

MINUTE VOLUME

8 SEPTEMBER 2021

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MINUTE
of
APPOINTMENTS COMMITTEE

Minute of Meeting held at 9.00am in Eastwood House, Eastwood Park, Giffnock, on 20 May 2021.

Present:

Councillor Tony Buchanan
Councillor Colm Merrick

Provost Jim Fletcher

Councillor Merrick in the Chair

Attending:

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

Apologies:

Councillors Jim McLean and Paul O’Kane.

DECLARATIONS OF INTEREST

1646. No declarations of interest were intimated.

HOMOLOGATION OF SHORTLISTING ARRANGEMENTS

1647. Under reference to the Minute of the meeting of the Appointments Committee of 26 April 2021 (Page 1509, Item 1620 refers), when it had been intended to shortlist candidates for assessment and interview there was submitted a report by the Head of HR and Corporate Services seeking homologation of shortlisting arrangements.

The report explained that the committee comprised five members with three members needed to form a quorum. As only 2 members had been present the meeting was inquorate and no business transacted. However, in order to allow the timeline for the assessment centre and interviews to be met, views of committee members were sought and 2 candidates selected to go forward for assessment and interview. Homologation of this action was being sought.

The committee agreed to homologate the decision to shortlist 2 candidates for assessment and interview.

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 (PERFORMANCE AND PROVISION)

1648. It being noted that 1 of the 2 candidates had withdrawn their application following the assessment centre, the committee proceeded to interview the remaining candidate for the post of Head of Education Services (Performance and Provision).

Having conducted the interview the committee, after discussion, agreed to offer the post to Joseph McCaig, Quality Improvement Officer (Performance and Benchmarking), East Renfrewshire Council.

CHAIR

MINUTE
of
EAST RENFREWSHIRE COUNCIL

Minute of virtual meeting held at 7.00pm on 30 June 2021.

Present:

Provost Jim Fletcher	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
Councillor Annette Ireland	

Provost Fletcher in the Chair

Attending:

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Mark Ratter, 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); Sharon Dick, Head of HR and Corporate Services; Louise Pringle, Head of Communities, Revenues & Change; Debbie Hill, Chief Procurement Officer; Jamie Reid, Strategic Insight and Communities Senior Manager; Graeme Smith, Communications Manager; Eamonn Daly, Democratic Services Manager; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

Apologies:

Deputy Provost Cunningham, and Councillors Devlin and McLean.

PROVOST ALEX MACKIE

1688. Provost Fletcher referred to the recent sad death of Mr Alex Mackie, a former East Renfrewshire councillor, and Provost from 2007 until 2012.

Having heard Provost Fletcher comment that Mr Mackie had been a highly respected councillor and offer sympathies to his family on behalf of the Council, the Council observed a minute’s silence in his honour.

DECLARATIONS OF INTEREST

1689. There were no declarations of interest intimated.

MINUTE OF PREVIOUS MEETING

1690. Under reference to the Minute of the meeting of the Council on 28 April, (Page 1512, Item 1627 refers), Councillor Wallace requested an update on officers pro-actively seeking Fields in Trust status for the recreational area commonly known as the 'lower playing fields and woods' that adjoined the existing King George V Playing Field (Giffnock), known as 'Huntly Park'.

Having heard the Director of Environment advise that progression of a memorandum of understanding was underway, the Council:-

- (a) noted the position; and
- (b) approved the Minute.

MINUTES OF MEETINGS OF COMMITTEES

1691. The Council considered and approved the Minutes of the meetings of the undernoted:-

- (a) Audit & Scrutiny Committee – 29 April 2021;
- (b) Cabinet – 13 May 2021;
- (c) Planning Applications Committee – 19 May 2021;
- (d) Local Review Body – 19 May 2021;
- (e) Cabinet – 3 June 2021;
- (f) Licensing Committee – 8 June 2021;
- (g) Local Review Body – 9 June 2021;
- (h) Education Committee – 10 June 2021;
- (i) Cabinet (Police & Fire) – 17 June 2021; and
- (j) Audit & Scrutiny Committee – 24 June 2021.

GLASGOW CITY REGION CITY DEAL UPDATE

1692. Under reference to the Minute of the meeting of the Cabinet of 3 June 2021 (Page 1540, Item 1656 refers), when it was agreed amongst other things to recommend to the Council to approve the revised projects and budgets to be delivered within the remaining resources available, the Council considered a report by the Director of Environment, providing an update on the progress with the Glasgow City Region City Deal projects in East Renfrewshire.

The report provided detailed proposals for revising the programme in terms of scope, cost and timescale given that all City Deal projects had to be delivered by 2025 in terms of the current funding arrangements. The report noted that the Glasgow City Region Project Management Office had asked City Region Member Authorities (MA's) to revise their programmes taking into account deliverability and the effects of the COVID-19 pandemic on costs and timescales.

Welcoming the report and commending the work to date on the projects, Councillor Miller sought clarification of the timeline for the finalisation of the Country Park and Aurs Road realignment including the length of time the road would be closed to through traffic. He also sought confirmation regarding the final cost of the railway station referring to the increase in the final costs for the Robroyston station and questioned the lack of partner organisation contributions towards the cost of the station, referring to various organisations that had contributed financially to the Robroyston project.

In response, Councillor Buchanan advised that the Council was seeking to focus on delivery of these projects as soon as possible. Referring to the lengthy discussions that had taken place at the Cabinet he explained that costs for Robroyston train station had been used as a reference point in finalising costings for the Barrhead station although construction costs had subsequently increased significantly as a result of Brexit and the COVID-19 pandemic. Every effort was being made to mitigate costs as much as possible.

The Director of Environment then confirmed that the Robroyston station costings had been used as a benchmark for the new Barrhead station. He confirmed that the project was funded through City Deal and had been put forward by the Council. The Robroyston station project was not funded through City Deal but through alternative funding arrangements with contributions from various partners. Notwithstanding, discussions on a possible financial contribution would take place with Transport Scotland. He advised that once project costs had been confirmed he would carry out a value engineering exercise to see if costings could be reduced without being detrimental to the facility produced. He advised of a start date of 2023 for the railway station, 2023 for the Country Park visitor facilities with this start date being dependent on the completion of the Aurs Road improvements, and spring 2022 for the start of the Aurs Road improvement works. Updates would be provided to Cabinet or Council as appropriate prior to the letting of contracts to ensure Members were fully aware of project costs and implications prior to the projects being implemented.

Councillor Lafferty, having noted that the inclusion of the lift and a bridge had increased costings, welcomed the new station.

Councillor Wallace questioned the environmental impact of the proposed projects. He also referred to proposals to use £1 million of developer contributions and whether this would adversely impact any other projects.

Councillor Swift also expressed concerns in relation to the potential costs of the railway station. He referred to the increases that had already been seen in projected costs for the new Eastwood Leisure Centre and Theatre and stated that the Council needed to improve in terms of producing more accurate forecasts when developing projects. In respect of the business incubator he questioned how many businesses had signed up for the business incubator and what support was being provided to these businesses.

In response the Director of Environment advised that he would be undertaking a review of tree planting in East Renfrewshire under the wider East Renfrewshire adaptation and sustainability strategy and would ensure that any final plans contained appropriate mitigation against environmental impact. Acknowledging the comments regarding project forecasting, he reminded Members that some of the projects had originated a number of years ago and section 16 of the report explained the reasons for the increased costs for the railway station.

He advised communication had continued with the businesses in relation to the Greenlaw facility although the site was currently being used by the NHS as a testing facility during the pandemic. Occupation of the site would take place when it was possible and in accordance with Scottish Government guidelines.

Councillor Wallace having reinforced the need to balance environmental factors in developments, Councillor Buchanan responded by highlighting the public transport improvements and active travel opportunities provided by the Aurs Road improvements which would not only develop wellbeing and access points across the authority as well as having positive environmental impacts.

The Council:-

- (a) noted the progress made on the development and implementation of East Renfrewshire's £44 million City Deal programme;
- (b) approved the revised projects and budgets to be delivered within the remaining resources available; and
- (c) noted that the revised projects and budgets would now be submitted to the Glasgow City Region Project Management Office for approval through the appropriate City Region governance channels.

STATEMENTS BY CONVENERS/REPRESENTATIVES ON JOINT BOARDS/ COMMITTEES

1693. The following statements were made:-

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

Councillor Bamforth reported on the business considered at the Health and Social Care Partnership Integration Joint Board on the 23 June. She advised that the focus of the meeting was finance, with the Chief Financial Officer presenting the unaudited annual report and accounts and the medium term financial plan. It was noted some financial challenges lay ahead, in particular because of the increased demand faced across the Health and Social Care Partnership.

She advised that the Child Poverty Action Plan was discussed this is also on the agenda for this meeting. The meeting concluded with an update on performance and the Health and Social Care Partnership's Recovery and Renewal Programme. Tributes were paid to Candy Millard, Head of Adult Health and Social Care Localities for her significant contribution to health and social care in East Renfrewshire over the previous 15 years and she was wished a happy and healthy retirement.

(b) **Councillor Merrick – Convener of Community Services & Community Safety**

Councillor Merrick provided an update on the recovery of the East Renfrewshire Culture and Leisure Trust during the pandemic. He explained that in relation to sports and physical activity, swimming lessons had recommenced along with indoor fitness classes and membership fees were once again being collected.

Eastwood High School Sports Centre was reopening for groups and clubs. Revised guidance for operations which should allow for the further removal of restrictions for customers was awaited.

Mass Vaccinations continued to be supported at Eastwood Park and Barrhead Foundry, with planning for a transition from East Renfrewshire Council Leisure staff to volunteer staffing underway.

Councillor Merrick then provided an update on library and information services, advising that the seven libraries currently open were operating under

reduced hours. Planning was underway for the remaining three libraries – Busby, Netherlee and Uplawmoor – to re-open, and also for the removal of the temporary opening hours across the service. Busby library was currently closed for refurbishment and was expected to re-open again in August. There was no firm date for the restoration of the normal opening hours but it is likely that it would align with the expected removal of the tier system and associated restrictions in August. In the meantime it was noted that the summer reading programme which was traditionally exceptionally popular in East Renfrewshire has started the previous week.

Councillor Merrick then provided an update on the enrichment programme with the Health and Social Care Partnership. In April the East Renfrewshire Culture and Leisure Trust launched a pioneering programme of activities for vulnerable young people who had been especially effected during lockdown. Working with colleagues in Social Work, the Trust had created dedicated sessions that included a film club, virtual-reality experiences, cookery, archery, trampolining, dance and drama, hill-walking and swimming. In May, Pulse FM broadcast a set from two of the young people who had participated in the DJ class.

Councillor Merrick advised that the summer holiday programme was now booked and would go live next week at sites across the authority. Provision had been further enhanced as part of the government's get into summer programme for young people.

Finally, Councillor Merrick reported that whilst the theatre was still closed an SQA-accredited "Technical Theatre in Practice" course had been developed in partnership with the Education Department and St. Luke's High School. The course covered legislation and practice; design; sound operations; lighting operations; and a creative practical project, and would go live in the new academic year.

