

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

**Minute of meeting held at 10.00 am in the Council Chamber, Council Headquarters, Giffnock on 13 October 2022.**

**Present:**

Councillor Owen O'Donnell (Leader)  
Councillor Andrew Anderson

Councillor Danny Devlin  
Councillor Katie Pragnell

Councillor O'Donnell, Leader, in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Louise Pringle, Director of Business Operations and Partnerships; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy Services; Debbie Hill, Chief Procurement Officer; Michael McKernan, Economic Development and Inclusive Growth Manager; Suzanne Conlin, Senior Housing Manager; Jamie Reid, Strategic Insight and Communities Senior Manager(\*); Eamonn Daly, Democratic Services Manager; and Liona Allison, Assistant Committee Services Officer.

(\* ) indicates remote attendance.

**DECLARATIONS OF INTEREST**

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

**Variation in Order of Business**

In accordance with Standing Order 20, Councillor O'Donnell agreed to vary the order of business as printed on the agenda in order to facilitate the conduct of the meeting.

**COVID RESERVE - PROPOSALS**

**172.** The Cabinet considered a report by the Director of Business Operations and Partnerships seeking approval for the allocation of £1.7m of non-recurring COVID recovery reserves to help mitigate the impact of the pandemic, with a focus on community recovery and provision of direct support to some of the area's most vulnerable residents across a difficult winter period.

The report explained that in response to COVID-19, the Scottish Government released various streams of temporary funding to local authorities to react to the emerging needs and challenges faced by residents, businesses and service provision.

The funding landscape had been complex, with numerous funds each with varying criterion and central reporting requirements. Elected Members had been kept informed of these funds

through regular reports to Council since 2020 and in specific, more detailed reports such as for Humanitarian funding and the Local Authority Covid Economic Recovery (LACER) fund, most recently in August 2022.

It was noted that 'Humanitarian Funding' was an umbrella term which referred to the funding streams intended to support residents to overcome financial crisis and support financial wellbeing. This funding had been used over the preceding two years to tackle food insecurity; help with rising fuel costs; provide financial advice and support; and provide a range of direct payments to individuals experiencing financial hardship. Update reports had been considered by Cabinet most recently in November 2021.

The report clarified that the Flexible Local Authority Covid Economic Recovery Fund (LACER) was intended to support local economic recovery and the cost-of-living impacts on low-income households, and in August 2022 Cabinet agreed £1.469m of LACER proposals including supporting local businesses to recover from the impact of the pandemic; rebuilding consumer confidence and stimulating economic activity; and supporting low-income households to become more economically active, taking a 'cash-first' approach.

The report then explained that in addition to this funding, the Scottish Government also provided councils with a general COVID grant. This funding which was non-recurring in nature had to be used for dealing with the impact of COVID and COVID recovery but there were no specific rules around its use. At the start of 2022/23, there was £10.5m left in this unrestricted COVID reserve. £4.8m of that funding had now been committed over the current and following year, mainly for the internal costs of loss of income and additional staffing costs. This left an uncommitted balance of £5.7m.

The report proposed that a further £1.7m of this reserve was now committed, leaving the remainder available for any COVID costs over winter 2022/23 and for all of 2023/24. It was explained that the Scottish Government had been clear that there would be no further funding. With another COVID wave expected in the autumn, pressures on staffing levels could increase in late 2022/23 and additional funding may be required to keep services running. Income was still expected to be affected in 2023/24.

Proposals discussed to date with partner agencies and Council services sought to balance provision of immediate support to mitigate financial hardship this winter, with capacity-building for longer term recovery. These proposals totalled more than £1.7M. The envelope for funding would be kept under review and, should further resources become available from the COVID reserve, or any alternative relevant source (even via Partner agencies), the list of proposals could be reviewed and the next set of priorities progressed.

The report included a summary of proposals totalling £1.7 million in addition to which a full more detailed breakdown of project proposals along with reserve projects was appended.

