

MINUTE
of
CABINET

Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 19 February 2015.

Present:

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

Councillor Fletcher, Leader, in the Chair

Attending:

Caroline Innes, Deputy Chief Executive; Mhairi Shaw, Director of Education; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Louise Pringle, Head of Customer and Business Change Services; Andy Corry, Head of Environment (Environmental Services and Roads); Iain MacLean, Head of Environment (Planning, Property and Regeneration); David Miller, Head of Revenue Services; Candy Millard, Head of Strategic Services; Jackie Martin, Corporate Business Manager; Ralston MacKenzie, Roads and Transportation Controller (Traffic); Julie Nicol, Principal Planner, Development Plans; Derek Jarvie, Senior Environment Officer; Suzanne Conlin, Senior Housing Officer; and Paul O'Neil, Committee Services Officer.

Apology:

Councillor Danny Devlin.

DECLARATIONS OF INTEREST

1422. There were no declarations of interest intimated.

LOCAL GOVERNMENT BENCHMARKING FRAMEWORK - 2013/14 PERFORMANCE

1423. Under reference to the Minute of the meeting of 10 April 2014 (Page 970, Item 1010 refers), when the Council's performance against the Local Government Benchmarking Framework Indicators for 2010/11 to 2012/13 was considered, the Cabinet considered a report by the Chief Executive, providing an update on the Local Government Benchmarking Framework (LGBF) together with an overview of the Council's performance against the indicators from 2011/12 to 2013/14. A copy of the performance report was appended to the report.

Whilst noting that the LGBF had been recorded and publicly reported by all Scottish councils as a statutory requirement since 2014, the report explained that the framework provided comparative analysis for 55 indicators at a Council level it being noted that two of the indicators related to museums and therefore, only 53 were relevant to the Council. Furthermore, the indicators were categorised under a range of service groupings including Children's Services, Corporate Services and Asset; Adult Social Care, Culture and Leisure Services; Environmental Services; Housing Services; and Economic Development.

The report highlighted that the Council's performance against the LGBF dataset showed a broadly balanced picture of performance, with the majority of indicators (almost 60%) in the upper quartiles, and good performance in key outcome areas, making differences to pupils' lives in education; recycling and housing.

The report emphasised that the LGBF indicators set was only one means of recording and measuring the Council's performance and that to achieve a balanced picture, the outcomes the Council was delivering through the Single Outcome Agreement (SOA); Outcome Delivery Plan (ODP) and through various audits, inspections and self-assessments should be noted. Furthermore, there was a wide range of performance information scrutinised and reported by the Council which was not statutory and provided detailed information on performance.

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

REVISED ANTI-FRAUD AND BRIBERY STRATEGY

1424. Under reference to the Minute of the meeting of 8 November 2012 (Page 253, Item 266 refers), when the Anti-Fraud and Bribery Strategy was last updated and approved, the Cabinet considered a report by the Chief Executive advising of changes to the Anti-Fraud and Bribery Strategy. A copy of the strategy was appended to the report.

Whilst noting that the strategy outlined the measures being taken by the Council to protect itself against malpractice through either fraud or corrupt practice, the report highlighted that the Council was committed to fighting fraud and corruption, whether attempted from within or outwith the authority, in order to protect public funds. Furthermore, suppliers, contractors, employees, Councillors and service users were expected to act with integrity and without intention to commit fraud or corruption against the Council.

A summary of the main changes to the strategy were outlined in the report. These included updated contact details for Fraud Response Plan; a revised Council vision; the removal of defalcation procedures; and a refreshed list of Council policies. It was noted that during 2014, Internal Audit had dealt with 5 reports of potential fraud or loss to the Council and that this number was lower than the previous year when there were 12 reported incidents. In addition, a gift, hospitality and individual sponsorship register (also known as a probity register) had been introduced at a departmental level. This register recorded all offers of and acceptance of gifts, hospitality or sponsorship in accordance with the guidance in the Employee Code of Conduct, whether accepted or declined.

The Cabinet approved the revised Anti-Fraud and Bribery Strategy.

TRADING UNDER BEST VALUE

1425. The Cabinet considered a report by the Chief Executive, requesting that consideration be given to the classification of Council activities in terms of trading operations as defined by the Local Government in Scotland Act 2003.

The report explained that in terms of the Local Government in Scotland Act 2003, the Council was required to consider its trading operations and on an annual basis determine those which should be regarded as “significant”. Having noted the criteria that required to be met for a trading operation to be considered as “significant” and a further test of significance that required to be taken into account, the report explained that having taken these conditions into account, the result of the review for 2014-15 was that the Council had no “significant” trading operations.