(c) **Councillor Merrick – Vice-Chair of Education Committee**

Councillor Merrick reported on the business considered at the Education Committee on 23 June, details of which were contained in the Minute of the meeting. Tributes were paid to Fiona Morrison, Head of Education Services (Performance and Provision) for her significant contribution to education in East Renfrewshire over the previous 25 years and she was wished a happy and healthy retirement.

The Council noted the statements.

APPOINTMENTS

1694. The Council considered a report by the Deputy Chief Executive, seeking the appointment of Elected Members to various posts.

Councillor Buchanan advised of an update to the documentation circulated in that it was now proposed Councillor Ireland be appointed to the Licensing Committee and Licensing Board as replacement for Councillor O'Kane. He and other Elected Members congratulated Councillor O'Kane on his election to the Scottish Parliament.

Councillor Macdonald advised that he would be prepared to represent the Council on the Clyde and Loch Lomond Local Plan District Joint Committee should this position require to be filled. The Democratic Services Manager advised that he would clarify if there was a vacancy and if required submit a report to the next meeting.

In response to a question from Councillor Miller, the Democratic Services Manager advised that training would be arranged for Councillor Ireland to enable her to take up her role as a member of the Licensing Board.

Councillor O'Kane having thanked Elected Members for their kind words following his election as an MSP, discussion took place on the challenges facing the Council to delivering effective governance following the reduction from 20 to 18 councillors at the last boundary review, with reference being made to comparative numbers both in Europe and other Scottish councils.

Councillors O'Kane and Buchanan confirmed that they would continue to press for an increase in the number of Elected Members.

The Council agreed the appointment of Elected Members to the various posts as set out below:

POSITION	APPOINTED
Deputy Leader/representative on COSLA Convention/East Renfrewshire Community Planning Partnership Board	Councillor Lafferty
Convener for Education and Equalities/Chair of Education Committee/representative on COSLA Children and Young Persons Board	Councillor Lafferty
Convener for Environment/representative on COSLA Environment and Economy Board	Councillor Cunningham
Cabinet (including Vice Chair)	Councillor Cunningham Vice Chair Councillor Lafferty
Cabinet (Police & Fire) (including Vice Chair)	Councillor Cunningham Vice Chair Councillor Lafferty
Education Committee	Provost Fletcher
Teaching Staff Appeals Committee (including Chair)	Councillor Lafferty
Joint Consultative Committee (1 st Tier)	Councillor Lafferty
Licensing Committee/Board	Councillor Ireland
APSE	Provost Fletcher
Clyde and Loch Lomond Local Plan District Joint Committee	Provost Fletcher (Sub)

East Renfrewshire Culture and Leisure Trust	Councillor Buchanan
East Renfrewshire Integration Joint Board	Provost Fletcher
East Renfrewshire Renewable Energy Fund	Councillor Lafferty Provost Fletcher
Glasgow and the Clyde Valley SPDA Joint Committee	Provost Fletcher
Glasgow City Region Education Committee	Councillor Lafferty
Renfrewshire Valuation Joint Board	Provost Fletcher
Renfrewshire Educational Trust	Councillor Lafferty
Scottish Councils Committee on Radioactive Substances (SCCORS)	Provost Fletcher
Strathclyde Concessionary Travel Scheme Joint Committee	Provost Fletcher
Strathclyde Partnership for Transport	Provost Fletcher

AMENDMENT TO APPOINTMENTS COMMITTEE MEMBERSHIP

1695. The Council considered a report by the Deputy Chief Executive seeking homologation of the decision taken to amend the membership of the Appointments Committee for the meeting held on 20 May 2021 and reviewing the recruitment process for Chief Officers.

Councillor Buchanan outlined the recent appointments process highlighting the pressures of work of Elected Members and the impact on the recruitment process. He proposed that rather than Head of Service recruitment being carried out only by officers, when Appointments Committees were established provision would be made for the appointment of substitutes on the committee. Elected Members were in agreement with this proposal.

Councillor Wallace thanked Provost Fletcher for stepping in to enable the committee to continue the recruitment process. He highlighted the importance of members' involvement in the recruitment of heads of service and that the inclusion of substitutes on the committees was a welcome way of ensuring the committee could go ahead when Elected Members needed to withdraw due to unforeseen circumstances.

Councillor Miller also welcomed the inclusion of substitutes in the appointments process.

The Council agreed :-

- (a) to homologate the decision to amend the membership of the Appointments Committee of the appointment of Provost Fletcher in substitute for Councillor O'Kane and
- (b) that the recruitment process for Head of Service, Directors and the Chief Executive would remain inclusive of elected member involvement and that when Appointments Committees were established provision would be made for the appointment of substitutes.

PROVOST'S ENGAGEMENTS

1696. The Council considered and noted a report by the Deputy Chief Executive, providing details of civic engagements attended and civic duties performed by Provost Fletcher since the meeting on 28 April 2021.

GENERAL FUND CAPITAL PROGRAMME 2021/22

1697. The Council considered a report by the Head of Accountancy (Chief Financial Officer), recommending approval of adjustments to the General Fund Capital Programme 2021/22, approved on 15 March 2021, resulting from finalisation of the previous year's programme and in light of subsequent information.

The report highlighted the latest developments relating to the programme, including the latest income and expenditure movements and cash flow management issues and indicated that the projected shortfall of £0.443m represents 0.96% of the resources available and is within manageable limits. Detailed explanations of the reasons for the major movements within the programme were outlined in the report.

Councillor Ireland noted the deferral of the window replacement programmes at Carolside, St Luke's and Woodfarm schools and enquired as to when these works would take place.

Councillor Wallace enquired regarding the source of the developer contributions of £1.230 million and queried why the capital costs of the Eastwood Park Leisure development were listed at £26 million instead of the higher figure of £55 million referred to in the Eastwood Masterplan report considered by the Council on 25 February 2021.

In response the Director of Environment advised that supply chain issues were impacting the window replacement programmes and it was intended these programmes would be rescheduled to next year. He clarified that developer contributions were collated in general category funds e.g. for open spaces, parks, libraries etc. therefore the £1.230 million has not been taken from another area.

Thereafter the Head of Accountancy (Chief Financial Officer) advised that the Eastwood Park Leisure refurbishment was showing as £26 million as the report focussed on the in-year spend for 2021/22. The approved option of spend up to £55 million had been accounted for in the Council's 10 year capital modelling and updated figures would be included in future reporting.

The Council:-

- (a) noted and approved the movements within the programme; and
- (b) noted the shortfall of £0.443m and that income and expenditure on the programme will be managed and reported on a regular basis.

HOUSING CAPITAL PROGRAMME 2021/22

1698. The Council considered a joint report by the Head of Accountancy (Chief Financial Officer) and the Director of Environment, recommending adjustments to the 2021/22 Housing Capital Programme, approved on 25 February 2021, resulting from the finalisation of the previous year's programme and in light of subsequent information.

The report highlighted the latest developments relating to the programme, including the latest income and expenditure movements and cash flow management issues and indicated that the projected shortfall of £0.160m represents 0.81% of the resources available and is within manageable limits. Detailed explanations of reasons for the major movements within the programme were outlined in the report.

The Council:-

- (a) noted and approved the current movements within the programme;
- (b) noted the shortfall of £0.160m and that income and expenditure on the programme will be managed and reported on a regular basis.

LOCAL CHILD POVERTY ACTION REPORT (YEAR 3)

1699. The Council considered a report by the Deputy Chief Executive, presenting the third East Renfrewshire Local Child Poverty Action Report required under the Child Poverty Scotland Act 2017. The Local Child Poverty Action Report had been approved for publication at the meeting of the East Renfrewshire Integration Joint Board on 23 June 2021.

The Local Child Poverty Action Report represented a 'step change' in action to address child poverty locally, and the report outlined the excellent work currently being delivered and new and innovative efforts to tackle child poverty.

The report referred to the targets for the Scottish Government to significantly reduce child poverty in Scotland by 2030, as set out in the Child Poverty (Scotland) Act 2017. It explained that the Act also placed a duty on health boards and local authorities to work together to develop, produce and deliver LCPARs. The reports were expected to represent a step change in action to address child poverty at a local level, describing both work already under way as well as outlining future plans to tackle child poverty.

Councillor Ireland thanked the Council and all partners for their work on the increasing the number of businesses in East Renfrewshire providing the Living Wage and enquired about the composition and meeting arrangements of the East Renfrewshire Living Wage Action Group.

Councillor Wallace referred to the infographics in the report which detailed that those living in East Renfrewshire received the highest average weekly pay in Scotland although those working in East Renfrewshire received the lowest average weekly pay in Scotland and enquired how the Council could assist businesses to provide the Living Wage.

In response, the Director of Environment advised that he would provide Councillor Ireland with the information she sought in due course and explained that the low average weekly pay levels were due to the nature of the availability of the jobs available in East Renfrewshire these being primarily in the hospitality and retail sectors which offered lower wages.

The Director of Environment, Chief Procurement Officer and Councillor Buchanan explained that work was taking place with local businesses to be tender ready to enable them to bid for public sector and local government contracts. Local entrepreneurs were being encouraged and supported to stay and develop their businesses within the local area.

Councillor Wallace referred to the importance of the Council paying local business quickly to ensure the availability of cash flow.

Councillor Aitken suggested that Brexit may remove some EU restrictions in relation to local procurement. He further noted that larger businesses paying higher wages tended to be located outwith East Renfrewshire.

Councillor Macdonald commented on the number of vacant shop units in the area and that high rateable values was a disincentive to new traders.

The Council considered and approved the Child Poverty Action Report for publication.

STRATEGIC END-YEAR COUNCIL PERFORMANCE REPORT 2020/21

1700. The Council considered a report by the Deputy Chief Executive, providing a summary of Council performance at end-year 2020-21 based on performance indicators in the Outcome Delivery Plan (ODP) 2020-23 as well as reflecting some key areas of the Council's response to supporting residents and communities during the pandemic. An end-year complaints report was included.

The report outlined that the Council was performing well across the majority of the ODP indicators considering the additional services created and resources required to respond to the pandemic and noted that the pandemic would continue to have an impact on future performance and delivery of services. Despite growing challenges the Council's aim remained unchanged in making people's lives better and achieving positive outcomes for all of communities the communities in East Renfrewshire.

Having welcomed the reduction in sickness absence, Councillor Miller referred to the time taken to process complaints and that these should be processed as quickly as possible.

Councillor Swift also noted the reduction sickness absence enquiring as to how this figure could be improved further to be in greater alignment with the national average of 5 days. He also noted the reduction in attendance at libraries and physical activity.

In response, the Head of HR and Corporate Services advised that home working had reduced general illness and this trend had been seen across the country. Reference was also made to the recently started 'Way We Work' project which was reviewing working practices emerging from the pandemic. She also noted that the sickness and absence figures were a result of the higher level of manual labour positions and older employees at the Council. She advised that the Council was also focussing on the mental health of employees.

Councillor Buchanan noted the impact of the pandemic on staff, including the requirement of providing additional services over and above their normal duties, and offered thanks to staff over the last year for their resilience.