The Director of Business Operations and Partnerships was heard further on the report and in response to questions from Councillor Devlin on the reasons why Auchenback Resource Centre support was on the reserve and not the main project list.

Councillor O'Donnell having thanked officers for compiling the project lists and the non-administration Members on the cross party group in the collaborative approach taken to develop the project proposals, the Cabinet:-

- (a) noted the one-off availability of COVID recovery reserves, resulting from Scottish Government funding, to support pandemic recovery and renewal.

- (b) approved the strategic approach to support recovery under the following key areas:
  - i. Direct support for the most vulnerable this winter
  - ii. Support for advisory services
  - iii. Support for communities, including capacity building for long-term recovery
  - iv. Initiatives to reduce the impact of fuel poverty
  - v. Support to improve mental health and wellbeing.
- (c) approved the funding proposals, totalling £1.7m, summarised at paragraph 14 of the report and detailed in Annex 2 and noted that, should further funds become available, there may be potential to allocate funding to some of the reserve list proposals as set out in Annex 2;
- (d) agreed to delegate power to the Director of Business Operations & Partnerships, in consultation with the Leader of the Council, to exercise flexibility in the terms of these proposals, to ensure most effective use of funding within the spirit of COVID recovery, capacity building and provision of support to the most vulnerable local people; and
- (e) noted that a final report outlining actual spend and updating on delivery and impact would come back to a future Cabinet meeting.

## **ANNUAL PROCUREMENT REPORT 2021-22 AND PROCUREMENT STRATEGY 2019-2022 UPDATE**

**173.** The Cabinet considered a report by the Chief Procurement Officer both seeking approval of the Annual Procurement Report for 2021-22 and providing an update on the implementation of the Procurement Strategy 2019-2022.

The report explained that the Annual Procurement Report was required under Section 18 (2)(a) of the Procurement Reform (Scotland) Act 2014 where it was stated that councils must publish a summary of their regulated procurements completed during the year covered by the report. The report provided an opportunity for the Council to demonstrate to stakeholders that procurement spend was being used to achieve not only best value but also support the Council vision of being modern and ambitious to create a fairer future with all.

The report also explained that The Procurement Reform (Scotland) Act 2014 also required the Council to develop a Procurement Strategy and review it annually. The Procurement Strategy incorporated 2019-2022 and demonstrated how procurement in East Renfrewshire played a fundamental role in delivery of the Council's strategic objectives and was a key enabling strand for continuous improvement and identifying efficiencies across the Council.

Copies of both the Annual Procurement Report and the Procurement Strategy Update accompanied the report.

Councillor Anderson referred to private sector procurement practises in place to ensure contractors were adopting the high standards of contracting companies, and enquired if similar processes were in place within the Council. In reply the Chief Procurement Officer explained that the Council followed Scottish Government guidance in relation to procurement but that she would be happy to have further discussions on this with Councillor Anderson. Furthermore, in response to Councillor O'Donnell, she explained that potential contractors were asked to complete a questionnaire on the steps they were taking to reduce carbon emissions.

The Cabinet:-

- (a) approved the Annual Procurement Report 2021-22; and
- (b) noted the update on the implementation of the Procurement Strategy 2019-2022.

## **LICENSING OF SHORT-TERM LETS**

**174.** The Cabinet considered a report by the Director of Environment advising of the introduction of licensing arrangements for short-term letting and seeking homologation of decisions taken to approve the Short Term Letting Policy and associated fees as set out in the appendix accompanying the report.

The report explained that one of the requirements of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 was for every local authority, by 1 October, to have in place appropriate arrangements to be ready to accept applications for licences. It was noted that all new short-term lets must apply for a licence on or after 1 October 2022. Existing short-term lets would have 6 months (until 1 April 2023) to apply for a licence. The Council must make a determination on the licence application within twelve months. The final deadline for all short term let licences to be approved was 1 July 2024.

