

MINUTE
of
CABINET

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 1 December 2022.

Present:

Councillor Andrew Anderson
Councillor Danny Devlin

Councillor Katie Pragnell

Councillor Andrew Anderson, in the Chair

Attending:

Lorraine McMillan, Chief Executive; Louise Pringle, Director of Business Operations and Partnerships; Mark Ratter, Director of Education; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Gerry Mahon, Chief Officer (Legal and Procurement); Jamie Reid, Head of Communities and Transformation; Andy Corry, Head of Environment (Operations); Phil Daws, Head of Environment (Strategic Services); Gillian McCarney, Head of Environment (Chief Planning Officer) (*); Lesley Bairden, Head of Finance and Resources, HSCP (*); Jane Corrie, Roads Senior Manager (*); Susan Craynor, Community Learning and Development Manager (*); Mary Docherty, Education Resources Senior Manager; Paul Parsons, Principal Accountant (Capital); Graeme Smith, Communications Manager (*); Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

(*) indicates remote attendance.

Apology:

Councillor Owen O'Donnell (Leader).

DECLARATIONS OF INTEREST

241. There were no declarations of interest intimated.

GENERAL FUND CAPITAL PROGRAMME

242. 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 2022 and recommending adjustments where possible.

The Head of Accountancy (Chief Financial Officer), advised that the report indicated a shortfall in resource of £0.345m representing 0.86% 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. Other factors affecting the programme included increased energy and fuel prices; increased inflationary costs; and the ongoing impact of the Ukraine crisis. Officers would seek to minimise costs through value engineering and design changes, or within existing resources from projects approved for deferment or assessed as lower priority, and would continue to monitor the position and provide regular updates.

The Cabinet:-

- (a) noted the shortfall of £0.345m;
- (b) noted that income and expenditure on the programme would be managed and reported on a regular basis; and
- (c) agreed **to recommend to the Council** that the movements within the 2022/23 programme be approved.

HOUSING CAPITAL PROGRAMME

243. The Cabinet considered a joint report by the Head of Accountancy (Chief Financial Officer) and Director of Environment, monitoring income and expenditure as at 30 September 2022 against the approved Housing Capital Programme 2022/23, and recommending adjustments where required.

The Head of Accountancy (Chief Financial Officer) advised that there was a shortfall in the programme of £0.205m representing 1.3% of available resources which was within manageable limits. There had been a number of movements in the programme relating 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.

The Cabinet:-

- (a) agreed **to recommend to the Council** that the revised level of borrowing required to support the programme from £9.965m to £11.465m, an increase of £1.5m about the level approved by Cabinet on 1 September 2022, be approved;
- (b) agreed **to recommend to the Council** that the current movements within the programme be approved; and
- (c) noted the shortfall of £0.205m and that income and expenditure on the programme would be managed and reported on a regular basis.

STRATEGIC MID-YEAR COUNCIL PERFORMANCE REPORT 2022-23

244. The Cabinet considered a report by the Director of Business Operations and Partnerships, providing a summary of Council performance at mid-year 2022-23 based on performance indicators in the Outcome Delivery Plan (ODP) 2022-23. 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 report explained that, of the 50 indicators in the plan, there had been an update available for 30 of these at mid-year 2022-23, and that despite the continued focus on recovery and renewal, East Renfrewshire Council had continued to achieve excellent performance results across many areas including household recycling, increasing the supply of affordable housing, and supporting local businesses in the first half of the year. High levels of educational attainment had been maintained and performance from academic year 2021-22 was included in the report.

The report concluded by stating that the information presented showed the Council was performing well across the majority of the ODP indicators. However the impact of COVID-19, coupled with the significant budget pressures faced by East Renfrewshire Council and all councils, continued to have an impact on future performance and delivery of services. Despite the continued challenging circumstances the Council's aim remained unchanged, making people's lives better and achieving positive outcomes for all of our communities.

In response to questions, the Director of Business Operations & Partnerships confirmed that staff absences continued to be a concern as there had been an increase in long term absence, partly due to delays in treatment within the health service. She advised that COVID and long COVID were in the top ten reasons for absence, with the top reason being (non-work related) stress. In order to support staff, the council offered a counselling service; a number of health and wellbeing policies had been developed; and a health and wellbeing advisor had been appointed on a temporary basis.