Councillor Wallace noted that the 90% target for street cleaning had consistently been exceeded and suggested increasing this to 95% given the highlighted importance of the local environment on wellbeing during the pandemic. Councillor Macdonald also referred to the issue of littering and would welcome the development of an approach to reducing littering which was based on education and engagement.

In response to Councillor Swift's earlier point regarding the reduction in the use of libraries, the Director of Education advised that the use of e-books continued to impact the use of libraries although he highlighted the success of initiatives such as the summer reading programme.

Councillor Wallace noted that the percentage of respondents who agreed/strongly agreed that they felt a strong sense of belonging to their local community had reduced from 76% to 49% suggesting that this demonstrated how the impact of the pandemic continued to be felt in communities.

Following discussion, the Council noted the performance at end-year 2020-21 and the end-year complaints report.

OUTCOME DELIVERY PLAN 2021-2024

1701. The Council considered a report by the Chief Executive, providing details of the draft Outcome Delivery Plan 2021-24 which set out the Council's contribution to the delivery of its strategic outcomes for East Renfrewshire. A copy of the ODP was appended to the report.

The report explained that targets for indicators in the ODP were not included in the plan for the year 2020-21 due to the pandemic and had now been reviewed and reset based on new baseline data. 2 indicators had been removed from the ODP reducing the number of indicators to 48. Targets had been included for the 3-year period for the majority of indicators and the Education Department was currently reviewing and developing new targets which would support schools to measure progress towards building back fairer and better, post COVID-19.

Councillor Miller noted the projected population increase and the effects this would have on education facilities and the impact of new housing on green spaces; whilst Councillor Swift noted the decrease in male life expectancy and commented on some of the means by which the Council could focus on this figure.

The Council approved the Outcome Delivery Plan 2021-2024 and noted that targets had been reintroduced to the plan this year for the majority of indicators, re-baselined to reflect the impact of COVID-19.

COMMUNITY PLAN - ANNUAL PERFORMANCE REPORT 2020-21 AND FAIRER EAST REN TRANSITION PLANS 2021-22- REPORT

1702. The Council considered a report by the Deputy Chief Executive, presenting the 2020-21 annual progress report on the Community Plan, including Fairer East Ren (Local Outcome Improvement Plan); and the proposed 2021-22 transition plans for Fairer East Ren.

Councillor Buchanan highlighted the work with the Council's Community Planning partners including voluntary agencies, during a difficult year where communities were supported in ways that could never have been imagined.

Following consideration the Council approved the Community Plan Annual Progress Report for 2020-21 and the Fairer East Ren transition plans for 2021-22.

UPDATE ON TEMPORARY WORKS QUICK QUOTE THRESHOLD TO SUPPORT COVID-19 CONSTRUCTION RECOVERY

1703. The Council considered a report by the Chief Executive, providing an update on the temporary amendment to Standing Orders Relating to Contracts to support the Council's response to COVID-19 construction recovery by increasing the works Quick Quote threshold

from £150,000 to £500,000. A summary of the 7 contracts let under the terms of the temporary amendment accompanied the report.

Following a review of the temporary amendment the report sought permission to permanently increase the threshold to £500,000 for works contracts awarded through Quick Quote. This would continue to accelerate small works contracts and was in line with The Procurement Reform Scotland Act 2014 and the Construction Procurement Handbook 2018.

Councillor Buchanan provided an overview of the procurement process using Quick Quote since June 2020 advising that the online quotation facility allowed reduced timescales for procurement whilst maintaining formal procurement requirements. He highlighted that the process was used by other local authorities for awarding contracts of higher values up to £2 million.

Councillor Wallace and Councillor Miller acknowledged the reasoning behind the proposals and the attraction for local businesses to tender through this process whilst Councillor Swift highlighted the consideration of best value when operating within a local market.

In response, the Chief Procurement Officer provided a background on the Quick Quote process emphasising that this was a rigorous and transparent process.

The Council:-

- (a) approved the permanent increase of the works Quick Quote threshold from £150,000 to £500,000; and
- (b) noted works activity undertaken from June 2020 to the current date using the increased threshold, as detailed in the report.

COVID-19 RECOVERY ACTIONS UPDATE

1704. The Council considered a report by the Chief Executive, providing Elected Members with a further update on response, recovery and renewal work taking place across the Council and the Trust.

The Council noted:-

- (a) the ongoing work on response, recovery and renewal;
- (b) that ongoing service delivery levels were still affected by staff involvement in response and recovery activities as well as the less efficient operating practices required to meet Coronavirus protocols; and
- (c) the continued additional workload of many staff.

CALENDAR OF MEETINGS 2022

1705. The Council considered a report by the Deputy Chief Executive, seeking approval for the 2022 meetings calendar. Details of the factors that had been taken into consideration in the preparation of the calendar were outlined in the report.

Confirmation was sought from Councillor Macdonald that the reduction in the number of some meetings was a result of 2022 being an election year. In response, the Democratic Services Manager confirmed that this was the case.

The Provost also sought confirmation that the new administration would be able to review the timetable should it so wish. In response, the Democratic Services Manager confirmed that this was correct and that committees themselves could also update their meeting schedules as necessary.

The Council approved the 2022 meetings calendar; and noted the dates of meetings of the Integration Joint Board.

PROVOST

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of virtual meeting held at 2.00pm on 4 August 2021.

Present:

Councillor Annette Ireland (Chair)
Councillor Betty Cunningham
Provost Jim Fletcher

Councillor Stewart Miller
Councillor Jim Swift

Councillor Ireland in the Chair

Attending:

Graham Shankland, Planning and Building Standards Manager; Alan Pepler, Principal Planner; John Drugan, Senior Planner, Steven Reid, Policy, Planning and Performance Manager (HSCP), Sharon McIntyre, Committee Services Officer, and Liona Allison, Assistant Committee Services Officer.

Apologies:

Councillors Convery and McLean.

DECLARATIONS OF INTEREST

1706. There were no declarations of interest intimated.

NOTIFICATION OF PLANNING APPEALS AND APPEAL DECISIONS

1707. The committee considered a report by the Director of Environment, advising of notification from the Scottish Government's Planning and Environmental Appeals Division (DPEA) of the receipt of an appeal against the High Hedge Notice dated 27 May 2021 issued by the Council with regards to the hedge within the garden at 8 Polnoon Street, Eaglesham. The notice required the hedge owner to reduce the height of the hedge to 3.2m and ensure that it was kept below 3.8m thereafter. The appeal against the notice had been lodged by the owner of the hedge.

The report also advised of the submission of an appeal against the committee's decision on 19 May to refuse planning permission for the erection of single storey flat roof extension to rear single storey front extension; installation of flue at 4 Wigton Avenue, Newton Mearns.

Furthermore the report explained that an appeal against the committee's decision to refuse planning permission for the Change of Use of land for outdoor pre and after school at the site Adjacent East of Williamwood High School, Eaglesham Road, Clarkston had been upheld and permission granted.

Councillors Miller, Cunningham and Ireland referred to the DPEA Reporter's findings to overturn the committee's decision to refuse planning permission for the Change of Use of land for outdoor pre and after school at the site Adjacent East of Williamwood High School, Eaglesham Road, Clarkston, and following detailing their justifications for this refusal, noted the channels to discuss the DPEA decision-making process.

Provost Fletcher noted the appeal against the committee's decision in respect of the development at 4 Wigton Avenue, Newton Mearns, and that a different planning application also for this address, was before the committee for determination. The Planning and Buildings Standards Manager advised that it was possible for an individual to request an appeal on a decision and submit a different planning application.

The committee noted the report.

APPLICATIONS FOR PLANNING PERMISSION

1708. The committee considered reports by the Director of Environment on applications for planning permission requiring consideration by the committee.

The applications were determined as indicated at Appendix 1 accompanying this Minute, particular reference being made to the following:-

- (i) 2020/0287/TP - Erection of 68 bedroom care home including spa facilities, cafe, cocktail bar and cinema room and 23 assisted living apartments with associated car parking and landscaping including community garden (major) at Land At Drumby Crescent (former Isobel Mair School Playing Fields East Of Eastwood Health And Care Centre) Clarkston.

The Planning and Building Standards Manager outlined that the recommendation of the Planning Service was that the application be refused. He further advised that the site was allocated in the Local Development Plan for residential use and provided an overview of the reasons for refusal as outlined in the report.

The Planning and Building Standards Manager also advised of an updated position received from Environmental Health after the publication of the report, that in order to meet acceptable noise impact standards the applicant would be required to put in an acoustic barrier or fence should the application be approved.

Councillor Cunningham sought confirmation of the requirement to consult the HSCP in response to which the Planning and Building Standards Manager advised that Policy SG3 stated that there had to be a proven need for specialist accommodation which could be evidenced and was supported by the HSCP. The comments from the HSCP stated that they did not support the proposal and in particular the care home element as there was no proven need for the facilities. Consequently, it was considered that the proposal failed to comply with a significant policy consideration in the Proposed Local Development Plan.

Councillor Miller noted the reasons for refusal as outlined in the report and advised that in relation to the first reason for refusal in his opinion the proposed development would not have an adverse impact on existing community facilities, infrastructure and services. In relation to the second reason for refusal he noted that should this site be developed as proposed there would not be further development at the site and consequently it would not be visually intrusive, incongruous and dominant in the locality, to the detriment of the amenity of future residents, the adjacent residential

area and wider area in general. With regard to the third reason for refusal Councillor Miller noted a recent update from the Chief Officer of the HSCP which noted the current limited access to care at home in East Renfrewshire. He noted one representation had been received and that the HSCP were concerned about inward migration although noted outward migration was also occurring.

Councillor Swift spoke in support of the proposed application. He noted that as of March 2021 there was a vacancy of approximately 23% of the care home beds within the area and that the impact of deaths in care homes as a result of the pandemic required to be considered. Notwithstanding the current oversupply of beds he referenced the aging population and specifically the older population within East Renfrewshire suggesting that the oversupply would be a relatively short-term issue. He welcomed the inclusion of supported living accommodation and the specialist dementia care facilities that would be provided through this facility given the current shortage of these facilities. He also noted the recommendation from Environmental Health regarding the requirement for an acoustic barrier or fence to be erected.

Provost Fletcher noted the history of the land sale at Drumby Crescent and that the applicants were pursuing what they believed to be a viable business model for the site which was sold on the basis the site would be developed despite the proximity to the railway line.

The Policy, Planning and Performance Manager (HSCP) was heard in response to the points raised in the discussion. He advised that it was the view of the HSCP that the application did not demonstrate the level of need to justify the care home development and that care home development, and consequently the inward migration of residents, would result in increased cost and pressures on existing health and care infrastructure and services. On this basis the HSCP did not support the application.

Responding to questions from Councillor Ireland and Councillor Cunningham on some of the current issues facing the care at home service, he explained the reasons why these were considered to be generally short-term.