The report explained that licence applications would be dealt with by the Licensing Committee but suggested that for licences where there were no matters of concern, these could be dealt with by officers under delegated powers.

Details of the proposed licence fees were also set out it being noted that no additional funding for the introduction of the licensing regime was being provided by the Scottish Government and all costs must be covered through licence fees.

In response to Councillor Pragnell, the Senior Housing Manager explained that licensing fees varied across the country as circumstances were not the same everywhere, but that the fees in East Renfrewshire were broadly similar to comparator authorities.

That Cabinet agreed that:-

- (a) the decision to approve the Short-Term Licensing Policy and fees required to fund the service be homologated; and
- (b) delegated powers be granted to the Director of Environment and Head of Environment (Strategic Services) to determine applications for short-term let licences.

## **STRATEGIC HOUSING INVESTMENT PLAN 2023-2028**

**175.** The Cabinet considered a report by the Director of Environment seeking approval for the proposed Strategic Housing Investment Plan 2023-24 to 2027-28, a copy of which accompanied the report.

The report explained that the Scottish Government required local authorities to supplement their Local Housing Strategy (LHS) with a Strategic Housing Investment Plan (SHIP) setting out in detail the Council's affordable housing investment priorities, and detailed programme, for the coming 5 years. The SHIP would detail what houses would be built, what location and,

if available, who the proposed landlord would be. The profile of the SHIP programme should reflect the outcomes set out in the LHS to meet identified need for affordable homes in the local area. This detail was underpinned by estimated requirements produced from regional and local Housing Need and Demand Assessments (HNDA).

It was explained that SHIPs must be produced and approved by local authorities annually. The existing SHIP programme would be rolled forward and added to, taking into account up to date resource planning assumptions and subsidy levels as set out by the Scottish Government. The proposed SHIP must gain local authority committee approval prior submission to the Scottish Government.

It was noted that the Scottish Government committed to investing over £3.6 billion through its Affordable Housing Supply Programme (AHSP) supporting affordable housing delivery over this parliamentary term (2021-26). However, the Scottish Government had also recently extended this commitment to 110,000 affordable homes across Scotland by 2032, of which at least 70% of which would be homes for social rent. This recognised how integral housing was to wider commitments to tackling poverty and inequality, creating and supporting jobs, meeting energy efficiency and decarbonisation aims and creating connected, cohesive communities.

Whilst this funding was an increase on the previous programme it should be noted that Scottish Government funding for new build would be conditional on a number of requirements being met including fire suppression systems, additional indoor space for work or study, improved connectivity and access to outside space, higher energy efficiency standards and the use of modern construction methods.

Having explained the way in which AHSP funding was allocated to local authorities, the report set out the current Resource Planning Assumptions for East Renfrewshire. A total of £36.585 million was available with assumptions being made for 2026-27 and 2027-28 as updated Resource Planning Assumptions for those years were not yet available.

The report also summarised the method to be used for the prioritisation of projects as well as providing a summary of the numbers and types of houses that could be delivered over the period 2023-24 to 2027-28.

Responding to a question from Councillor Anderson on the purchasing of properties the Senior Housing Manager explained this was challenging in the current housing market as the Council would only pay home report value for any properties that became available.

The Cabinet approved the East Renfrewshire Strategic Housing Investment Plan 2023–2028 for submission to Scottish Government by 28 October 2022.

## **HOUSING SERVICES ANNUAL PERFORMANCE REPORT AND ASSURANCE STATEMENT 2021-22 (SCOTTISH SOCIAL HOUSING CHARTER)**

**176.** The Cabinet considered a report by the Director of Environment seeking approval for the Housing Services Annual Performance and Assurance Statement.

By way of background, the report explained that the Scottish Social Housing Charter (SSHC) required each landlord to provide the Scottish Housing Regulator (SHR) with detail of performance against 37 performance indicators and information for 32 contextual indicators by 31 May each year. This was known as the Annual Return on the Charter (ARC). This detail had been submitted to Cabinet each year since its introduction in 2013/14.

