

MINUTE
of
CABINET

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

Present:

Councillor Tony Buchanan (Leader)
Councillor Caroline Bamforth
Councillor Danny Devlin

Councillor Alan Lafferty
Councillor Colm Merrick

Councillor Buchanan, Leader, in the Chair

Attending:

Lorraine McMillan, Chief Executive; Mark Ratter, Director of Education; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Louise Pringle, Head of Communities, Revenues & Change; Phil Daws, Head of Environment (Strategic Services); Gillian McCarney, Head of Environment (Chief Planning Officer); Andrew Corry, Head of Environment (Operations); Lesley Bairden, Head of Finance and Resources (Chief Financial Officer) HSCP; Sharon Dick, Head of HR and Corporate Services; Alison Ballingall, Senior Revenues Manager; Morag Brown, Policy and Improvement Manager; Susan Craynor, Community Learning and Development Manager; Mary Docherty, Education Resources Senior Manager; Brian Dunigan, Money Advice and Rights Team Manager; Sarah Jayne Hayes, Customer Service Manager; Michael McKernan, Economic Development Manager; Jaimie Reid, Strategic Insight & Communities Senior Manager; Graham Smith, Communications Manager; Sharon McIntyre, Committee Services Officer and Liona Allison, Assistant Committee Services Officer.

Apology:

Councillor Betty Cunningham.

DECLARATIONS OF INTEREST

1809. There were no declarations of interest intimated.

STRATEGIC MID-YEAR COUNCIL PERFORMANCE REPORT 2021-22

1810. The Cabinet considered a report by the Deputy Chief Executive, providing a summary of Council performance at mid-year 2021-22 based on performance indicators in the Outcome Delivery Plan (ODP) 2021-24. A mid-year complaints report was also included. Details of the performance results, together with information on mid-year complaints appeared as appendices to the report.

The Strategic Insight & Communities Senior Manager advised that the Council continued to achieve excellent performance results across many areas including educational attainment, supporting local businesses and reducing the recurrence of reports of anti-social behaviour.

Two indicators around child protection were currently off target, where the safety scores had decreased, however appropriate measures had been put in place to ensure the children's safety. It was advised that due to the small number of children involved in child protection procedures the percentages could fluctuate from quarter to quarter. The ongoing impact of the pandemic had also made it more challenging to engage with children and young people regarding advocacy services.

The volume of complaints received had increased from the corresponding period in 2020-21 from 498 to 1,027. Looking to the four years prior to 2020/21 the average complaints received during this period was 719, meaning the number of complaints received in the first half of 2021-22 represented a 43% increase from this average. It was advised that an increase was expected given last year's figures were lower as a result of the pandemic, along with improved customer access to a new real time complaints system. The distribution of complaints across services was similar to previous years, and it was noted that the average response time was an average of 19.5 days against a target of 20 days. The percentage of complaints upheld at the front line stage was 19.3%.

It was noted that the overall absence for mid-point 2021-22 was 4.34 days lost per FTE (full-time equivalent). It was explained that when reviewing the absence data for 2021-22 thus far the trend was on the rise in comparison to 2020-21. However, this was not a true comparison due to the pandemic. A proportion of employees were working in a more flexible manner throughout this period and therefore absence levels were not as high in comparison to previous years. To compare absence performance more accurately 2021-22 was considered against the 2019-20 absence statistics, which showed that the Council's absence performance had improved slightly, however, the overall absence was marginally above the 2021-22 target.

The report concluded by stating that the information presented showed the Council was performing well across the majority of the ODP indicators. However COVID-19 would continue to have an impact on future performance and delivery of services. The Council continued to work towards the aim of making people's lives better and achieving positive outcomes for all communities in East Renfrewshire.

Councillor Bamforth welcomed the improved attainment gap figure given the extremely challenging circumstances of the pandemic, the reports made to the HSCP Performance and Audit Committee, and the figure reported for sickness absence days per employee.

The Head of HR and Corporate Services confirmed that flexible working had contributed positively to the figure reported for sickness absence days per employee and that there had been a reduction in the number of colds/flu and gastro illnesses reported, however this figure was now increasing in addition to issues around mental health. COVID-19 related sickness figures were also now accounted for within reporting.