Notwithstanding that the Roads Service had not objected to the proposals, Councillor Ireland referred to regular contact from local residents in relation to roads issues at Drumby Crescent and questioned whether, in the event the committee granted the application, a condition could be included to mitigate these. Highlighting the surprisingly low level of objections from local residents, the Planning and Building Standards Manager confirmed that the Roads Service did not object to the principle of development. However it had been suggested that should the application be approved 2 conditions be attached, one in relation to visibility splays at the junction and the other in relation to the construction of footpaths into the site.

The Planning and Building Standards Manager, in response to Provost Fletcher's earlier point regarding noise from the railway line explained that had the proposed development have been wholly residential in nature, it could have been designed to be of a lower height and set in a different position thereby not requiring an acoustic barrier of 4.4m that impacted on visual amenity.

Councillor Ireland moved the recommendation to refuse the application for the reasons as outlined in the report. There being no seconder the motion fell.

Councillor Cunningham seconded by Councillor Miller then moved that the application be approved.

The Planning and Building Standards Manager was then heard on a proposed Legal Agreement to ensure that the proposed extra care apartments were restricted to Use Class 8 of the Use Classes Order in perpetuity and remained occupied only by persons over the age of 55, and on proposed conditions to be attached to the consent. These were agreed by the committee:

He further advised that Network Rail had provided advisory notes in their consultation response in relation to working in close proximity to the railway line to be included in the consent.

The committee:-

- (a) approved the application subject to a proposed Legal Agreement to ensure that the proposed extra care apartments are restricted to Use Class 8 of the Use Classes Order in perpetuity and remain occupied only by persons over the age of 55 and to the conditions as set out at Appendix 2 accompanying this Minute; and
 - (b) noted that Network Rail had provided advisory notes in their consultation response in relation to working in close proximity to the railway line to be included in the consent.
- (ii) 2021/0512/TP – Proposed single storey Flat Roof extension to Rear and Pitched roof extension to Front of Dwelling House. Installation of Log Burner and Flue at 4 Wigton Avenue, Newton Mearns.

The Planning and Building Standards Manager referred to the number of representations received and provided details of the proposal which had been brought to committee in accordance with the Scheme of Delegation, as the applicant was an officer within the Planning and Buildings Standards Service. He referred to the similar proposal at the site considered by the committee and highlighted that in this application the proposed front/side extension was set back at least one metre from the side boundary in accordance with the Supplementary Planning Guidance Householder Design Guide. This had been the reason the previous application had been refused.

It having been noted that the application had addressed the issues that had led to the refusal of the earlier application the committee granted planning consent subject to conditions 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
04.08.2021

Reference No: 2020/0287/TP

Ward:

Applicant:

Northcare (Scotland) Ltd
Lindsayfield Lodge
Rosaburn Avenue
East Kilbride
G75 9DE

Agent:

Paul O'Neill
77 St Vincent Street
1st Floor Rear
Glasgow
G2 5TF

Site: Land At Drumby Crescent (former Isobel Mair School Playing Fields East Of Eastwood Health And Care Centre) Clarkston East Renfrewshire

Description: Erection of 68 bedroom care home including spa facilities, cafe, cocktail bar and cinema room and 23 assisted living apartments with associated car parking and landscaping including community garden (major)

Decision: Approved subject to a Legal Agreement to ensure that the proposed extra care apartments are restricted to Use Class 8 of the Use Classes Order in perpetuity and remain occupied only by persons over the age of 55 and conditions.

Reference No: 2021/0512/TP

Ward: 2

Applicant:

Mrs Gillian Morgan
4 Wigton Avenue
Newton Mearns
Scotland
G77 6JG

Agent:

Malcolm McCallie
14 Ballingall Drive
GLENROTHES
Scotland
KY6 3QD

Site: 4 Wigton Avenue Newton Mearns East Renfrewshire G77 6JG

Description: Proposed single storey Flat Roof extension to Rear and Pitched roof extension to Front of Dwelling House. Installation of Log Burner and Flue

Please click [here](#) for further information on this application

Decision: Approved subject to conditions.

Reference: 2020/0287/TP

Date Registered: 3rd June 2020

Applicant/Agent:

Applicant:
Northcare (Scotland) Ltd
Lindsayfield Lodge
Rosaburn Avenue
East Kilbride
G75 9DE

Agent:
Paul O'Neill
Unum Partnership
77 St Vincent Street
1st Floor Rear
Glasgow
G2 5TF

Proposal:

Erection of 68 bedroom care home including spa facilities, cafe, cocktail bar and cinema room and 23 assisted living apartments with associated car parking and landscaping including community garden (major)

Location:

Land At Drumby Crescent (former Isobel Mair School Playing Fields East Of Eastwood Health And Care Centre)
Clarkston
East Renfrewshire

Decision: Disposed to approve subject to conditions specified below following the conclusion of an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended) to ensure that the proposed assisted living apartments are restricted to Use Class 8 in perpetuity and remain occupied only by persons over age 55.

1. Development shall not commence until a scheme to deal with potential contamination on the site has been submitted to and approved in writing by the planning authority. The scheme shall contain details of:

- i) the nature, extent and type(s) of contamination on the site;
- ii) measures to treat/remove contamination to ensure the site is fit for the use proposed;
- iii) measures to deal with contamination during construction works.

Before any part of the development is brought into use the approved measures to decontaminate/remediate the site shall be fully implemented and a verification report submitted to the Planning Authority unless a phased program is agreed in writing as part of the approved scheme.

Reason: In the interests of public health and to protect users of the development and the wider environment from the effects of contamination.

2. Development shall not commence until detailed levels, diagrams and sections, showing the existing and proposed levels throughout the site and finished floor levels in relation to a fixed datum point have been submitted to and approved in writing by the planning authority. Thereafter the development shall be constructed in accordance with the approved levels, diagrams and sections.

Reason: To ensure that the levels are acceptable at this location.

3. Development shall not commence until samples of materials to be used on all external surfaces of the building and hard surfaces have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

4. Development shall not commence until details and location of all walls (including retaining walls) and fences to be erected on the site have been submitted to and approved in writing by the planning authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the development is acceptable in appearance.

5. Development shall not begin until details of the mitigation measures (including details of the acoustic fence as shown on drawing 151-L(20)-200 RevP11) have been submitted to and approved in writing by the planning authority. The mitigation measures including the acoustic fence shall be designed to ensure that internal noise levels shall not exceed BS8233:2014 daytime and night-time criteria in the proposed buildings. Thereafter the development shall be implemented in accordance with the approved details prior to any part of the development hereby approved being brought into use.

Reason: To ensure there is no adverse impact on future residents and that the development is acceptable in appearance.

6. Development shall not commence until a detailed survey of all trees and hedges on the site has been undertaken and submitted to and approved in writing by the planning authority. This survey shall be displayed on a site layout plan and include an identification of existing tree species, an estimation of their height and spread of branches and their location within the site accurately plotted (any trees around the perimeter which overhangs into the site shall also be included). Those trees which are proposed to be felled or removed shall be separately identified. Thereafter any treeworks shall be implemented as approved.

Reason: To protect the existing trees and shrubs so that they continue to contribute to the environmental quality of the area and soften the impact of the development.

7. Prior to the commencement of tree works on site a bat survey shall be carried out on all trees to be removed, the details of which and the timing of the survey shall be agreed in writing by the planning authority. The trees which are identified for felling shall be removed in sections and shall be carried out following an after dusk survey. In particular the following shall be carried out:

- i) the felled trees shall be left in situ for 24 hours to allow any roosting bats to leave;
- ii) a licensed bat surveyor shall be present prior to the felling of the trees with the potential for roosting bats;
- iii) where a tree contains a feature(s) with the potential for roosting bats, cuts shall be made above and below the feature the cut section carefully lowered to the ground and left in situ for 24 hours;
- iv) any cracks are found during felling then all felling work shall cease immediately and the planning authority shall be contacted for further advice.

Reason: To ensure that the development does not adversely impact on protected species.

8. Development shall not commence until a scheme of hard and soft landscaping works has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):-

- i) Details of any earth mounding, hard landscaping, grass seeding and turfing;
- ii) A scheme of tree and shrub planting, incorporating details of the number, variety and size of trees and shrubs to be planted;
- iii) Other structures such as street furniture and play equipment;
- iv) Details of the phasing of the landscaping works;
- v) Schedule of maintenance.

For the avoidance of doubt, the landscape scheme shall be designed to accommodate the position and height of the acoustic fence as required under condition 5 above. In addition, and for the avoidance of doubt, the landscaping/tree planting scheme shall be designed to protect the privacy and amenity of the rear garden areas of the residential properties on Drumby Crescent.

Thereafter the landscaping works shall be fully implemented as approved.

Reason: To ensure the implementation of a satisfactory scheme of landscaping to improve the environment quality of the development.

9. Development shall not commence until details have been submitted of a management scheme to ensure that the landscaped areas and other areas of common ownership are maintained to an approved standard. The management scheme requires to be approved in writing by the planning authority and shall thereafter be in place prior to the occupation of either building on the site.

Reason: In the interests of the amenity of the site and the surrounding area.

10. Development shall not commence until details of all external lighting (including details of the lighting units, the angle and intensity of illumination and hours of operation) have been submitted to and approved in writing by the planning authority. Thereafter the lighting shall be implemented as approved.

Reason: In order to ensure that the lighting is acceptable at this location and to protect the amenity of the surrounding area.

11. Development shall not commence until details have been submitted of a management scheme to ensure that the Sustainable Urban Drainage Systems (SUDS) and Drainage Strategy (dated 11th December 2019) submitted as part of the planning application hereby approved are maintained to an approved standard. Thereafter, the SUDS and Drainage Strategy and management scheme shall be fully implemented prior to any part of the development being brought into use.

Reason: In the interests of sustainable development.

12. Notwithstanding the plans hereby approved, development shall not commence until details including plans of the junction at Drumby Crescent have been submitted to and approved in writing by the planning authority. The plans shall include measures to minimise or mitigate traffic flow eastwards on Drumby Crescent. Thereafter the junction shall be implemented as approved.

Reason: To reduce the number of vehicles using Drumby Crescent in order to minimise any road safety issues.

13. Visibility splays of 2.5 metres by 25 metres shall be provided in both directions at the junction of the new access with the existing road prior to the commencement of use of the development and thereafter maintained free from any obstructions exceeding a height of 1.05m above the adjacent road.

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

14. Notwithstanding the plans hereby approved, development shall not commence until details including plans showing a continuous pedestrian link between the proposed disabled bays (as shown on drawing 151-L(20)-200 RevPII) and the access to the care home.

Reason: To allow the planning authority to assess this matter and to ensure that the development is safe for users.

15. There shall be no construction work or offloading of delivered materials at the development site outwith the hours of 0800 to 1900 Monday to Friday and 0800 to 1300 on Saturday with no working on Sunday or local or national public holidays unless minor and temporary amendments have been otherwise agreed in advance in writing by the planning authority. The starting up/warming up and shutting down of any construction machinery outwith these hours shall not be audible from the boundary of any noise sensitive property.

Reason: To prevent noise nuisance to the surrounding area.