Following receipt of these returns, the SHR would produce a summary Landlord Report for every social landlord in Scotland; and an Engagement Plan for each landlord, which outlined the areas of scrutiny they would focus on, based on the prior year's reported performance.

The SHR's Regulatory Framework also required all social landlords to produce an Annual Assurance Statement (AAS) confirming compliance with the Regulatory Framework, SSHC standards and with statutory obligations, and on approval by the local authority to submit this to SHR for consideration annually by 31 October.

Copies of the performance report against the SSHC; the action plan to further strengthen compliance against the Regulatory Framework and SSHC; and the AAS 2022 accompanied the report.

The report explained that the performance report against the SSHC demonstrated that Housing Services was performing well in key areas in comparison to last year and the average for the housing sector in Scotland, with a number of examples of good practice highlighted including in relation to repairs, maintenance and empty homes.

Areas for improvement were also outlined, reference being made to the proposed programme of work to achieve compliance with Electrical Installation Condition Reports (EICRs); tackling increased rent arrears, and improving customer engagement and communication.

As well as being submitted to the SHR following approval, the AAS would also be published and made available to tenants.

Responding to questions, the Senior Housing Manager explained that the time for EICR compliance had reduced from 10 to 5 years in April 2020. This was at a very challenging time and the service was now working hard to achieve compliance. She confirmed that few councils had been able to fully comply with the revised timescales and that discussions on the Council's implementation plans did take place with the SHR.

Responding to Councillor Devlin she explained that timing differences between rent due and the payment of benefits did unfortunately result on occasion in tenants being in rent arrears soon after the start of a tenancy. However Housing staff and colleagues from the Money Advice Team worked with tenants to try and maximise income and to develop an affordable payment plan. The timing of benefit payment lay with the Department of Work and Pensions.

The Cabinet:-

- (a) noted the performance report against Scottish Social Housing Charter (SSHC) indicators and measures and how the Housing Service compared against 2020-21 and the average for the housing sector
- (b) noted the Action Plan to further strengthen compliance against the Regulatory Framework and SSHC; and
- (c) approved the AAS 2022 which has been prepared taking into account the outcomes of Housing Services self- evaluation of performance, and in compliance with the Regulatory Framework and SSHC.

## **LOCAL DISCRETIONARY FUND BUSINESS SUPPORT INTERVENTIONS**

**177.** The Cabinet considered a report by the Director of Environment outlining proposals for the use of funding allocated to councils by the Scottish Government to increase their response to local economic pressures.

The report explained that as part of the Scottish Government's ongoing response to the COVID pandemic an additional allocation of £1.25M had been awarded to East Renfrewshire Council for the Local Discretionary Fund to support local businesses. The first tranche of grant funding from the Local Discretionary Fund was £539,846 and was awarded December 2020. This resulted in 133 businesses being supported through a one-off payment of £4,000.

In order to appropriately spend the £1.25 million, the Economic Development team had been involved in a number of ongoing consultations with the local business network since early summer 2022 to identify and design a number of proposals that would benefit the long-term economic growth of the area and that also fitted with local, regional and national objectives, such as support to the green economy, tourism and increased footfall in town centres.

Up until the end of March 2024, the proposed programme would support and complement current and future provision such as the Local Authority Covid Economic Recovery (LACER) Fund and the UK Shared Prosperity Fund – (Support to Local Business intervention element). It was clarified that unlike previous COVID funds, which had been targeted towards specific groups or sectors, this fund empowered local authorities to direct additional financial support to specific groups or sectors based on the distinct characteristics within the business community where they considered this to be necessary or justified. This recognised the insight that councils had on their own business community and their knowledge of where funding would be most effectively deployed.