Having heard further from the Strategic Insight & Communities Senior Manager, the Cabinet noted the summary of the Council's performance at mid-year 2021-22 at Annex 1 and the mid-year complaints report attached at Annex 2.

GENERAL FUND CAPITAL PROGRAMME 2021-22

1811. The Cabinet considered a report by the Head of Accountancy (Chief Financial Officer), monitoring expenditure against the approved General Fund Capital Programme as at 30 September 2021 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 1.06% of the resources available which was within manageable limits.

The report advised of a number of movements in the current year's Capital Programme. These related mainly to the timing of projects, and reflected shortages of materials and labour as well as backlogs in tendering and site starts as restrictions had started to be lifted. These factors were also impacting on construction costs and officers would continue to monitor the position and provide updates.

The report outlined significant additional grant income for works in relation to watercourses, play parks, electric vehicle charging, CO2 monitors, bridge maintenance and tree planting.

In response to questions from Councillor Bamforth, the Director of Environment advised that the £0.046m to support installation of electric vehicle charger points would be prioritised for Council fleet; the £0.152m for installation of fixed or handheld CO2 monitors would be prioritised in schools prior to moving to other buildings; and the £0.084m Nature Restoration Fund was used for the "Wee Woods" project.

The Cabinet agreed **to recommend to the Council** that the movements within the programme be approved; and noted the shortfall of £0.443m, and that income and expenditure on the programme would be managed and reported on a regular basis.

HOUSING CAPITAL PROGRAMME 2021-22

1812. The Cabinet considered a joint report by the Head of Accountancy (Chief Financial Officer) and Director of Environment, monitoring expenditure as at 30 September 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 representing 1.04% of available resources but this was within manageable limits. There had been a number of movements in the programme. These related mainly to timing delays due to the significant impact of COVID-19 on both existing and new housing projects. Due to increased cost pressures in the construction sector, officers would continue to monitor this position and provide updates in future reports.

Having heard from the Head of Accountancy (Chief Financial Officer), the Cabinet agreed **to recommend to the Council** that the current movements within the programme be approved; and noted the shortfall of £0.160m and that income and expenditure on the programme would be managed and reported on a regular basis.

COVID-19 HUMANITARIAN SUPPORT COMMUNITY FUNDING

1813. Under reference to the Minute of the meeting of the Cabinet of 3 June 2021 (Page 1535, Item 1649 refers), when the Cabinet approved the approach and approximate budget allocations for the Scottish Government funding for Flexible Support and Financial Insecurity, the Cabinet considered a report by the Deputy Chief Executive providing an update on the distribution of one-off Scottish Government humanitarian support funding within East Renfrewshire.

The Head of Communities, Revenues & Change provided an update on the progress of the Humanitarian community engagement and research and gave further detail on how the £150,000 would be allocated to support local residents in need, using a participatory budgeting approach. Voluntary Action East Renfrewshire (VAER) had agreed to support the

Council in the delivery of the participatory budgeting process and disbursement of the funds. It was noted that a further c£50,000 would be allocated for community capacity building and support, inclusive of a bid from East Renfrewshire Citizens Advice Bureau (CAB) for a total of £23,000 to meet a shortfall in resources for their Helping East Renfrewshire Online (HERO) project over the next 2 years. This project tied in closely with digital inclusion and the Connecting Scotland programme. Two further funding sources were noted, these being the Scottish Government's Wellbeing Fund, which was to be directly routed through Third Sector Interfaces (i.e. VAER locally) by March 2022 and a new Scottish Government Winter Support Fund to be administered by councils.

In light of the verbal update provided by Head of Communities, Revenues & Change, Councillor Bamforth declared a non-financial interest as a founding member and trustee of Back to School Bank. Councillor Bamforth advised she was aware of receipt of humanitarian funding to Back to School Bank although confirmed no involvement in the funding process, both in terms of the application process or allocation of funds. Councillor Bamforth took no further part in the item.

Having heard from the Head of Communities, Revenues & Change the Cabinet: -

- (a) noted the progress of the Humanitarian community engagement and research;
- (b) approved the distribution of the humanitarian funding against the proposed themes in paragraph 7 of the report;
- (c) agreed that the Humanitarian Group will allocate any underspends across the themes to support local communities; and
- (d) delegated to the Director of Corporate & Community Services & Head of Accountancy (Chief Financial Officer), in consultation with the CRMT/CMT, to make appropriate arrangements for use of the Winter Support Fund in line with government guidance.