16. Development shall not commence until an Air Quality impact report has been submitted to and approved in writing by the planning authority. In addition the report shall also consider the potential impact of the development during site preparation and construction works on the surrounding area. The report shall identify any remedial measures required to mitigate any negative impact on air quality including the control of dust during construction to minimise the impact on adjacent neighbours and future occupants of the site. Thereafter the mitigation/measures identified shall be implemented as approved.

Reason: To protect the amenity and health and wellbeing of residents and future residents.

ADDITIONAL NOTES:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

The applicant is required to consult East Renfrewshire Council Protective Services regarding compliance with the provisions of the Health & Safety at Work Etc Act 1974 and the Food Safety Act 1990.

The developer should contact Network Rail Asset Protection Engineer, 151 St Vincent Street, Glasgow, G2 5NW. Tel: 0141 555 4087 Email: AssetProtectionScotland@networkrail.co.uk

In addition to planning legislation, I would draw your attention to the provisions of the Nature Conservation (Scotland) Act 2004 and the Wildlife and Countryside Act 1981 with regard to the protection of Wildlife and, in particular, the needs to ensure that all works are preceded by a check for nesting birds. It is a criminal offence to intentionally or recklessly damage, destroy or otherwise interfere with any wild bird nest which is in use or being built or, which, at any other time, is habitually used by certain birds protected by special penalties. Where it is proposed to carry out works which will affect European Protected Species (including bats) or their shelter/ breeding places, checks should first be made by an appropriate bat surveyor. In the event a protected species would be affected a licence is required from the Scottish Government. Further information on these matters can be sought initially from Scottish Natural Heritage or Scottish Government Species Licensing Team, Countryside and Heritage Unit, Victoria Quay, Edinburgh.

The applicant is advised to contact Scottish Water, Developer Services, Clyde House, 419 Balmore Road, Glasgow, G22 6NU, prior to commencing any works on site.

East Renfrewshire Council Roads Service should be consulted regarding a Road Opening Permit for service connections and footway crossover.

MINUTE
of
AUDIT & SCRUTINY COMMITTEE

Minute of virtual meeting held at 2.00pm on 12 August 2021.

Present:

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

Councillor Miller in the Chair

Attending:

Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Michelle Blair, Chief Auditor; Linda Hutchison, Clerk to the Committee; Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Also Attending:

Morven Fraser, Audit Scotland.

Apology:

Councillor Jim McLean.

DECLARATIONS OF INTEREST

1709. There were no declarations of interest intimated.

CHAIR'S REPORT

1710. The Chair advised that this would be the last meeting of the committee which Morven Fraser would attend as she was moving to a new position within Audit Scotland. On behalf of the committee, he thanked Ms Fraser for her support as a member of the Council's External Audit team and extended his best wishes to her for her future career.

ANNUAL TREASURY MANAGEMENT REPORT

1711. Under reference to the Minute of the meeting of 11 March 2021 (Page 1459, Item 1574 refers), when it had been agreed to note the Treasury Management Strategy Report for 2020/21 and recommend to the Council that the Strategy for 2021/22 and the policy on the repayment of loans fund advances be approved, the committee considered a report by the

Head of Accountancy (Chief Financial Officer) providing details of the Council's treasury management activities for the year ending 31 March 2021, and seeking approval to recommend to the Council that a list of organisations for the investment of surplus funds be approved.

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

The Head of Accountancy (Chief Financial Officer) highlighted key issues within the report, including comments on why the borrowing undertaken during the year varied from the estimates made. She explained that due to the pandemic most building work had required to be paused during the year, as a consequence of which a significant amount of capital expenditure had been delayed and pushed back to future years. Although no new borrowing had been needed in 2020/21 borrowing would be required in future years.

She highlighted that the Council had operated satisfactorily against all indicators which measured risk, prudence and debt; commented on various specific indicators; and confirmed that capital investment plans and treasury management decisions were affordable, prudent and sustainable.

In response to a question from Councillor Grant regarding borrowing, the Head of Accountancy (Chief Financial Officer) confirmed that the Council mainly borrowed from the Public Works Loan Board at a fixed rate, rather than directly from banks.

The committee agreed to:-

- (a) note the Treasury Management Annual Report for 2020/21; and
- (b) **recommend to the Council** that the organisations specified in the report for investment of surplus funds be approved.

NATIONAL EXTERNAL AUDIT REPORT – LOCAL GOVERNMENT IN SCOTLAND OVERVIEW 2021

1712. The committee considered a report by the Clerk on the publication by Audit Scotland of a report entitled *Local Government in Scotland Overview 2021*, which under the committee's specialisation arrangements had been sent to Councillors Miller and Grant for review. The 2021 overview focused on councils' COVID-19 responses and, through consultation with the Corporate Management Team, links to various reports which had been submitted to the Council on its response COVID-19 and related progress had been provided.

Under reference to the Minutes of the meetings of 26 November 2020 (Page 1337, Item 1444 refers) when a report on issues raised within the Audit Scotland's COVID-19 Guide for Audit and Risk Committees had been noted and it had been agreed that a further update would be provided in due course; and of 18 March 2021 (Page 1480, item 1591(ii) refers), when it had been noted that the Chair had sought and received clarification that the feedback received in November 2020 on changes to internal controls required due to COVID-19 remained current, it was commented that a wide range of information on COVID-19 issues had already been provided to both the full Council and Audit & Scrutiny Committee and that further updates would be provided as necessary.

In accordance with a decision made by the committee in March 2021, the Clerk confirmed that she would write to members of the committee following the meeting to ascertain if any further updates on specific issues were considered required, by exception, at this stage with a view to reporting back to a future meeting as appropriate.

The committee noted:-

- (a) that the Clerk would ask members of the committee to confirm if there were any issues, by exception, that were raised in the *Audit Scotland COVID-19 Guide for Audit and Risk Committees* on which they wished to seek further feedback or assurances at present, taking account of feedback on various matters provided thus far, with a view to seeking comments and reporting back to a future meeting as appropriate; and
- (b) otherwise, the report and related comments made.

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

1713. The committee considered a report by the Chief Auditor regarding progress in relation to compliance with the Public Sector Internal Audit Standards (PSIAS).

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

The report commented further on the QAIP, options for external assessment, and the self-assessment most recently carried out in July 2021 and related results. The self-assessment had indicated that the internal audit team were 95% fully compliant with the relevant standards and partially compliant with a further 4%, on the basis of which it had been concluded therefore that it operated in general compliance with the PSIAS. This result remained consistent with the most recent external assessment which had concluded that the internal audit service was fully compliant in 11 out of 13 sections and generally compliant in the remaining 2.

Whilst commenting further on the report, the Chief Auditor referred to a small variation to the outcome of the self-assessment compared to the previous year associated with temporary COVID-19 support by her team to other services which was now no longer being provided. She confirmed that the QAIP appended to the report included actions from the 2019 and 2020 self-assessments, both of which had been implemented and would be removed from next year's assessment. An action relating to a future audit of 2020/21 COVID-19 grants had also been added on which further information was provided. She added that, as the self-assessment indicated a high level of compliance with PSIAS, scope for further improvement was therefore limited.

The committee noted the outcome of the revised self-assessment.

INTERNAL AUDIT PLAN 2021/22 – IMPLEMENTATION PROGRESS – APRIL TO JUNE 2021

1714. Under reference to the Minute of the meeting of 24 June 2021 (Page 1565, Item 1684 refers), when it had been agreed to approve the Internal Audit Strategic Plan for 2021/22 to 2025/26, the committee considered a report by the Chief Auditor advising of progress on the Internal Audit Annual Plan 2021/22. It was confirmed that no audit reports in relation to planned 2021/22 audit work had been issued in quarter 1. However, during the quarter satisfactory management responses had been received for 3 audit report relating to planned 2020/21 audit work. Reference was also made to the quarterly performance indicators (PIs) for the section, and one new request for assistance dealt with using contingency time.

Whilst commenting on the report and in response to questions, the Chief Auditor referred to a follow-up audit report that had been forwarded to the Clerk and which had just been circulated to members of the committee. She also confirmed that the member of staff previously on secondment had returned to full-time audit duties in April 2021, and that recruitment to fill a vacancy within the section was expected to take place later in the year.

The committee agreed:-

- (a) not to seek any of the reports issued during the quarter at this stage; and
- (b) otherwise, to note the report and related comments.

CHAIR

MINUTE
of
EDUCATION COMMITTEE

Minute of virtual meeting held at 10.00am on 19 August 2021.

Present:

Councillor Alan Lafferty (Chair)	Councillor Gordon Wallace
Councillor Tony Buchanan (Leader)	Councillor Colm Merrick (Vice Chair)
Councillor Caroline Bamforth	Dr Frank Angell
Councillor Charlie Gilbert	Ms Dorothy Graham
Councillor Jim McLean	Mr Des Morris

Councillor Lafferty in the Chair

Attending:

Mark Ratter, Director of Education; Janice Collins, Head of Education Services (Quality Improvement); Joe McCaig, Head of Education (Performance and Provision); Siobhan McColgan, Head of Education Services (Equality and Equity); Tracy Morton, Education Senior Manager (Developing People); Graeme Hay, Education Senior Manager (Leading Business Change); Colin Hutton, Senior Communications Officer; John Burke, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Apologies:

Mary McIntyre.

DECLARATIONS OF INTEREST

1715. There were no declarations of interest intimated.

SQA EXAMINATION DIET 2021

1716. Councillor Lafferty invited Joe McCaig, Head of Education Services (Performance and Provision), to give an overview of results in East Renfrewshire schools from the SQA examination diet 2021. Mr McCaig clarified that the oral update given at this meeting would be followed by a more detailed analysis paper at a future meeting of the committee.

Having summarised the background to cancellation of the 2020/2021 examination diet and its replacement with an alternative certification model which would be based on teacher judgements, supported by assessment resources and quality assurance, the Head of Education Services (Performance and Provision) explained that in response, the Education Department co-ordinated a local authority approach to quality assurance and moderation of assessment instruments in all secondary schools. This represented a different approach to the 2019/2020 alternative certification model, since the attainment was determined purely by demonstrated assessment evidence rather than inferred attainment.

Staff had worked tirelessly to ensure that all assessment evidence was properly validated and moderated while also providing a high quality of learning and teaching continued throughout the pandemic and any subsequent school closures.

It was further explained that in accordance with the certification model, the SQA sampled evidence from all schools in addition to which Education Scotland reviewed the processes of the Education Department and schools. Furthermore, the Education Department worked with other local authorities in the West Partnership Collaborative to ensure that any actions taken in terms of the alternative certification model reflected best practice at both a local and national level.

Thereafter the Head of Education (Performance and Provision) presented some of the highlights from the results generated by the alternative certification model, which had been issued on 10 August 2021.

94% of pupils had attained 5 or more awards at National 3 level with 95% attaining 5 or more awards at National 4 level or better. This was broadly similar to the previous year's attainment.

At National 5 level or better, 79% of S4 pupils had attained 5 or more awards. This was the second highest performance to date. In particular, at St Luke's High School, the proportion of S4 pupils attaining 5 or more awards at National 5 was the highest since 2016.

The gap between pupils residing in the least and most deprived postcodes in attaining 5 or more awards at National 5 had reduced for the third year in a row, and was at its lowest recorded level.

