	Councillor Paul O’Kane
Councillor Jim Fletcher (Leader)	Councillor Tommy Reilly
Councillor Charlie Gilbert	Councillor Ralph Robertson
Councillor Barbara Grant	Councillor Jim Swift
Councillor Elaine Green	Councillor Gordon Wallace
Councillor Kenny Hay	

Provost Carmichael in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Julie Murray, Chief Officer – Health and Social Care Partnership; 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; Iain MacLean, Head of Environment (Planning, Economic Development and City Deal); Janice Collins, Head of Education Services (Equality and Equity); Gillian McCarney, Planning and Building Standards Manager; Eamonn Daly, Democratic Services Manager; and Linda Hutchison, Senior Committee Services Officer.

**Apologies:**

Councillors Ian McAlpine, Mary Montague and Vincent Waters.

**DECLARATIONS OF INTEREST**

**2167.** There were no declarations of interest intimated.

**Urgent Item of Business**

**Provost Carmichael gave notice that he had accepted an additional item of business in relation to the Fifth Statutory Review of Electoral Arrangements as urgent on the grounds of the need to determine how to proceed following the decision made on the Council’s electoral wards by the Local Boundary Commission for Scotland (The Commission).**

**FIFTH STATUTORY REVIEW OF ELECTORAL ARRANGEMENTS - LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND**

**2168.** Under reference to the Minute of the meeting of 15 June 2016 (Page 1959, Item 2091 refers), when it had been agreed to submit a formal response to Scottish Ministers on proposals by The Commission relating to the Fifth Statutory Review of Electoral Arrangements reiterating the Council's fundamental opposition to the ward re-design proposals which were considered to be based on the application of a flawed methodology; and, subject to the decision taken by Scottish Ministers and the level of interest from other councils, to proceed with legal action to defend the Council's position in the interests of effective and convenient local government, Councillor Fletcher reported he had just received written confirmation that The Commission's proposals had been accepted.

Having referred to the reduction in elected Members serving in East Renfrewshire from 20 to 18 despite a rapidly increasing local population, Councillor Fletcher commented that this was contrary to the approach adopted on the review of UK Parliamentary Constituencies through which ward parity was promoted. Whilst challenging the decision and approach taken, he commented on the lack of evidence that Councillors' workload was driven by deprivation and the robust arguments made by the Council on the best future, local arrangements. He expressed surprise and disappointment regarding the outcome of the review, particularly given comments made by Scottish Ministers suggesting that they would support local views on future arrangements where all-party agreement existed locally as in East Renfrewshire.

Councillor Fletcher commented on the outcome of the review elsewhere and, given the need to determine quickly how best to proceed, sought approval to reconvene the all-party sub-group of elected Members established previously to consider the review, to enable it to review the Commission's final decision, ascertain the strength of feeling for challenging the outcome legally or otherwise locally and amongst other local authorities, and determine the way forward without the need for a further report to be submitted to the Council.

Councillors Buchanan and Miller supported the proposal following which Councillor Grant commented that the level of local representation in local authority areas in Scotland was well below that in many other European regions. In response to Councillor Reilly, the Chief Executive confirmed that action would be required quickly if a judicial review was to be pursued, commented on the associated work involved, and explained that the Chief Officer (Legal and Procurement) would be able to provide guidance on associated timescales, including in the context of the forthcoming local elections.

The Council agreed that the sub-group of elected Members be reconvened and that it be delegated to that sub-group to determine whether or not the Council should proceed to judicial review.

**MINUTE OF PREVIOUS MEETING**

**2169.** The Council considered and approved the Minute of the meeting held on 15 June 2016.

## **MINUTES OF MEETINGS OF COMMITTEES**

**2170.** The Council considered and approved the Minutes of the meetings of the undernoted, except as otherwise referred to in Items 2171 to 2172 below:-

- (a) Cabinet – 16 June 2016;
- (b) Social Work Complaints Review Committee – 6 July 2016;
- (c) Licensing Committee – 6 July 2016;
- (d) Licensing Committee – 11 July 2016;
- (e) Audit and Scrutiny Committee – 4 August 2016;
- (f) Civic Hospitality Committee – 10 August 2016;
- (g) Local Review Body – 10 August 2016;
- (h) Licensing Committee – 16 August 2016;
- (i) Cabinet – 18 August 2016;
- (j) Audit and Scrutiny Committee – 18 August 2016;
- (k) Education Committee – 25 August 2016;
- (l) Cabinet – 1 September 2016;
- (m) Planning Applications Committee – 7 September 2016; and
- (n) Local Review Body – 7 September 2016.