WELFARE CONTINGENCY FUND UPDATE

1814. The Cabinet considered a report by the Deputy Chief Executive, which sought approval to use resources from the Welfare Reform contingency provision in order to support local residents through the Scottish Welfare Fund (SWF); the Money Advice and Rights Team's (MART's) Financial Wellbeing Project and to support the Council's partners in the local Citizens Advice Bureau.

The Head of Communities, Revenues & Change outlined the background to the recommendations in the report, advising of the previously agreed use of the Welfare Contingency Fund by the Cabinet in June 2018 and January 2020. The report detailed that as a consequence of the pandemic and changes to the welfare system, SWF and MART had become an increasingly important source of support for vulnerable individuals. It was expected the demand for all services would continue to increase and it was important that there was appropriate resource within SWF to deliver timely financial support and a robust referral mechanism and MART presence for socio-economic referrals to be diverted to the team.

Councillor Devlin sought clarification that there would not be an underspend on any of the humanitarian support community funding, in response to which the Head of Communities, Revenues & Change advised that there was a time limit associated with these funds therefore the Council was working proactively with communities and organisations with regard to the use of this funding. The Head of Communities, Revenues & Change and the

Head of Accountancy (Chief Financial Officer) advised that the Welfare Contingency Fund was a Council reserve and therefore there was not a time limit on these funds. Any funds unused would be returned to the Council budget.

The Cabinet: -

- (a) approved the Scottish Welfare Fund team bid for a total of £121,055 over the next 2 years, to fund 2 Grade 5 posts to support increased demand in applications for the SWF;
- (b) approved that increased resiliency within the Revenues and Benefits Team is managed through an external contract up to a limit of £50,000 over 2 years, where processing resource can be called off and paid for as required;
- (c) approved the Money Advice and Rights Team (MART)'s bid for £79,000 of welfare contingency provision to continue the Financial Wellbeing Project to build community capacity and resilience in the area of financial inclusion, and establish a welfare rights presence in GP practices and schools for a further 2 years;
- (d) approved the East Renfrewshire Citizen Advice Bureau (ERCAB) bid for £80,000 to continue to fund one full time member of staff to undertake all aspects of benefit support work for a further 2 years; and
- (e) noted that all bids for welfare contingency resources were being requested in principle and were subject to budgetary provision being confirmed when the Council set the 2022-23 and 2023-24 budgets early in 2022 and 2023.

PLACE BASED INVESTMENT PROGRAMME 2021-22

1815. The Cabinet considered a report by the Director of Environment, to advise of the new Scottish Government Place Based Investment Programme (PBIP) award from the Scottish Government and seeking approval for schemes for 2021-22.

The Director of Environment outlined that the the aim of the PBIP was to ensure that all place based investments were shaped by the needs and aspirations of local communities and accelerated Scottish Government ambitions for place, 20-minute neighbourhoods, town centre action, community led regeneration and community wealth building. The Scottish Government had also indicated the overall amount of funding across Scotland for the 5-year programme. The Council had been awarded £635,000 of capital grant funding for the financial year 2021-22 and based on a pro rata calculation for subsequent years, the Council was likely to receive capital grant funding of approximately £551,100 in financial year 2022-23 and £384,100 in each of the remaining 3 years of the programme.

The Council's Economic Development team issued a call for proposals in June 2021 to various stakeholders including community councils, local community groups, the third sector and relevant Council departments.

It was explained that the Economic Development team had worked with partners to identify suitable projects. In prioritising the proposals, particular consideration had been given to the deliverability of the project within the tight timescale with contracts to be signed by 31 March 2022 at the latest; the geographical spread of grant across the Council area; and the economic benefits and outcomes of each project.

Councillor Devlin enquired as to whether the funding could be used for road improvements, and it was noted that the Economic Development Manager would seek to clarify the position.

Councillor Bamforth sought clarification on community involvement in accessing this funding, in response to which the Economic Development Manager advised that wider stakeholder engagement was scheduled with a view to developing local action plans to then identify projects which would be accessible to the PBIP.