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

AMENDMENT OF ELECTRONIC SIGNAGE AROUND SCHOOLS

1426. The Cabinet considered a report by the Director of Environment, seeking approval to implement a proposal to remove existing part-time electronic 20mph speed limit signage around schools and replace them with standard school signage.

The report explained that part-time electronic 20mph signs had been fitted on approaches to schools around 9 years ago and had in the main reached the end of their useful life. It was noted that the signs were originally funded via government grants, but no resources had subsequently been received to maintain them.

The report highlighted that the signs had been an integral part of reducing road traffic speeds at the locations and although it was not economically viable to retain electronic signage at all sites, it was proposed to maintain 6 sites with electronic signage with all other sites being replaced with standard signage. Details of the 6 sites chosen were outlined in the report it being noted that they had been selected because they carried the highest volume of traffic and were subject to a significant level of pedestrian activity outside the school. The Education Department had been consulted on the proposals and was satisfied with them. Individual schools and Police Scotland would be notified of the Council's intentions prior to any physical changes taking place.

The Cabinet approved the proposal to phase out life expired part-time electronic 20mph speed limit signage around schools and replace them with standard school signage.

EAST RENFREWSHIRE COUNCIL FACTORING SERVICE

1427. The Cabinet considered a report by the Director of Environment, seeking approval for the introduction of an annual fee for factored owners and the introduction of a call out fee for non-factored owners who requested a service.

The report explained that the Property Factors (Scotland) Act, which came into force on 1 October 2012, covered all organisations offering property and land management services and placed certain legal obligations on the Council. It was noted that since the introduction of the Right to Buy (RTB) legislation, properties had been sold both with and without factoring clauses.

Whilst noting that the different legal obligations arising from the title deeds depended on the date of sale and which former District Council was involved in the sale, the report indicated that these issues affected the Council's ability to deliver a response repair service and meeting the Scottish Housing Quality Standard (SHQS) in mixed tenure blocks; the level of powers detailed in the factoring clause varied from block to block; and some properties had title deeds where the obligations were "silent" which meant that the delivery of these services was slow and open to error.

The report also highlighted that currently owners were charged a 5% administration fee although this did not cover the cost involved in the delivery of the service. As such the current arrangements could mean both that the Housing Revenue Account was required to subsidise the cost of services provided to owners and that services to owners were not always of a sufficiently high quality.

The report explained that the Council's relationship with owner/occupiers came under two groupings. The first was where a factor agreement was in place where the title deeds would state clearly where the responsibilities lay for both the Council (the factor) and the home owner. This allowed the service to respond to repair enquiries effectively. The second grouping was where no factor clause was in place. In these circumstances, agreement must be sought from home owners for any services or work. Lack of a factoring clause delayed the process for both tenants and for other owner/occupiers. This could also create a substantial administrative burden.

The report proposed that an annual fee of £90 plus VAT be charged for factored owners from April 2015 which was comparable to what other factors charged. Non-factored owners who the Council did not have the right to factor would not be required to pay this fee if they did not wish to opt in. However, if they requested a repair from Housing Services or emergency work was undertaken a one off call out fee of £30 would be added for work undertaken.

The Cabinet approved the introduction of:-

- (a) an annual fee for factored owners; and
- (b) a call out fee for non-factored owners who requested a service.

WHITELEE ACCESS PLAN 2015-19

1428. The Cabinet considered a report by the Director of Environment, seeking approval of the Whitelee Access Plan 2015-19. A copy of the plan was appended to the report.

The report explained that the Access Plan updated the original plan which had been produced in 2009, which under the terms of a legal agreement was subject to 5 yearly reviews. The updated plan summarised a range of actions linked to improving public access provision, the delivery of events and on-site activity and the provision of environmental education to schools and the wider community.

The report highlighted that the actions would be achieved through an ongoing programme of targeted infrastructure improvements, the continued operation of a site-based countryside ranger service, annual events programmes and environmental education activity. A specific action involved the expansion of the countryside ranger service hosted by the Council through the addition of a seasonal ranger post to the current complement of two full-time posts.

Whilst noting that the cost of implementing the plan would continue to be shared with the neighbouring local authorities of East Ayrshire and South Lanarkshire Councils, the report proposed that the share of developer contributions allocated to implementing the access project within East Renfrewshire would be reduced from the current 50% allocation to 40%. This reduction would increase the funding available to support community based projects.