### **LICENSING COMMITTEE - 16 AUGUST 2016 - CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – LOCAL CONDITIONS OF BOOKING OFFICE LICENCES**

**2171.** Under reference to the Minute of the meeting of the Licensing Committee of 16 August 2016 (Page 1990, Item 2128 refers), when policy changes to the local conditions attached to booking office licences had been approved, Councillor Miller commented that the Minute did not reflect reference made at the meeting to the total number of vehicles, including 9 private hire vehicles, which were wheelchair accessible which contributed to meeting targets in the Single Outcome Agreement.

It was agreed to note the position.

### **CABINET - 1 SEPTEMBER 2016 - EASTWOOD NURSERY ALLOTMENTS BOUNDARY WALL**

**2172.** Under reference to the Minute of the meeting of the Cabinet of 1 September 2016 (Page 2020, Item 2158 refers), when it had been noted that the Audit and Scrutiny Committee had not supported a decision made by the Cabinet on 16 June 2016 (Page 1968, Item 2014 refers) to construct a replacement boundary wall at Eastwood Nursery Allotments as set out at Option (ii) of the original report, and approved a subsequent recommendation made by the Audit and Scrutiny Committee allowing the existing wall to remain, Councillor Swift commented on the independent structural engineer's report prepared on the wall and that it had not been submitted to either the Cabinet or the Committee. He referred to comments within that report on wind loading, the specification and construction of the wall and related issues, highlighting that it did not say the wall was unsafe but had recommended that it be taken down and rebuilt. Having referred to use of the area beside the wall and his related concerns, Councillor Swift proposed that the Council reconsider the matter, follow the independent structural engineer's advice or take action to ensure the wall was more robust, adding that liability for meeting the related costs could be determined in due course.

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The Democratic Services Manager clarified that, in terms of the Council's Standing Orders, it was not competent for the Council to reconsider the issue within 6 months of the Cabinet decision of 1 September 2016 without a notice of Motion being submitted and accepted to consider this in accordance with Standing Order No. 25, with such a Motion requiring to bear the names of at least half of the Members of the Council.

Provost Carmichael commented and it was noted that it remained an option for Councillor Swift to pursue the submission of a Motion to a future meeting if he wished to do so.

## **QUESTIONS TO CONVENER**

2173. Provost Carmichael intimated that no questions had been submitted.

## **STATEMENTS BY CONVENER**

2174. The following statement was made:-

### **Empowering Teachers, Parents and Communities to Achieve Excellence and Equity in Education – Statement by Councillor Green - Convener for Education and Equalities**

Having referred to the publication of a governance review of education introduced by the Deputy First Minister in the Scottish Parliament on 13 September 2016, Councillor Green highlighted that the Council had welcomed the opportunity to contribute to the debate on education governance and consider questions posed in the document *Empowering Teachers, Parents and Communities to Achieve Excellence and Equity in Education*.

Councillor Green emphasised that the principles of closing the attainment gap had always been at the heart of what the Council was trying to achieve, especially in education, referring to evidence of this locally such as at St Luke's High School. She clarified that this was why the Deputy First Minister had been invited to visit the school in October to meet staff, children, young people, officers and Members; hear first-hand how and why the local system worked so well; and find out about work being done to achieve excellence and equity and offer ideas for improvement within East Renfrewshire and beyond. She stated that she anticipated that local head teachers would tell the Deputy First Minister they already had autonomy, whilst acknowledging that there was more to do to empower communities and parents and clarifying that work was being done to enable parents to become more involved in local decisions in schools and communities such as through the Early Years and Parenting Strategies.

Having referred to her role as Convener to ensure that the current high quality of education in East Renfrewshire was maintained, Councillor Green emphasised the on-going willingness locally to share excellent practices in local schools and the Education Department, commenting on work already done to work with and lead inter-authority improvement work with neighbouring authorities. She expressed hope that the Deputy First Minister would learn from East Renfrewshire and realise that if other authorities replicated what was in place locally, more children and young people would achieve excellent outcomes which local learners were already attaining and improving on each year.