Having heard further from the Head of Communities and Transformation, the Cabinet noted the summary of the Council's performance at mid-year 2022-23 at Annex 1 and the mid-year complaints report attached at Annex 2.

PROPOSED INTRODUCTION OF ELECTRIC VEHICLE CHARGING TARIFF

245. The Cabinet considered a report by the Head of Environment (Chief Planning Officer) submitting for consideration proposals to introduce electric vehicle (EV) charging tariffs for the use of the public Electric Vehicle infrastructure (EVI).

Having referred to the UK Government's commitment to end the sale of new petrol and diesel cars and vans by 2030, with all new cars and vans being fully zero emission from 2035, and to the Council's declaration in October 2021 of a climate emergency and subsequent actions including working towards the goal of zero emissions, the report explained that the Council owned public infrastructure was installed between 2015 and 2022 using Transport Scotland Local Authority Installation Programme (LAIP) Grant Funding. This funding stream ended with the 2021/22 funding round and did not include repairs or replacements for units out of warranty. Older chargers were now failing requiring repair or complete replacement.

It was highlighted that free electric charging was initially offered to incentivise car owners to move to electric vehicles, however Transport Scotland had now indicated that local authorities providing free public EV charging was preventing private sector investment and holding back the growth of EV chargers.

The report explained that there were a number of key factors in the case for introducing tariffs, these being summarised in Appendix A accompanying the report. It further explained that the cost to the Council for running the publicly available EV charging infrastructure, and for providing free EV charging to users was already high, and with the plans to expand the network, associated costs would also increase. Tariffs therefore needed to be introduced to ensure a financially sustainable EV charging network.

The report provided summary information on the cost of running and maintaining the 11 Council-owned chargers. At current costs this was estimated to be £121,700 per annum

The report then outlined the work that had taken place in determining appropriate tariffs. This had included Glasgow City Region local authorities adopting a regional approach to EV tariffs, and an EVI tariff benchmarking exercise carried out by the Scottish Futures Trust using data from both publicly and privately owned infrastructure. It was highlighted that any tariff rates set by the Council should not undercut private sector operators' rates as this would adversely impact private investment.

The report also outlined proposals for concessionary tariffs for residents with no access to off street parking to ensure that there was a fair and just transition towards a zero-emission transport network, as well a proposed overstay fee. Full details of the proposed fees were set out in Appendix A accompanying the report.

Having heard further from the Head of Environment (Chief Planning Officer), the Cabinet:-

- (a) approved in principle the introduction of EV charging tariffs on public EV charging infrastructure in East Renfrewshire;
- (b) approved the introduction of an overstay charge on public EV charging infrastructure in East Renfrewshire; and
- (c) agreed that the Head of Environment (Chief Planning Officer) be authorised to revise tariff rates and overstay charges, at a minimum every quarter, in line with the cost of living inflation; indexed to energy costs.

PROPOSED LEASE OF UNITS 1-4, 9 ROBERTSON STREET, BARRHEAD

246. The Cabinet considered a report by the Head of Environment (Strategic Services) regarding proposals to lease Units 1-4 Robertson Industrial Estate, 9 Robertson Street, Barrhead, to the established charity, Barrhead Men's Shed.

Having outlined the history of Barrhead Men's Shed and the terms of their occupancy of the premises to date, the report explained that currently the group's running costs were covered via various grants for specific equipment; donations; and business income comprising contributions from members and sales of work. Going forward, it was proposed that the group would run from business income alone to pay for all operational costs.

It was noted that in 2019 Barrhead Men's Shed wrote to the Council, seeking a 25 year lease at a peppercorn rent of £1 per annum. This was prompted as funding streams from the national lottery were coming to an end in spring 2022 which put the future of their facility under threat. They explained that they needed a long lease to remove the threat of closure; provide the security that would enable them to invest in facilities beyond the workshop that they currently provide; and allow them confidently to publicise what they were offering to attract others in need of their services.

Over the past 18 months, Barrhead Men's Shed had engaged with Council teams and supporting partners, to demonstrate the need for their facility to provide a place where members social wellbeing, mental health and environmental wellbeing (through use of repurposed materials and upcycling) were at the heart of their activities.