The Cabinet: -

- (a) approved the projects outlined in appendix 1 for 2021/22;
- (b) delegated to the Director of Environment to make adjustments to the proposals depending upon the detailed costs of projects becoming available; and
- (c) noted that further reports would be submitted to the Cabinet in due course seeking approval for projects in future years.

A RISK-BASED APPROACH TO ROAD ASSET SAFETY INSPECTIONS

1816. The Cabinet considered a report by the Director of Environment seeking approval for a proposed new risk-based strategic approach to roads inspections.

The report outlined that this new approach would enable a more appropriate categorisation of defects and responses based on the risk to road users as opposed to the current method, which was based upon reactive specified intervention levels. The proposed Strategy was based upon guidance provided for use nationally by the Society of Chief Officers for Transportation in Scotland (SCOTS). A copy of the new Road Asset Safety Inspection Strategy accompanied the report as appendix 1.

Clarification of the new approach in comparison to the current approach was discussed. It was noted that this approach should minimise the exposure of danger or serious inconvenience to users of the network or the wider community; mitigate the Council's exposure to risk and enable a robust defence to claims of loss; and ensure compliance with statutory requirements and increase best value by reducing the number of defects allocated to the incorrect category/priority and increase the number of permanent repairs.

Having heard from the Head of Environment (Chief Planning Officer), the Cabinet approved the adoption of the revised Road Asset Safety Inspection Strategy to implement a risk-based approach to the maintenance and management of the road network.

GET TO ZERO AMBITION STATEMENT & ACTION PLANNING APPROACH

1817. The Cabinet considered a report by the Director of Environment seeking approval for the proposed approach for 'Get to Zero' in relation to greenhouse gas emissions, including a new ambition statement and how the Council intended to move from a high level action plan to a detailed route-map to 'net zero' for East Renfrewshire.

The Head of Environment (Strategic Services) outlined that the report advised that reducing emissions was a legal requirement and summarised the obligations introduced by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 with all councils having a role in assisting the Scottish Government meet these national targets.

He explained that emissions come from the Council and also from its residents and businesses and reminded Members that in March 2021, a report was brought to Cabinet that recognised that the Council's existing policy framework and activities would not achieve the Scottish Government's target. At that time a decision was taken to focus on Council emissions initially. It was then noted that on 25 October 2021 the Council formally declared a 'climate emergency', this resulting in a number of further requirements and commitments which were outlined in the report.

Having heard from the Head of Environment (Strategic Services) and following discussion, the Cabinet approved the proposed Get to Zero Ambition Statement and high level action plan; and the proposed next steps to move from a high-level action plan to detailed actions and to develop a route map to 'net zero' for East Renfrewshire.

CHARGING FOR SERVICES 2022-23

1818. The Cabinet considered the undernoted reports by the appropriate Directors regarding the outcome of the charging for services exercises carried out in each of the departments and recommended proposed fees and charges for 2022-23.

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

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

Following discussion, the Cabinet agreed the following for each department:

(i) CORPORATE AND COMMUNITY SERVICES DEPARTMENT

The Cabinet: -

- (a) increased all non-statutory fees and charges by 3.7% for 2022/23 in line with the forecasted rate of inflation;
- (b) noted that the statutory fees were set by National Records of Scotland (NRS) in November each year; and
- (c) introduced a charge to provide all administrative duties in order for young people to register for, participate in and complete the Duke of Edinburgh Awards Scheme (DofE), including award verification and certification to take effect in the academic year 2021/22.

(ii) HEALTH AND SOCIAL CARE PARTNERSHIP

The Cabinet:

- (a) noted this update on charging within the HSCP; and
- (b) agreed the proposed increase to existing charges.

(iii) EDUCATION DEPARTMENT

The Cabinet approved the following:

- (a) Service Area 1 - Catering Service – School and Early Years Meals
- i. To retain charges at their current levels for primary meals pending the full rollout of universal free school meals to all stages by August 2022.
 - ii. To increase charges within the secondary sector by 4%.
 - iii. To introduce the option to purchase a lunch within the early years sector when accessing childcare provision outwith the statutory 1,140 hours of free early learning and childcare.
- (b) Service Area 2 – Add On Sessions (Early Learning and Childcare)
To increase charges from August 2022 to the following hourly rate equivalent cost:-
- | | |
|---------------|-------|
| 3-5 year olds | £3.00 |
| 2 year olds | £3.75 |
| 0-2 year olds | £4.50 |
- (c) Service Area 3 – Instrumental Music Service
In line with Scottish Government policy commitments, extend the removal of charges for instrumental music tuition in schools for session 2022/23 and retain charges for other services provided at current levels.
- (d) Service Area 4 – Provision for Pupils with Additional Support Needs who reside out with the Authority
Revised charge to be set for 2022/23 following consideration of 2021/22 outturn.
- (e) Service area 5 - School Transport – Privilege Place
To retain charges at their current level.
- (f) Service Area 6 – Easter Schools
In line with Scottish Government policy commitments, extend the removal of charges for Easter school provision in 2022.
- (g) Service Area 7 – Isobel Mair Extended Day
To retain charges at current level pending wider review of service provision.

(iv) ENVIRONMENT DEPARTMENT

The Cabinet agreed:-

- (a) an increase of 3.7% is applied to the following services:
- Service 1 – Approval to Erect Temporary Direction Signs
 - Service 2 – Removal of Unauthorised Signs
 - Service 3 – Removal of Dead Animals from Private Properties
 - Service 5 – Supply of Bins for New Housing Developments
 - Service 6 – High Hedges Application Fee
 - Service 7 – Recharge of legal fees to 3rd parties
 - Service 8 – Miscellaneous Recharges (Roads Staff Time)

- Service 9 – Supply of Ordnance Survey Extracts
- Service 10 – Providing Variety of Planning and Building Standards Information
- Service 11 – Planning and Building Standards Section 50 Certificates
- Service 12 – Provision of bar markings on carriageway
- Service 13 – Section 109 approvals
- Service 14 – Temporary traffic signal permits
- Service 15 – Road occupation permits
- Service 16 – Road opening permit
- Service 17 – Road closure notice
- Service 18 – Provision of dropped kerbs
- Service 19 – Skip permits
- Service 20 – Inspection charges for roads in new developments
- Service 21 – Special uplifts
- Service 22 – Outdoor Sports Pitches
- Service 23 – Trading Standards
- Service 24 – Prevention Services
- Service 25 – Letters of comfort and building warrant extensions
- Service 26 – Building Standards – Section 89 Certificates
- Service 27 – Copies of building warrants etc documentation
- Service 28 – Copies of Planning etc consents
- Service 29 – Property enquiry report
- Service 30 – HMO licensing
- Service 31 – Private Sector Grants registration
- Service 32 – Burial Grounds
- Service 33 – ‘No Parking’ cones
- Service 34 – Trade waste collections
- Service 36 – Hire of Rouken Glen Pavilion
- Service 40 – Caravan Site Licensing
- Service 41 – Export Health Certificate

(b) No change to charges

- Service 4 – Hire of Events Litter Squad
- Service 35 – Dangerous building admin fee
- Service 37 – Housing Management Fee
- Service 38 – Rouken Glen Event
- Service 39 – Filming in Parks etc
- Service 42 – Garden Waste Permit

(c) The nationally prescribed charges set by the Scottish Government and Vehicle & Operator Services Agency for the following services:

- Service 43 – Planning Applications
- Service 44 – Certificates of lawful use or development
- Service 45 – Building warrant applications
- Service 46 – Application for private landlord registration
- Service 47 – MOT testing

ANIMAL WELFARE (LICENSING OF ACTIVITIES INVOLVING ANIMALS) (SCOTLAND) REGULATIONS 2021

1819. The Cabinet considered a report by the Director of Environment, which advised of the Council's new statutory duties under the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021 (hereinafter referred to as "the 2021 Regulations") and sought agreement of the set of fees applicable to the activities as set out in Appendix A to the report to be applicable with immediate effect.

The Director of Environment outlined that the new 2021 Regulations would have licencing implications for existing licenced animal establishments and introduce new licensing requirements for cat and rabbit breeders, animal welfare establishments (such as animal sanctuaries and rehoming centres) and other pet rehoming activities, subject to operators meeting the licensing threshold for each activity.

Having heard from the Director of Environment, the Cabinet noted East Renfrewshire Council's new statutory duties under the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021 and agreed the fees as set out in Appendix A and that these were applicable immediately.

CHAIR