The highest ever proportion of S5 pupils had attained 3 or 5 or more awards with the second highest proportion of pupils ever attaining 1 or more awards. Half of all S5 pupils attained 5 or more awards at Higher while almost 75% attained 3 or more awards. Several schools in East Renfrewshire recorded their highest ever performance for S5 pupils.

At Advanced Higher level, the highest ever proportion of pupils had attained 1 or more awards and several schools had recorded their highest ever proportion of pupils attaining Advanced Higher awards.

It was noted that candidates would be able to appeal against any award by going direct to the SQA. Appeals could be made on 3 bases: that an academic judgement had been made in error; that there had been an administrative error; or that there had been some discrimination that had taken place in respect to the award. The SQA had decided that for most national qualifications, the assessment modifications that were in place for 2021 would continue for 2021/2022.

Referring to proposals for 2021/22, it was explained that on 18 August 2021 the Cabinet Secretary for Education and Skills had informed Parliament that subject to national health guidance it was planned that an examination diet for National 5, Higher and Advanced Higher would take place in session 2021/2022. Should any cancellation of the diet occur, teachers and lecturers would be asked to use their professional judgement of assessment evidence gathered throughout the school year to determine grades.

The Head of Education (Performance and Provision) having thanked all pupils, parents and staff for their vital contributions during a challenging year for all in education and congratulated them on their achievements through the year, Provost Fletcher asked if there was any indication that the gap between performance in East Renfrewshire schools and other local authorities had narrowed as a result of the current situation. In reply, the Head of Education (Performance and Provision) explained that significant work had been undertaken to ensure that all assessment pieces used by schools had been valid and reliable in determining grades.

This had involved a lot of moderation and validation work by both the schools and the SQA and he was confident that those awards were robust and reliable. In terms of comparative local authority performance, it was difficult to assess at this stage as information would not be released until later in the year through the Insight tool. However, he pointed out that East Renfrewshire's performance had exceeded all its virtual comparators. Work would be ongoing with all schools to ensure that those high standards were maintained going into the 2022 exam diet.

Councillor Bamforth also added her thanks to all parents, pupils and staff for their hard work and asked if the data gathering that had taken place in 2021 would be continued in case of any cancellation of exams for 2022. The Head of Education (Performance and Provision) pointed out that East Renfrewshire schools were very data rich and that had been one of the cornerstones of the authority's continued success. Further guidance was expected to come from SQA following the recent announcement of the exam diet for 2022. The expectation was that assessment evidence would be gathered throughout the year and could be used in case of any cancellation of exams. This would not present additional workload to teachers as it was a standard part of the curriculum.

Councillor Wallace asked if some of the positive initiatives that had come from the implementation of remote learning would be maintained, even in a standard learning setting. In reply, the Head of Education (Performance and Provision) confirmed that this would be the case, with the Director confirming that all high quality resources identified as part of the remote learning offering would be retained for the use of East Renfrewshire pupils.

Councillors Merrick and Buchanan also added their praise to pupils, parents and staff for their considerable efforts over the year and beyond, through the COVID pandemic.

The Head of Education Services (Quality Improvement) also highlighted the work of education hubs and emergency childcare services that contributed to increasing educational equity and closing the attainment gap. She also pointed out that the alternative certification model remained in place should it be required and there was a proposal that the working group set up around the model would continue to meet to ensure that any mitigation of COVID related issues in 2022 could be implemented immediately. Furthermore, there was an ongoing national debate around the role of examinations, with some pupils responding better to the alternative model than the usual exam diet.

Councillor Lafferty thanked all for their contributions and congratulated the Education Department as well as pupils and parents for their ongoing work, hoping that the improvements could be maintained year on year.

Thereafter, the Committee agreed to note the report.

EDUCATION DEPARTMENT YEAR END REPORT 2020-2021

1717. The committee considered a report by the Director of Education informing members of the year end performance of the Education Department for 2020/2021. The report was based on performance indicators and activities in the Outcome Delivery Plan 2020-2023 (ODP), approved by Cabinet in October 2020. Detailed performance results were attached as an appendix to the report.

The Education Senior Manager (Leading Business Change) explained that due to differences in corporate/educational reporting cycles, there was a slight disconnect in when figures for some measures would become available and any blanks in the appendix were due to the figures not being finalised.

The report highlighted some real strengths in adaptation of service delivery and noted the professionalism, commitment and innovation of staff in delivering a high standard educational service in a very challenging environment. This set a strong base line to build upon for future years' performance.

The information presented in the report showed a very positive picture overall with key strengths highlighted including, amongst others: very good performance in terms of attainment, and leaver destinations; very high satisfaction levels with the Council's schools as expressed in Citizen's Panel results; and progress with digitisation of "back office" functions and processes, including the launch and rollout of the Parents' Portal.

Councillor Bamforth thanked the officers for an excellent report and highlighted, in particular, the effectiveness of interventions taking place at the Early Years stage. She also highlighted that 30 schools and centres in East Renfrewshire had been awarded green flag eco-school awards, which was very important in terms of the ongoing climate change crisis.

Councillor Wallace noted that while performance remained high, there had been a decrease in young people moving on to positive destinations and queried the reasons for this. He also asked for an explanation in terms of increased costs noted in the report. The Head of Education (Quality Improvement) indicated that follow up measures had shown that positive destinations had actually increased and there had been a timing issue where children hadn't yet moved into that positive destination when the initial survey data was compiled. The Education Senior Manager (Leading Business Change) stated that extra funding had come in to schools in terms of supporting additional teachers and resources. Despite schools being closed, some costs were fixed, for example, salaries. It was agreed that he would report back to Councillor Wallace on the specifics of the funding figures indicated in the report.

Thereafter, the committee:

- (a) approved the Education Department's Year End report for 2020/2021; and
- (b) agreed that further details on the increased costs highlighted by the report be provided to Councillor Wallace.

BUILDING BACK BETTER AND FAIRER DRAFT FRAMEWORK 2021-2022

1718. The committee considered a report by the Director of Education on the Education Department's draft Building Back Better and Fairer Framework 2021-2022.

The report explained that there were well established and effective systems in place within East Renfrewshire to support schools and services to improve continuously. However, establishments and communities had been affected by the COVID-19 pandemic, including two extended periods of school closure with children and young people moving to remote learning.

The report outlined many ways in which East Renfrewshire schools had been effectively dealing with the challenges which had arisen due to the pandemic, but the Director of Education pointed out that there was an expectation that educational establishments would continue to respond to COVID on an ongoing basis.

During the past 18 months, the Education Department had engaged with staff, parents and pupils on changes made as a result of COVID. Those discussions had allowed the department to reflect on what had gone well or could be improved. In particular, stakeholders had highlighted the resilience of the children, the quality of support available for families in East Renfrewshire and the support available for staff, including professional learning opportunities

in developing digital skills. However, it was also highlighted that there was a need to improve IT provision, address network issues and allow more opportunities for clubs and extra-curricular activity.

The draft Framework, a copy of which was attached as an appendix to the report, had been created to take account of the key areas highlighted in the consultations and establish priorities required to support schools and services as they recovered following the pandemic. It was designed to complement the activities set out in the Local Improvement Plan (LIP), with a particular focus over a 15 month period, as opposed to the three year period of the LIP.

The Framework also had a clear focus on improving outcomes for all learnings, with particular focus on addressing the inequalities of outcome experienced by different equity groups.

Councillor Lafferty asked if Head Teachers were now more able to take annual leave, as he was aware that during the initial phases of the pandemic, they had struggled to do so. The Director of Education reassured the committee that the position was greatly improved in summer 2021.

Councillor Wallace expressed concern around support to social care and the synergy social care services had with educational outcomes. He asked what the position of the Education Department was on the proposed centralisation of social care and what impact it could have on education. The Director of Education responded that the original proposal had only proposed to look at adult social care services, but children's services had been brought in via a recent consultation. He stated that the intention was to produce more consistent outcomes across the country, however, there was a debate to be had through the consultation on whether a centralisation of services would be the best way to achieve that. Councillor Wallace indicated that he had been pleased with the partnership working he had seen between education and the Health and Social Care Partnership, and sincerely hoped that this was preserved.

Councillor Bamforth asked that the impact upon teacher wellbeing through the pandemic be considered as part of the Framework. The Head of Education (Equality and Equity) pointed out that there had been a strong focus on staff wellbeing, particularly with the Healthier Minds resources that had been developed by the Educational Psychology department, many of which focused on teacher/staff wellbeing.

Councillor Merrick enquired about parental engagement and how many parents felt empowered enough to contribute to these processes. The Head of Education (Equality and Equity) stated that there had been a number of lessons learned on parental engagement and the Framework would assist with that. There was also a new Parental Engagement and Involvement Strategy being developed to particularly look at this subject. A suite of training was also being offered to staff on effective communication with parents.

Councillor Buchanan welcomed the focus on continuous improvement. He referred to the comments by Councillor Wallace in terms of partnership working and inter-departmental working, in particular around social care. He shared the concerns expressed and stated that the responses to the consultation from the Council would be robust.

Thereafter, the committee agreed to approve the Building Back Better and Fairer Framework 2021 -2022.

MINUTE
of
APPEALS COMMITTEE

Minute of virtual meeting held at 10.00am on 25 August 2021.

Present:

Councillor Angela Convery (Chair)
Councillor Barbara Grant

Councillor Annette Ireland

Councillor Convery in the Chair

Attending:

Lisa Gregson, HR Business Partner; Siobhan Wilson, Solicitor; Eamonn Daly, Democratic Services Manager; Sharon McIntyre, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Apologies:

Councillors Betty Cunningham and Stewart Miller.

DECLARATIONS OF INTEREST

1719. 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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the Act.

APPEAL AGAINST DISMISSAL – ENVIRONMENT DEPARTMENT – 01/2021

1720. Phil Daws, Head of Environment (Strategic Services) and Jo Loudon, HR Business Partner, appeared on behalf of management.

The appellant appeared, accompanied by her union representative, Mr Raymond Gallacher, UNISON, in connection with her appeal.

Both parties made their submissions to the committee and were heard in answer to questions on their submissions, during which Suzanne Conlin, Senior Housing Manager, Environment (Disciplining Officer) joined the meeting as a witness for management. Ms Conlin was heard in response to questions.

Thereafter both parties withdrew from the meeting.

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

CHAIR

MINUTE
of
CABINET

Minute of virtual meeting held at 10.00am on 26 August 2021.

Present:

Councillor Tony Buchanan (Leader)
Councillor Caroline Bamforth

Councillor Danny Devlin
Councillor Alan Lafferty

Councillor Buchanan, Leader, in the Chair

Attending:

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Mark Ratter, Director of Education; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Louise Pringle, Head of Communities, Revenues & Change; Murray Husband, Head of Digital and Community Safety; Sharon Dick, Head of HR, and Corporate Services; Siobhan McColgan, Head of Education Services (Equality and Equity); Graeme Smith, Communications Manager; Craig Geddes, Senior Information and Improvement Officer; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

Apologies:

Councillors Betty Cunningham and Colm Merrick.