The Council noted the position.

## **STATEMENTS BY REPRESENTATIVES ON JOINT BOARDS/COMMITTEES AND COMMUNITY JUSTICE AUTHORITY**

**2175.** The following statement was made:-

### **North Strathclyde Community Justice Authority – Statement by Councillor Alan Lafferty**

Having referred to his attendance at a recent meeting of the North Strathclyde Community Justice Authority, Councillor Lafferty clarified that it was likely that only one further meeting of the Authority would take place in December before the body disbanded in March 2017 and related local responsibilities transferred to the Community Planning Partnership in East Renfrewshire. He clarified, however, that a further meeting would be convened if required.

The Council noted the position.

## **PROVOST'S ENGAGEMENTS**

**2176.** The Council considered and noted a report by the Deputy Chief Executive, providing details of civic engagements attended and civic duties performed by Provost Carmichael since the last meeting.

## **HEALTH AND SOCIAL CARE PARTNERSHIP END YEAR PERFORMANCE 2015/16**

**2177.** The Council considered a report by the Chief Officer - Health and Social Care Partnership (HSCP) on the performance of the HSCP and former Community Health and Care Partnership (CHCP) from April 2015 to March 2016.

Having referred to the inaugural meeting of the HSCP Integration Joint Board (IJB) in August 2015 and formal delegation of health and care services commencing in October 2015 and related issues, the report referred to statutory guidance recently published by the Scottish Government which would come into force for 2016/17 on the prescribed content of integration authorities' performance reports. In advance of this the HSCP had considered it helpful to cover the main reporting areas and provide performance information where data was available. Reference was made to the Strategic Plan for the HSCP which stated that progress and performance would be reported for 2015/16 in the form of an Organisational Performance Report, a copy of which was attached to the report. This covered both CHCP and HSCP performance for 2015/16 in relation to commitments within East Renfrewshire's Outcome Delivery Plan (ODP) and the NHS Greater Glasgow and Clyde (NHSGGC) Local Delivery Plan (LDP).

Reference was made to a range of issues including national health and wellbeing outcome indicators, experiences of services, national indicators and related trends over time, *Getting it Right for Every Child* and related issues, and integration planning and delivery. Other issues commented on included financial planning and performance, best value, locality arrangements, inspection of services and a review of the HSCP's Strategic Plan. Regarding the HSCP Organisational Performance End of Year report appended to the report, it was clarified that the report was set out under the previous strategic priorities, making clear links to the SOA and LDP on which further comments were provided in relation to early intervention and the prevention of ill-health, the shifting of the balance of care to Self-Directed Support, and the reshaping of care for older people.

It was confirmed that the Performance and Audit Committee of the IJB had approved the unaudited annual report and accounts for the IJB for the period 27 June 2015 to 31 March 2016, that the accounts were now subject to external audit, and that the committee would consider the External Auditor's report, proposed audit certificate and audited annual accounts on 28 September 2016. The report concluded that the report demonstrated a strong start to the work of the HSCP, building on the successful CHCP between the Council and NHS GGC which had operated previously.

Whilst commenting on the report, Councillor Lafferty referred to the establishment of the new HSCP and IJB, clarifying that much of the partnership's work had already been reported through the Council's ODP, with the report before the Council overviewing the position on some key reporting areas. He highlighted that the successful performance was attributable to the Council's commitment to integration of health and social care and that the previous CHCP had been a model of good practice which other areas were following. He welcomed that this commitment was reflected in positive feedback from local people on services, examples of which were cited, adding that the quality of care provision locally was high and that both the Council's own and contracted services had achieved good Care Inspectorate grades, some local services receiving the highest grade possible.

Referring to the authority's corporate parenting responsibilities, Councillor Lafferty highlighted that it was known from young people how important the Council's commitment to *Getting it Right for Every Child* was, that a successful fostering campaign and work with kinship carers had resulted in fewer children being in residential care and that keeping children within East Renfrewshire enabled them to maintain local friendships and support and benefit from the Council's excellent education system. He also referred to continued high performance in getting people out of hospital, but rising levels of emergency admissions which remained challenging and new developments being tested to further improve performance and residents' experiences. It had been noted that satisfaction from carers was mixed, this having been prioritised as an area for development in the Strategic Plan.