The report set out proposed terms and conditions in the event a lease were to be agreed. However the report also outlined the financial implications of leasing the premises at below

market rates and other legal obligations to be taken into account if considering leasing a premises for less than the best financial consideration that could reasonable be obtained.

In addition, the report highlighted that the term of the lease being sought would step outwith current Council policy for the granting of commercial leases, approved in April 2022.

Reference was also made to the adopted Local Development Plan and it was noted that within the terms of the renewed lease, if the Council required the land for redevelopment in line with the local plan, the Council could terminate the lease by giving no less than 12 months notice and aid to support the group in finding an alternative location.

During discussion, the Head of Environment (Strategic Services) clarified that the current charge for rental of the property was £10,000, paid jointly by the Environment Department and Health and Social Care Partnership. However, the rate for rental on the open market would be in the region of just over £22,000. Thereafter, the Chief Officer (Legal and Procurement) advised that state aid regulations had been replaced by subsidy control regulations which would apply from January 2023 following our departure from the European Union. He confirmed that this particular scenario fell within the subsidy control regulations acceptable levels and the Council would not be in breach of any legislation.

The Cabinet agreed:-

- (a) to approve the lease of Units 1– 4, 9 Robertson Street, Barrhead to the charity, Barrhead Men’s Shed for a peppercorn rental of £1, to enable the group to continue to operate their community woodwork, light craft and creative space facility to local men and women;
- (b) that the length of the lease would be 25 years;
- (c) to note that the proposed arrangements fell within acceptable levels of the subsidy control regulations taking effect from January 2023; and
- (d) to delegate to the Head of Environment (Strategic Services), in consultation with the Chief Officer (Legal and Procurement), to finalise negotiations and conclude the proposed lease.

CHARGING FOR SERVICES 2023-24

247. The Cabinet considered the undernoted reports by the appropriate Directors and Chief Officers regarding the outcome of the charging for services exercises carried out in each of the departments and recommended proposed fees and charges for 2023-24.

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

- (i) Business Operations and Partnerships Department;
- (ii) Education Department;
- (iii) Environment Department;
- (iv) Health and Social Care Partnership; and
- (v) Licensing.

The Head of Environment (Operations) advised that there was an error in the Environment Department Charging for Services Report, as a proposed increase from £40 to £60 for Garden Waste Permits had been included in the appendix to the report but not referred to in the list of

recommendations. He also noted that a decision on garden waste charges could be delayed until Cabinet in January 2023, as a report was due to be submitted regarding the wider Garden Waste Scheme.

Thereafter, following discussion, the Cabinet agreed the following for each department:-

(i) BUSINESS OPERATIONS AND PARTNERSHIPS DEPARTMENT

The Cabinet: -

- (a) increased all non-statutory fees and charges by 12.3% in line with the projected rate of inflation;
- (b) noted that the statutory fees were set by National Records of Scotland (NRS) in November each year; and
- (c) increased the existing administration charges for Bronze, Silver and Gold Duke of Edinburgh Award administration services, at a rate which fell below the projected rate of inflation.

(ii) EDUCATION DEPARTMENT

The Cabinet approved the following:-

- (a) Service Area 1 - Catering Service – School and Early Years Meals
To apply an inflationary uplift to the charge for a meal when accessing purchased Add-On sessions in early years and to increase charges within the primary and secondary sector by 20p per meal.
- (b) Service Area 2 – Add On Sessions (Early Learning and Childcare)
To apply an inflationary uplift to all charges and introduce a 25% discount for any siblings accessing the service.
- (c) Service Area 3 – Instrumental Music Service
To apply an inflationary uplift to charges for membership of choral groups and the Singing, Games and Rhymes programme.
- (d) Service Area 4 – Provision for Pupils with Additional Support Needs who reside out with the Authority
Revised charge to be set for 2023/24 following consideration of 2022/23 outturn.
- (e) Service area 5 - School Transport – Privilege Place
To increase charges to £1.50 per journey and remove the current £2 per month admin fee.