Thereafter the report set out the proposed arrangements for the strategic deployment of the £1.25 million highlighting that the proposals would support over 287 local businesses with specific growth activity that would allow them to trade into a positive future through improved job retention, job creation opportunities and increased turnover. Funds would also support other partners' activities to bring economic value and benefit to the local economy.

It was further explained that to support the programme extra staffing would be required with details being set out, it being noted that the posts would be funded through the Local Discretionary Fund Allocation.

The Director of Environment having acknowledged comments from Councillor Devlin on the process for briefing of Conveners the Cabinet:-

- (a) noted the allocation of funding from the Scottish Government to East Renfrewshire Council; and
- (b) agreed to the use of Local Discretionary Funding as set out in the report.

### **PLACE BASED INVESTMENT PROGRAMME 2022-23**

**178.** The Cabinet considered a report by the Director of Environment advising of the Place Based Investment Programme Award from the Scottish Government and seeking approval for schemes for 2022-23.

The report explained that in February 2021 in their Programme for Government, the Scottish Government had announced that they proposed to implement a Place Based Investment Programme (PBIP) over the 5-year period of the next parliament. 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.

Confirmation of the funding allocated to local authorities was received in May 2021, the funds being allocated on a weighted formula based on the number of towns and population in a local authority area and deprivation indices.

East Renfrewshire Council was awarded £635,000 of capital grant funding for the financial year 2021/22. Based on a pro-rata calculation for subsequent years the Council would receive capital grant funding of £551,100 for the current financial year and £384,100 in each of the remaining 3 years of the programme. This represented a total funding programme for East Renfrewshire Council in the region of £2.34m over the 5-year period.

Having welcomed the confirmation of a 5-year programme and explained that funding was now linked to the improvement of places including neighbourhoods rather than simply being focussed on town centres the report summarised the high level objectives of the PBIP.

The report then outlined the work that had been undertaken by the Economic Development team to pull together proposals in relation to the use of the £551,000 for 2022-23, and a list of proposed projects and reserves accompanied the report.

The report noted that early discussions with the applicants for each of the projects gave officers a strong indication that the projects were sufficiently progressed and that the projects could be delivered and the funds spent and/or committed within the required timescales. However it was noted that, as with the town centre programme, project costs were at an indicative budget stage and it would be necessary to again give the Director of Environment delegation to act quickly and transfer funds where necessary amongst projects, whilst remaining within the total funding envelope of £551,100. This was especially necessary given the volatility of the current markets.

Given the tight timescales associated with this programme in terms of when the grant was awarded by the Scottish Government and the length of time it took to develop projects, carry out feasibility studies, community engagement, options appraisal with outline costs, detailed design and competitive tendering, it was expected that many community-led type projects were unable to meet these deadlines for this particular year. However, as this was a 5-year programme there was still opportunity for all communities to apply for funding in future years. The Economic Development team had established a project pipeline approach for future funding opportunities and continued to work with community groups to develop their ideas into eligible “shovel ready” projects.

It was proposed that a bidding process as outlined above would continue to be used for the allocation of funding for future years. The details and outcome of each annual bidding process would be reported to Cabinet for approval in advance of each year’s programme.

Responding to questions, it was confirmed that the local community in Busby would be consulted on the proposals for Busby Play Park, and that whilst there was insufficient time to look at alternative spending proposals for Cowan Park in the current project round instead of the restoration of the bandstand, additional proposals for the park could be considered if further PBIP funding was made available. Discussions could also take place with Eaglesham Scouts about future funding opportunities.

The Cabinet:-

- (a) approved the projects outlined in appendix 1 for 2022/23;
- (b) delegated to the Director of Environment to make adjustments to the proposals depending upon the detailed costs of projects becoming available;

- (c) noted the progress of those projects funded in 2021/22 in appendix 2; and
- (d) noted that further reports would be submitted to the Cabinet in due course seeking approval for projects in future years.

CHAIR