Referring to the importance of best value, Councillor Swift sought an update on the future of the Dickie and Lygates buildings and sale of Bonnyton House. Regarding Bonnyton House, the Chief Officer - HSCP clarified that a closing date had been set for offers and that a related report was to be submitted to the Cabinet in October. The Director of Environment clarified that the Dickie Building was surplus to requirements and had been offered for sale, the current position being that bids were being analysed. Regarding the Lygates building, he reported that he had asked officers to prepare an option appraisal report on possible ways forward. He clarified that when analysis on both issues was complete, he would be happy to provide feedback.

The Council agreed:-

- (a) that the Director of Environment update Councillor Swift on the sale of the Dickie Building and the position on the Lygates building in due course; and
- (b) otherwise, to note the report.

## **UPDATE ON IMPROVEMENT AND CHANGE IN EAST RENFREWSHIRE COUNCIL**

**2178.** Under reference to the Minute of the meeting of the Cabinet of June 2016 (Page 1967, Item 2101 refers), when progress developing the Modern Ambitious Programme (MAP) had been noted, and the Minute of the meeting of the Cabinet of 18 August 2016 (Page 1994, Item 2131 refers) when a further update on MAP had been noted as part of the Council's Annual

Efficiency Statement for 2015/16 and when it had been agreed that the final version of the current summary of improvement and change in East Renfrewshire “A Map of Improvement and Change in East Renfrewshire” would be submitted to this meeting, the Council considered a report by the Deputy Chief Executive regarding change activity and the document referred to, a copy of which was attached to the report.

The document reflected contributions from each department and broad-ranging coverage of some of the Council’s key projects set out at a high level, organised by SOA theme. These examples were to be built on over time as change continued to be delivered at a significant pace and scale. It was envisaged that the document would be published on the Council’s website and made available as part of evidence for the forthcoming audit of Best Value.

The report concluded that significant programmes of work were underway and moving at a considerable pace across the Council and HSCP covering complex and challenging areas and which challenged fundamental building blocks of how the Council operated. It was stated that these resource intensive areas of work, given the right input and commitment, had real opportunity to transform how the Council worked and deliver efficiencies.

Having referred to the content and approach taken on the layout of the “Map of Improvement and Change in East Renfrewshire” which had been distributed to all Members to enable them to review changes being progressed, Councillor Fletcher commended it and the report, adding that it reflected the Council’s approach in the current financial and fast changing environment.

Referring to comments in the document which reflected that the Council had taken action to build relationships and strengthen the role and remit of community councils, Councillor Miller challenged the comments in the context of the current number of community councils.

Commenting on the processing of invoice payments, Councillor Miller reported that he had been assured that the issue that had arisen regarding this was being addressed and encouraged performance on this matter above the minimum required.

In response to Councillor McCaskill who referred to workforce planning issues, including the Council’s ageing workforce, related concerns he held and the need to attract younger applicants to apply for posts, the Deputy Chief Executive clarified that the Council was doing what it could to address such issues, such as through the Modern Apprentice Scheme, adding that there was acute awareness of the need to progress matters in full accordance with legislation aimed at addressing age discrimination.

Councillor Swift welcomed the report and progress, but expressed the view that savings could have been achieved much earlier for the benefit of local residents before austerity had made securing savings and efficiencies more pressing. Councillor Buchanan commended the document, expressing confidence that residents would acknowledge that the Council was performing well. He also commended staff for the progress and contribution they were making to ensure that the Council remained an outstanding authority.

Councillor Wallace referred to interest taken by the Audit and Scrutiny Committee on absence levels and the need to address these. Referring to links reported between absence levels and work on change initiatives, he stressed the importance of ensuring that as much as possible was done to keep staff informed about and support them through the change process.

The Council:-

- (a) noted the progress being made to develop a new change programme for the future – the “Modern Ambitious Programme (MAP)” and to deliver efficiencies for 2016/17 and beyond; and
- (b) noted the draft summary “A Map of Improvement and Change in East Renfrewshire” attached to the report.

## **REVISIONS TO HUB PROCUREMENT ARRANGEMENTS FOR CAPITAL PROJECTS**

**2179.** The Council considered a report by the Chief Executive providing an update on the impact of local projects of changes to the structure for procuring and delivering capital projects through the hub Design, Build, Finance and Maintain (DBFM) model as a result of the introduction of new European System of Accounts 2010 (ESA10) rules, and seeking approval for required amendments to the agreements relating to Eastwood Health and Care Centre.