The Cabinet:-

- (a) approved the Whitelee Access Plan 2015-19 and the implementation of the proposals contained therein; and
- (b) noted that whilst the project had an on-going funding requirement, that this figure be reduced to 40% of developer contributions annually from the current 50% allocation.

ENVIRONMENTAL SUSTAINABILITY STRATEGY AND ACTION PLAN

1429. The Cabinet considered a report by the Director of Environment, providing an update on progress with carbon management and environmental sustainability and seeking approval of the proposed 2015-18 Environmental Sustainability Strategy/Action Plan and Scotland's Climate Change Declaration Annual Report. A copy of the Strategy and Action Plan 2015-2016 to 2017-2018 was appended to the report.

The report explained that the implementation of the Strategy and Action Plan would mean that the Council was better placed to comply with the public bodies duties set out within the Climate Change (Scotland) Act 2009 and help to deliver Scotland's Climate Change Declaration commitments. Mandatory climate change reporting for public bodies had been announced by the Scottish Government in 2014 and would take effect from 2016.

The Cabinet:-

- (a) noted the progress with carbon management and environmental sustainability to date;
- (b) approved the proposed 2015-2018 Environmental Sustainability Strategy/Action Plan and Scotland's Climate Change Declaration Annual Report for 2013/14; and
- (c) approved the terms of the Environmental Sustainability and Energy Management Policy Statements as the Council's commitment of intent.

WRITE-OFF OF IRRECOVERABLE HOUSING BENEFIT OVERPAYMENTS

1430. The Cabinet considered and approved a report by the Deputy Chief Executive, seeking the write-off of £122,110.03 of irrecoverable Housing Benefit Overpayments, without prejudice to subsequent recovery procedure.

WRITE-OFF OF IRRECOVERABLE COUNCIL TAX

1431. The Cabinet considered and approved a report by the Deputy Chief Executive, seeking the write-off of Council Tax arrears up to the value of £351,997.06 and Water and Sewerage Charges up to the value of £113,163.27, without prejudice to subsequent recovery procedure.

WRITE-OFF OF IRRECOVERABLE RENT AND COURT EXPENSES

1432. The Cabinet considered and approved a report by the Deputy Chief Executive, seeking the write-off of £362,541.39 of irrecoverable Rents and Court Expenses, without prejudice to subsequent recovery procedure.

ESTIMATED REVENUE BUDGET OUT-TURN 2014-15

1433. The Cabinet considered a report by the Chief Executive, detailing the projected Revenue Budget out-turn for 2014-15 and providing details of the expected variances together with summary cost information for each of the undernoted services as at 2 January 2015:-

- (i) Objective and Subjective Summaries;
- (ii) Education Department;
- (iii) Community Health and Care Partnership (CHCP);
- (iv) Environment Department;
- (v) Environment Department – Support;
- (vi) Corporate and Community – Community Resources;
- (vii) Corporate and Community Support;
- (viii) Chief Executive's Office;
- (ix) Other Expenditure and Income and Other Housing; and
- (x) Housing Revenue Account.

The report explained that the estimated year-end position showed a net favourable variance on net expenditure of £1,187,000 based on current information. For the General Fund service the projected underspend was £1,130,000. In addition, Council Tax collection had been higher than budgeted with additional income of £300,000 now anticipated, bringing the total forecast underspend on the General Fund services to £1,430,000. This variance was anticipated in addition to the planned transfer to reserves of £150,000 agreed at the meeting of the Council on 13 February 2014.

The report concluded by indicating that whilst most departments expected to operate within budget, management action was required within the Community Health and Care Partnership and Environment Department (Non-Support) to address overspends against departmental budget at year-end. In addition, operational variances had been identified across the Council that required management action to ensure that expenditure would be within budget at the end of the financial year, all underspends were consolidated wherever possible and spending up to budget levels did not take place.

The Cabinet, having noted the reported probable out-turn position of the Revenue Budget 2014/15, agreed that:-

- (a) all departments currently on target to remain within budget be required to monitor and maintain this position to the year-end;
- (b) those departments currently forecasting a year-end overspend position be required to take action to bring net expenditure back within budget;
- (c) it be noted the Director of the Community Health and Care Partnership was continuing to take steps to address the overspend in that department;

- (d) all service departments ensure that effective control and measurement of agreed operational efficiencies were undertaken on a continuous basis; and
- (e) departmental guidance be adhered to in respect of year-end expenditure.

CHAIR