DECLARATIONS OF INTEREST

1721. Councillor Buchanan declared a non-financial interest in relation to Item 1724 - East Renfrewshire Culture and Leisure – End-Year Report 2020/21 on the grounds that he was a member of the Board of East Renfrewshire Culture and Leisure Trust.

CHIEF EXECUTIVE'S OFFICE END-YEAR PERFORMANCE REPORT 2020/21

1722. The Cabinet considered a report by the Chief Executive in relation to the End-Year Performance Report 2020/21 in respect of the Chief Executive's Office, details of which were outlined in the appendix to the report.

Following discussion the Cabinet noted the report as a summary of the Chief Executive's Office End Year Performance for 2020/21.

CORPORATE AND COMMUNITY SERVICES END-YEAR PERFORMANCE REPORT 2020/21

1723. The Cabinet considered a report by the Deputy Chief Executive in relation to the End-Year Performance Report 2020/21 in respect of Corporate and Community Services, details of which were outlined in the appendix to the report.

Councillor Bamforth advised she had received enquiries regarding a delay in the issuing of Council Tax bills. In reply, the Head of Communities, Revenues & Change advised that as a result of a change in the system to issue Council Tax bills and due to a substantial increase in workload through the issuing of COVID-19 benefits, delays had occurred, although further resources were being allocated to this area and improvements to delivery were now being seen.

The Cabinet noted the report as a summary of Corporate and Community Service performance for 2020/21.

EAST RENFREWSHIRE CULTURE AND LEISURE END-YEAR REPORT 2020-2021

1724. The Cabinet considered a report by the Director of Education in relation to the End-Year Report 2020/21 in respect of East Renfrewshire Culture and Leisure (ERCL) Trust, details of which were outlined in the appendix to the report.

Members noted the use of ERCL facilities in the rollout of the vaccination programme, the Chief Executive providing an update on the current use of facilities and advising that the situation was continually being monitored.

Having heard from the Head of Education Services (Equality and Equity), the Cabinet approved the report as a summary of ERCL Trust end-year performance for 2020–21.

Furthermore, for all of the end of year reports considered at the meeting, Members noted and thanked staff for the handling of operations throughout the pandemic. The Chief Executive and Deputy Chief Executive noted the ongoing impacts of the pandemic across the organisation and that this would have an impact on key performance indicators.

FINANCIAL PERFORMANCE FOR THE YEAR ENDED 31 MARCH 2021

1725. The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer), advising of the unaudited financial results for 2020/21; comparing the outturn position with the final Budgetary Control Statement made to Cabinet on 1 April and confirming the financial results as emailed to all Elected Members in June.

The Head of Accountancy (Chief Financial Officer), advised that the report demonstrated the continued excellent financial performance of the Council, and noted that all departmental General Fund spend had been maintained within budget. She reported that all non-essential expenditure during the year had been avoided due to the uncertainty regarding COVID funding. However, a government grant had been awarded late in the year which covered all of the pandemic pressures. An improved position to that budgeted for was therefore achieved, with a contribution to general reserves of £1.964m in comparison to the planned utilisation of £3.5m of these reserves. This represented an improved position of just over £5.4m on the budget set on 27 February 2020.

A balance of £11.607 million as at 31 March 2021 was recorded for the non earmarked General Fund reserve, representing 4.5% of net revenue expenditure, slightly above the

Council's policy aim of 4%. Some of this higher than expected contribution arose because of COVID restrictions limiting discretionary devolved school management expenditure. This was recognised in March 2021 and it was agreed to consider the possibility of allocating some funding back to schools during this year. A report would be submitted to the next Council meeting to address this.

A balance of £12.8m of COVID grants was being carried forward into 2021/22 and this earmarked funding would be used to address pandemic pressures in the current year.

The position reported at period 10 was an underspend of £3.7m and the improvement of £1.7m by the year end reflected the ongoing efforts made by Directors to avoid all non-essential expenditure. The main areas contributing to the additional underspend towards the year end were staff vacancies and supplies and services.

The favourable outturn position for 2020/21 would assist the Council in taking forward appropriate measures to address the significant financial difficulties and uncertainties in coming years.

In respect of the Housing Revenue Account (HRA), it was reported that this had recorded an operational deficit of £95,000 due to the impact of the pandemic, however there was still an accumulated HRA surplus balance carried forward of £2.2 million.

Councillors Devlin and Bamforth sought further information on the COVID grant and funding streams from Scottish Government. In reply, the Head of Accountancy (Chief Financial Officer) advised of the areas different funding streams were applicable to and the criteria set for these areas. She advised that the spending of this grant would be monitored and raised with Scottish Government with regards to any under or overspend.

Having heard from the Head of Accountancy (Chief Financial Officer), the Cabinet noted:-

- (a) the outturn position compared to the previous Budgetary Control Report;
- (b) that once the audit had been completed the final accounts along with the External Auditor's report, would be submitted to a future meeting of the Council.

ESTIMATED REVENUE BUDGET OUTTURN 2021/22

1726. The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer) detailing the projected revenue budget out-turn for 2021/22 and providing details of the expected year-end variances together with summary cost information for each of the undernoted services as at 30 June 2021 and subsequent assessment of pressures arising from COVID-19.

- (i) Education Department;
- (ii) Contribution to Integration Joint Board;
- (iii) Environment Department;
- (iv) Environment Department – Support;
- (v) Chief Executive's Office;
- (vi) Chief Executive's Office – Support;
- (vii) Corporate and Community Services Department – Community Resources;
- (viii) Corporate and Community Services Department – Support;
- (ix) Other Expenditure and Income;
- (x) Joint Boards;

- (xi) Contingency – Welfare;
- (xii) Health and Social Care Partnership; and
- (xiii) Housing Revenue Account.

The report advised that on the basis of the latest information, there was a net adverse variance on net expenditure of £0.186m with a total forecast overspend on General Fund services of £0.357m. However, after adjusting for COVID pressures which would be met from earmarked grants brought forward, and for the HRA which was funded from rents, the underlying position on departmental budgets was a forecast underlying General Fund underspend of £0.856m. The reasons for departmental variances were set out in the report.

The report highlighted that this was the first forecast of the year and could be subject to significant change, for example if pandemic pressures were greater than expected or if the current year's pay award was settled at a significantly higher rate than had been budgeted for. Given the tight nature of the Council's finances in the current economic climate, the position would be actively managed and regular updates provided to Cabinet throughout the year on the financial performance and outturn forecasts.

The report also sought approval for a number service virements and operational budget adjustments, details of which were outlined in the report. It was noted that a number of operational variances required management action to ensure that expenditure would be in line with budget at the end of the financial year. At this time, it was expected that management action would lead to all overspends being recovered, that all underspends were consolidated wherever possible and that spending up to budget levels did not take place.

Having heard from the Head of Accountancy (Chief Financial Officer), the Cabinet:-

- (a) noted the continued financial pressures on operational services arising from the COVID-19 pandemic and that it was expected to cover these from accumulated COVID grant funding.
- (b) noted the forecast underlying General Fund operational underspend of £856k.
- (c) approved service virements and operational adjustments as set out in the report and noted the reported probable out-turn position.
- (d) noted all departments continued to closely monitor and manage budgets to ensure that spending up to operational budget levels did not take place.

GENERAL FUND CAPITAL PROGRAMME 2021/22

1727. The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer), monitoring expenditure as at 30 June 2021 against the approved General Fund Capital Programme and recommending adjustments where necessary in light of issues that had arisen since the programme had been approved.

The Head of Accountancy (Chief Financial Officer), advised that the report indicated a shortfall in resource of £443,000 representing 1% of the resources available which was within manageable limits.

It was noted that COVID continued to have a significant effect on both the timing and the cost of capital projects and the report reflected an element of rescheduling of current and future schemes in line with available resource capacity. The full extent of potential cost increases was not yet known and further reports would provide updates as the situation became clearer.

Sections 5 and 6 of the report advised of a number of movements in the current year's Capital Programme which the Cabinet was invited to consider. These related mainly to timing delays associated with COVID. The delays in the programme had resulted in a net decrease in borrowing required for the year of £1.4m. It was highlighted that was not a saving as the planned borrowing would be delayed until next year.

The Chief Executive having highlighted the impacts the availability and cost of construction materials may have on future projects, Councillor Bamforth noted the reduction in borrowing of £1.2 million and enquired as to the interest saving on this. In reply, the Head of Accountancy (Chief Financial Officer) advised this would be taken into account in forecasts although it was expected that loan charges would increase in the next few years resulting from scheduled projects. She also echoed concerns regarding construction costs.

Having heard further from the Head of Accountancy (Chief Financial Officer), the Cabinet:-

- (a) **agreed to recommend to the Council that** the movements within the programme be approved; and
- (b) noted the shortfall of £0.443m, and that income and expenditure on the programme will be managed and reported on a regular basis.

HOUSING CAPITAL PROGRAMME 2021/22

1728. The Cabinet considered a joint report by the Head of Accountancy (Chief Financial Officer) and Director of Environment, monitoring expenditure as at 30 June 2021 against the approved Housing Capital Programme 2021/22.

The Head of Accountancy (Chief Financial Officer) advised that there was a shortfall in the programme of £0.160m (0.87% of available resources) but this was within manageable limits. There had been no confirmed changes as yet to the programme approved in June but COVID market uncertainties were expected to impact on both timing and costs of schemes in the coming months. The Director of Environment echoed this position with regards to the impact of COVID.

Having heard from the Head of Accountancy (Chief Financial Officer), the Cabinet noted the shortfall of £0.160m, and that income and expenditure on the programme will be managed and reported on a regular basis.

VARIATION TO CONTRACT - HR AND PAYROLL SYSTEMS

1729. The Cabinet considered a report by the Head of HR, Corporate Services and Community Services, seeking approval for a variation of £100,000 to the contract value for the Provision of the HR & Payroll System being delivered by Midland iTrent, using Clause 14 of the Standing Orders Relating to Contracts. This was in addition to a variation of £100k approved under delegated authority by the Chief Officer - Legal and Procurement earlier in the year.

The report outlined that implementation of the new system was planned for March 2020 but was delayed due to COVID-19. The original testing scheduled for the March 2020 implementation had to be re-run in December 2020. Challenges had also been encountered with remote training and a position for the payroll development role remaining unfilled resulting in the need for Midland iTrent system experts to be used.

As a result of these unplanned issues and the associated costs to bring in the Midland iTrent system experts the 30% contingency element allowed under the contract award was committed by year 2 of the contract term. To ensure the Council could continue to engage external experts from Midland iTrent for training, report writing and knowledge transfer, a routine variation of £100,000 was authorised by the Chief Officer Legal and Procurement under Clause 14 of Standing Orders Relating to Contracts. This variation took the contract value to £1,270,000. The variation requested of £100,000, which would take the contract value to £1,370,000, was expected to cover additional modules and integration required and ensure that further unplanned spend could be accommodated should it be required.

Having heard from the Head of HR & Corporate Services, the Cabinet approved a variation of £100K under the Standing Orders Relating to Contracts – Clause 14 that required any variation exceeding £100,000 of the accepted award value to be agreed by the Cabinet prior to instruction.