Full details of the reasoning for changes to hub DBFM arrangements accompanied the report.

Having heard the Provost clarify the designation of the Council’s Chief Legal Officer and following discussion, the Council:-

- (a) authorised the Chief Officer (Legal and Procurement) to agree the required amendments to the documentation associated with the Eastwood Health and Care Scheme;
- (b) noted that the Council’s sub-debt investment in the scheme was unaffected by the Changes; and
- (c) noted that there were no further changes required to the Barrhead High School scheme.

## **CAPITAL INVESTMENT IN ENERGY EFFICIENCY MEASURES**

**2180.** The Council considered a report by the Director of Environment seeking approval to transfer capital investment in energy efficiency measures within the Council’s Eastwood Headquarters (HQ) building to support investment in the Council’s school estate.

Having referred to the 2016/17 Capital Plan through which investment of £140k had been approved for efficiency measures within the HQ building to reduce energy consumption and realise savings to redirect to other important areas, the report explained that an opportunity had emerged subsequently to deliver significant investment in energy efficiency measures across the Council’s property estate through investment of savings arising from reduced energy consumption on which a further report was to be submitted in due course.

The report clarified that the works within the HQ building were likely to be financed through alternative funding arrangements, proposing that the £140k be redirected for capital energy conservation works in 8 primary schools which were properties with the poorest energy performance in a list compiled. It was proposed to supplement this by Central Energy Efficiency Funds and SALIX funding both of which had already been approved generating investment of over £400k in the school estate to improve environmental energy performance and make a positive impact on future revenue costs.



The Council agreed that the £140,000 intended for energy efficiency upgrades within Eastwood HQ be utilised instead to fund energy conservation measures in primary schools.

## **LOCAL DEVELOPMENT PLAN - RENEWABLE ENERGY SUPPLEMENTARY PLANNING GUIDANCE**

**2181.** Under reference to the Minute of the meeting of 23 March 2016 (Page 1884, Item 1964 refers), when the Council had approved proposed Renewable Energy Supplementary Planning Guidance (SPG) and a complementary Strategic Environmental Assessment (SEA) Environmental Report for formal publication and consultation, the Council considered a report by the Director of Environment on the outcome of the consultation undertaken and seeking approval to submit the SPG to Scottish Ministers for approval.

The report clarified that Section 22 of the Planning etc. (Scotland) Act 2006 made provision for the preparation and adoption of SPG in connection with a Local Development Plan (LDP) and that, when adopted, SPG formed a statutory part of the LDP. Having referred to the purpose of SPG, it was clarified that a number of SPG documents had already been adopted forming part of the LDP.

11 responses had been received on the SPG and 3 on the SEA Environmental Report linked to which minor changes to the text of the SPG and SEA had been required, including the addition of some maps and refreshing the layout. A summary of the representations received on the SPG and SEA report and the Council's responses were set out in Appendices 1 and 2 of the report respectively. It was confirmed that a copy of the SPG/SEA Environmental Report and a statement setting out the publicity measures undertaken would be submitted to Scottish Ministers together with the representations summary and responses. It was clarified that 28 days after this the guidance could be adopted unless the Council was directed by Ministers not to do so. The issues Ministers would focus more on were outlined.

In response to various Members who referred to residents' concerns regarding wind turbine developments and the value of protecting the green belt, the Planning and Building Standards Manager commented on various issues including protection zones being proposed as part of the local approach on this issue. She also commented that a large part of the Council's area was unsuitable for windfarm development. She also clarified that this could be the last SPG placed before the Council, it having been prepared in response to a change of Scottish Government policy and the intention being to reduce the development of further SPG.

The Council agreed to:-

- (a) approve the proposed responses and recommendations to representations for the finalised Supplementary Planning Guidance as detailed in Appendix 1 to the report;
- (b) approve the proposed responses and recommendations to representations for the finalised SEA Environmental Report as detailed in Appendix 2 to the report;
- (c) approve the submission of the finalised Supplementary Planning Guidance to Scottish Ministers for adoption;
- (d) approve the submission of the finalised SEA Environmental Report to Scottish Ministers; and

- (e) delegate authority to the Director of Environment to approve any minor inconsequential changes to the documents, in line with Council policy, prior to submission to Scottish Ministers.