FREEDOM OF INFORMATION - COUNCIL PERFORMANCE FOR THE PERIOD APRIL 2020 TO MARCH 2021

1730. The Cabinet considered a report by the Chief Executive, providing details of the annual statistical report on the Council's performance in dealing with Freedom of Information requests.

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

The Council had received a total of 1,012 requests during the period 1 April 2020 to 31 March 2021. Details of Council, departmental and sectional performance in responding to Freedom of Information requests were provided, together with a summary of the use of exemptions, fees, reviews and appeals.

Councillor Bamforth enquired as to the application of fees to freedom of information requests in response to which the Senior Information and Improvement Officer outlined the charging process as stipulated in the Freedom of Information (Scotland) Act 2002.

The Cabinet noted the report.

CHAIR

MINUTE
of
PLANNING APPLICATIONS COMMITTEE

Minute of virtual meeting held at 2.00pm on 1 September 2021.

Present:

Councillor Angela Convery
Councillor Stewart Miller

Councillor Jim McLean
Councillor Jim Swift

Councillor Miller in the Chair

Attending:

Graham Shankland, Planning and Building Standards Manager; Alan Pepler, Principal Planner; Derek Scott, Planner, Eamonn Daly, Democratic Services Manager; Sharon McIntyre, Committee Services Officer, and Liona Allison, Assistant Committee Services Officer.

Apologies:

Councillors Ireland (Chair), Cunningham (Vice Chair), and Provost Fletcher.

APPOINTMENT OF CHAIR

1731. In the absence of the Chair and Vice Chair it was agreed that Councillor Miller Chair the meeting.

DECLARATIONS OF INTEREST

1732. There were no declarations of interest intimated.

APPLICATIONS FOR PLANNING PERMISSION

1733. The committee considered a report by the Director of Environment on the following application for planning permission (retrospective) requiring consideration by the committee.

2021/0226/TP - Installation of 1x Broadband PCP Cabinet measuring 2430mm x 370mm x 1210mm (retrospective) at Opposite 1-1A Polnoon Street, Eaglesham.

Councillor McLean expressed concerns regarding the retrospective nature of the planning application. He highlighted the concerns of local residents with regards to the positioning of the Broadband PCP Cabinet and sought justification for the receipt of the retrospective planning application. This was echoed by Councillor Convery who noted the numerous variations of similar planning applications put to the committee.

The Planning and Building Standards Manager advised that the applicant had submitted supporting information and photographic evidence that indicated that a third party electric cable ran under the site for the cabinet that was approved under reference 2019/0767/TP and that that site cannot therefore be used. The information submitted also indicated that the location at the corner of Polnoon Street and Gilmour Street was best operationally and to move the cabinet elsewhere in Eaglesham would result in slower broadband speeds for residents of the village. The information also stated that broadband would be discontinued during any relocation. Consequently a retrospective planning application was submitted as the PCP cabinet could not be relocated to the approved position.

Elected Members questioned the validity of the evidence provided. The Planning and Building Standards Manager, Planning Officer and Democratic Services Manager advised that in the absence of any contrary information the evidence provided by the applicant needed to be taken as accurate.

Councillor McLean expressed further concern regarding the broadband facilities of local residents and that access to these services would be affected should planning permission for the retrospective application not be granted. In these circumstances he felt that there was almost no option but to approve the application. This was supported by other Members.

In response to comments about the way the application had been progressed, the Planning and Building Standards Manager confirmed that if the committee was minded he could write to the applicant to express the committee's displeasure and emphasising the need for the applicant to follow the proper planning procedures for any future applications.

The committee:-

- (a) approved the application for retrospective planning consent subject to conditions as outlined in the report; and
- (b) agreed that the Planning and Building Standards Manager issue a letter to the applicant to express the displeasure of the committee and to note the requirement to follow correct procedures in the future.

VALEDICTORY – GRAHAM SHANKLAND, PLANNING AND BUILDING STANDARDS MANAGER

1734. Councillor Miller advised the committee that this would be the last meeting attended by Graham Shankland, Planning and Building Standards Manager who was retiring. On behalf of the committee he thanked Mr Shankland for his contribution to East Renfrewshire Council over the years and wished him a long and happy retirement. This was echoed by other members of the committee.

Mr Shankland responded in suitable terms.

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
01.09.2021

Reference No: 2021/0226/TP

Ward: 5

Applicant:

Openreach
Rutland House
5 Allen Road
Livingston
Scotland
EH54 6TQ

Agent:

Robin Arscott
Rutland House
5 Allen Road
Livingston
Scotland
EH54 6TQ

Site: Opposite 1-1A Polnoon Street Eaglesham East Renfrewshire

Description: Installation of 1x Broadband PCP Cabinet measuring 2430mm x 370mm x 1210mm (retrospective)

Decision: Granted

MINUTE
of
LOCAL REVIEW BODY

Minute of virtual meeting held at 2.30pm on 1 September 2021.

Present:

Councillor Angela Convery
Councillor Stewart Miller
Councillor Jim Swift

Councillor Miller in the Chair

Attending:

Andrew Bennie, Planning Adviser; Siobhan Wilson, Solicitor (Legal Adviser); Eamonn Daly, Democratic Services Manager; Sharon McIntyre, Committee Services Officer (Clerk) and Liona Allison, Assistant Committee Services Officer.

Apologies:

Councillors Ireland (Chair), Cunningham (Vice Chair), McLean and Provost Fletcher.

APPOINTMENT OF CHAIR

1735. In the absence of the Chair and Vice Chair it was agreed that Councillor Miller Chair the meeting.

DECLARATIONS OF INTEREST

1736. There were no declarations of interest intimated.

The Chair advised that unaccompanied site visits had been held prior to the meeting for each of the items on the agenda.

NOTICE OF REVIEW – REVIEW 2021/07 – ERECTION OF CYCLE HUB/HIRE CENTRE INCORPORATING CAFE WITH FORMATION OF CAR PARK; ERECTION OF 8 BOTHY BUILDINGS AT REAR; ERECTION OF WASH BLOCK BUILDING; CHANGE OF USE AND ALTERATIONS TO DWELLINGHOUSE TO FORM HOLIDAY LETTING APARTMENTS (AMENDED PLANS) AT RED HOUSE, 438 AYR ROAD, LOGANSWELL, G77 6RY (REF NO: 2020/0202/TP)

1618

1737. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr Kenny Neison, against Condition 1 of the planning permission granted for application 2020/0202/TP at Red House, 438 Ayr Road, Loganswell.

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.

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

The Planning Adviser outlined the planning application and specifically Condition 1 as outlined by the Appointed Officer in the decision notice.

Having heard the Planning Adviser and following discussion, the Local Review Body agreed that the Appointed Officer's decision as set out in the decision notice of 17 June 2021 be varied and planning permission approved subject to the conditions previously granted with Condition 1 removed.

NOTICE OF REVIEW – REVIEW 2021/08 – ERECTION OF ONE AND A HALF STOREY REAR EXTENSION WITH RAISED DECKING AT 67 CRAIGHILL DRIVE, CLARKSTON, EAST RENFREWSHIRE, G76 7TD (REF NO: 2021/0044/TP)

1738. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr Fraser Rankin against the decision taken by officers to refuse planning permission in respect of the erection of one and a half storey rear extension with raised decking at 67 Craighill Drive, Clarkston.

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

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

The Planning Adviser outlined the planning application and reasons for refusal as outlined by the Appointed Officer in the decision notice. The Planning Adviser further outlined that should Members be minded to grant planning permission a suggested additional condition would be that :-

'No development shall commence until samples of the external finishing materials to be used on the proposed development have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.'

Having heard the Planning Adviser and following discussion, the Local Review Body agreed that the Appointed Officer's decision as set out in the decision notice of 7 May 2021 be overturned and planning permission approved subject to the following condition in addition to the standard delegated conditions:-

'No development shall commence until samples of the external finishing materials to be used on the proposed development have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.'

NOTICE OF REVIEW – REVIEW 2021/09 – ERECTION OF TWO STOREY SIDE EXTENSION WITH REAR DORMER WINDOW AND ERECTION OF FRONT PORCH AT 68 HILL DRIVE, EAGLESHAM, EAST RENFREWSHIRE, G76 0AL (REF NO: 2021/0053/TP)

1739. The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr Norman Kettlewell against the decision taken by officers to refuse planning permission in respect of erection of two storey side extension with rear dormer window and erection of front porch at 68 Hill Drive, Eaglesham.

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.

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

The Planning Adviser outlined the planning application and reasons for refusal as outlined by the Appointed Officer in the decision notice. The Planning Adviser further outlined that should Members be minded to grant planning permission a suggested additional condition would be that :-

'No development shall commence until samples of the external finishing materials to be used on the proposed development have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.'

Having heard the Planning Adviser and following discussion, Councillor Convery moved that the Local Review Body uphold the decision to refuse planning permission for the reasons as outlined in the decision notice. In the absence of a seconder the motion fell.

Thereafter Councillor Miller, seconded by Councillor Swift, moved that the Appointed Officer's decision as set out in the decision notice of 26 May 2021 be overturned and planning permission approved subject to the inclusion of the proposed condition.

The decision of the Local Review Body was therefore that the Appointed Officer's decision as set out in the decision notice of 26 May 2021 be overturned and planning permission approved subject to the following condition in addition to the standard delegated conditions:-

'No development shall commence until samples of the external finishing materials to be used on the proposed development have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.'

CHAIR

MINUTE
of
LICENSING COMMITTEE

Minute of virtual meeting held at 10.00am on 7 September 2021.

Present:

Councillor Angela Convery (Chair)
Councillor Charlie Gilbert

Councillor Annette Ireland
Councillor Stewart Miller

Councillor Convery in the Chair

Attending:

Jacqui McCusker, Senior Solicitor; Brian Kilpatrick, Civic Government Enforcement Officer; Catherine McKay, Senior Marketing Officer; Graeme Smith, Communications Manager; John Burke, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Also Attending:

Chief Inspector Alan Gray, Inspector Gareth Griffiths, Sergeants Lisa Campbell and David Gilmore, Police Scotland; Brian Traynor and Ricky Scoular, Hazelwood Events Limited; Stephen McGowan, Solicitor (agent).

Apology:

Councillor Betty Cunningham (Vice Chair).

DECLARATIONS OF INTEREST

1735. 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 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.

PUBLIC ENTERTAINMENT LICENCE - APPLICATION

1736. The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application by Hazelwood Events Limited for a Public Entertainment Licence for the Playground Festival at Rouken Glen Park, taking place between 24 and 26 September 2021.

The applicants were present together with their solicitor, Mr McGowan.

The report explained that no objections or representations had been received in respect of the application.

Mr McGowan was heard at length in relation to the application following which Mr McGowan and Mr Traynor were heard in response to questions and comments from Members. In particular, the applicants agreed to investigate the possibility of creating a temporary taxi rank for East Renfrewshire taxis at their event.

The committee, having taken account of the information provided in respect of the application and the comments from Messrs McGowan and Traynor, agreed to grant the Public Entertainment Licence.

CHAIR