## **ANNUAL STATEMENT ON THE ADEQUACY OF INTERNAL CONTROLS**

**2182.** Under reference to the Minute of the meeting of the Audit and Scrutiny Committee of 18 August 2016 (Page 2007, Item 2145 refers), when it had been agreed to approve the Annual Statement on the Adequacy of Internal Controls operating within the Council during 2015/16 and submit it to the Council, the Council considered a report from the Audit and Scrutiny Committee regarding the Statement.

Regarding comments made on the Annual Assurance Statement, Councillor Wallace referred to the issue that had arisen on payments to providers in respect of learning disability which suggested a lack of sufficient internal control. He commended the significant work undertaken by the Chief Auditor to establish the facts and prepare an excellent report on the matter and the Chief Officer - Health and Care Partnership for bringing to the Chief Auditor's attention the need for internal audit work to be undertaken on the issue. He clarified that an update on the implementation of the action plan associated with the Internal Audit Report on Payment to Care Providers was to be submitted to the next meeting of the committee

Having referred to sampling done during audit work, Councillor Wallace highlighted the comments made in the report on an effective internal audit function and how it contributes towards, but was not a substitute for, effective controls it being primarily the responsibility of line management to ensure that internal controls were in place and operating effectively.

Councillor Lafferty supported the comment, welcomed that the Chief Auditor was leading the internal audit function for the HSCP, and outlined work undertaken by the telecare care project group and related changes introduced to address the issue that had arisen on payments to providers.

The Council agreed to note the report.

## **EARLY YEARS STRATEGY UPDATE**

**2183.** The Council considered a report by the Chief Officer - Health and Care Partnership providing an update on progress made on implementing the Early Years Strategy and proposing an action plan for implementation over the next two years.

The report clarified that the Early Years Framework, published in 2008, called for transformational change through a coherent national agenda and underlined the importance of early intervention to improve outcomes for children and families. Having commented that this had been reinforced in 2011 by the Christie Commission through which an emphasis had been placed on prioritising preventative expenditure and referred to related issues, including the Children and Young People (Scotland) Act 2014 and the Early Years Collaborative launched in 2012 and related intentions and aims, the report explained that the Early Years Strategy approved by Council in 2013 took into consideration the local context, prioritising a number of key themes to support the achievement of the national outcome.

Detailed comments were provided on each of these themes these being pre-birth support; parenting and family support; working with communities; development of a family centre/community hub in Auchenback; and organisational development and related targets

and progress. It was also clarified how the Strategy contributed to the realisation of the SOA, specifically ensuring that all children in East Renfrewshire experience a stable and secure start to their lives and are supported to succeed.

During discussion reference was made to changing infant feeding practice around the world and a reduction in breastfeeding rates and related reasons for this. In response to Councillor Swift, the Head of Education Services (Equality and Equity) provided examples of partnership projects undertaken which had led to the engagement target of 25% of families in Auchenback being exceeded, resulting in officers having a clearer understanding of the needs of the community and therefore how to plan, support and deliver services for children and families in the area. The development of the Auchenback Family Centre was welcomed.

The Council agreed:-

- (a) to approve the action plan as set out in Appendix 1 to the report; and
- (b) otherwise, noted the progress made to date.

## **COMMUNITY COUNCILS - REQUESTS FOR AMENDMENTS TO CONSTITUTIONS**

**2184.** The Council considered a report by the Deputy Chief Executive proposing that requests from 2 community councils for amendments to be made to their constitutions be considered.

Having clarified that, in June 2015, the Council had approved the new East Renfrewshire Scheme of Establishment for Community Councils and the Model Constitution and Model Standing Orders which were subsequently adopted by the new community councils, the report explained that the Scheme of Establishment could not be altered without a full public consultation on the Scheme taking place, but that it was open to community councils to make a request to the Council to amend the Model Constitution and Standing Orders.

It was clarified that requests had been received from Busby Community Council and Uplawmoor Community Council to amend their constitutions. Details of each the proposed amendments received were provided, together with related comments on these, with clarification provided on why some of these proposals could not be considered.

In summary, the report concluded that other than the request from Uplawmoor Community Council to amend Clause 13.1 of their Constitution which could not be considered as it was contrary to the requirements of the Scheme of Establishment, and their request to amend Clause 9.2 which could not be considered as it conflicted with both the existing and proposed Clause 9.1, the remaining proposed amendments could be made without the need for amendments to the Scheme of Establishment. That said, it was highlighted that any proposed alterations may not contradict, prejudice or undermine the terms and objectives contained within the Scheme and must not negatively impact on the transparency and accountability of the community council.

Whilst commenting on the report, Councillor Fletcher referred to the effort invested in improving the operation of community councils and how those established were operating. Supported by Councillor Buchanan, he proposed a way forward in respect of each of the proposals. Regarding the possibility of the Council approving some of the proposed amendments, and requests seeking similar alterations then being received from other community councils in future, it was recommended that it be delegated to the Deputy Chief Executive and Head of Democratic and Partnership Services to approve those requests,

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Councillor Miller proposed that in the event of further requests being received elected Members be kept informed.

The Council, having heard Councillor Miller outline concerns he held regarding the development of the current community council arrangements, agreed:-

- (a) that the proposed changes to Clause 9.3 of the Busby Community Council Constitution and Clause 9.1 of the Uplawmoor Community Council Constitution be approved;
- (b) not to approve the proposed change to Clause 16.2 of the Uplawmoor Community Council Constitution as the existing Clause was considered important to the Council and to work well;
- (c) to note that the requests from Uplawmoor Community Council to amend Clauses 9.2 and 13.1 of their Constitution could not be considered and the related reasons for this as specified in the report; and
- (d) that in the event of any further requests in future seeking similar alterations being received from other community councils, it be delegated to the Deputy Chief Executive and Head of Democratic and Partnership Services to approve those requests and that elected Members be kept informed.

#### **ARGYLL & SUTHERLAND HIGHLANDERS REGIMENTAL MUSEUM PROJECT: DONATION**

**2185.** The Council considered a report by the Deputy Chief Executive regarding a donation sought by the Argyll and Sutherland Highlanders Regimental Museum Project located in Stirling Castle.

Issues referred to included the withdrawal of Ministry of Defence funding to support many military museums in 2011 a consequence of which was that the Museum was no longer financially sustainable under its existing operational model, a redevelopment plan by its Trustees to place it on a sure footing and conserve this important military heritage, and the Regiment's traditional recruiting area which included the area now covered by East Renfrewshire. Related issues were commented on, including a range of other sources of income anticipated to generate over £3.7m of support.

The Council agreed to approve a donation of £1,000 to support the Argyll and Sutherland Highlanders Regimental Museum Project.

#### **THE EAST RENFREWSHIRE COUNCIL (NETHERLEE AND STAMPERLAND)(ON-STREET)(WAITING AND LOADING) ORDER 2016**

**2186.** The Council considered a report by the Director of Environment recommending that the Council approve the making and confirmation of "The East Renfrewshire Council (Netherlee & Stamperland) (On-Street) (Waiting and Loading) Order 2016".

The report referred to the introduction of Decriminalised Parking Enforcement (DPE) by the Council in April 2013 and how it became the Parking Authority for East Renfrewshire. The report summarised how informal and formal consultation had been undertaken to review the current restrictions in the area and assess related demands taking account of a range of

factors, clarifying that the main issues raised by respondents during informal consultation had been the general lack of available parking in the area and the peak time restrictions on Clarkston Road. There was also support for eliminating and reducing the restrictions on weekend and peak time parking along Clarkston Road.

A range of the key proposals in the Draft Order on which formal consultation had taken place were summarised, following which the position on the responses received was summarised. It was confirmed that none of the objections required the Council to hold a Hearing by an Independent Reporter and that the financial implications of implementing the Traffic Regulation Order would be met from existing resources. It was concluded that the proposed Order, introducing new on-street waiting and loading restrictions in Netherlee and Stamperland, would balance demands on the transport network taking into consideration changes to road usage and volumes of vehicular and pedestrian traffic and associated road safety issues.

The Council, having heard Councillor Robertson welcome the proposal and thank officers involved in progressing this issue, agreed to approve the making and confirmation of "The East Renfrewshire Council (Netherlee & Stamperland) (On-Street) (Waiting and Loading) Order 2016" and delegate to the Director of Environment the implementation of the Order in accordance with the associated statutory procedures.

PROVOST