(iii) ENVIRONMENT DEPARTMENT

The Cabinet agreed:-

- (a) an increase of 12.3% is applied to the following services:-
 - Service 1 – Approval to Erect Temporary Direction Signs
 - Service 2 – Removal of Unauthorised Signs

- Service 4 – High Hedges Application Fee
- Service 5 – Recharge of legal fees to 3rd parties
- Service 6 – Miscellaneous Recharges (Roads Staff Time)
- Service 7 – Supply of Ordnance Survey Extracts
- Service 8 – Providing Variety of Planning and Building Standards Information
- Service 9 – Planning and Building Standards Section 50 Certificates
- Service 10 – Provision of bar markings on carriageway
- Service 11 – Section 109 approvals
- Service 12 – Temporary Traffic Signal Permits
- Service 15 – Road Closure Notices
- Service 18 – Outdoor Sports Pitches
- Service 19 – Trading Standards
- Service 20 – Environmental Health
- Service 21 – Letters of Comfort and Building Warrant Extensions
- Service 22 – Building Standards – Section 89 Certificates
- Service 23 – Copies of Building Warrants etc. documentation
- Service 24 – Copies of Planning etc. consents
- Service 25 – Property Enquiry Report
- Service 26 – Roads Enquiry Report
- Service 27 – Private Sector Grants registration
- Service 28 – HMO licensing
- Service 29 – Caravan Site Licensing
- Service 30 – Burial Grounds
- Service 31 – Hire of Rouken Glen Pavilion
- Service 32 – Export Health Certificate
- Service 36 – Trade waste collections

(b) an increase of more than 12.3% is applied to the following services:-

- Service 3 - Supply of Bins for New Housing Developments and Large Commercial bins
- Service 13 - Road Occupation Permits
- Service 14 - Road Opening permit
- Service 16 - Skip Permit
- Service 17 - Inspection charges relating to roads in new developments

(c) no change to charges for the following services:-

- Service 34 – Special uplifts
- Service 35 – Hire of Events Litter Squad
- Service 37 – Dangerous building admin fee
- Service 38 – Housing Management Fee
- Service 39 – Rouken Glen Event
- Service 40 – Filming in Parks etc.

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

- Service 46 – Planning Applications
- Service 47 – Certificates of lawful use or development
- Service 48 – Building warrant applications

- Service 49 – Application for private landlord registration
- Service 50 – MOT testing

(e) the removal of charges for the following services:-

- Service 51 – Removal of Dead Animals from Private Properties
- Service 52 – Provision of dropped kerb
- Service 53 – “No Parking” cones

(f) the introduction of new charges for the following services:-

- Service 13 – Road occupation permit (retrospective charge)
- Service 14 – Road opening permit (retrospective charge)
- Service 16 – Skip Permit (retrospective charge)
- Service 20 – Animal Breeders/ Pet Shops/ Events
- Service 41 – Pre Application Enquiries
- Service 42 – Discharge of Conditions
- Service 43 – Non Material Variations
- Service 44 – Street Naming and Numbering
- Service 45 – Short Term Let Licensing

(g) to delay a decision on charges for garden waste permits, noting that a report on the Garden Waste Scheme would be submitted to Cabinet in January 2023 and could include consideration of charges for Service 33 – Garden Waste Permits.

(iv) 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.

(v) LICENSING

The Cabinet agreed to alter charges for 2023/34 in accordance with the table in Appendix 1 to the report and noted that where an increase occurred, the increases were approximately 12.3% being the inflation rate advised by the Chief Accountant.

PROPOSED CLOSURE OF TWO COUNCIL OFFICES OVER THE FESTIVE PERIOD

248. The Cabinet considered a report by the Head of Environment (Strategic Services) submitting proposals for the closure of Eastwood Headquarters in Giffnock and Spiersbridge Offices, Thornliebank, between Christmas and New Year.

The report referred to the number of properties in the Council estate used as office accommodation, commented on the recent changes to working practices including hybrid working which had resulted in a surplus of office accommodation, and explained the reasons why there was an opportunity to realise a one-off financial saving with limited impact to service provision.

The report explained that it was proposed to close the Eastwood Headquarters and Spiersbridge Office between Christmas and New Year. The offices would close at 2pm on 23 December and would re-open on 4 January 2023. There would be limited impact on the public and staff who did not wish to take annual leave could either work from home if appropriate or base themselves at the Barrhead Office which would remain open.

The Cabinet approved the closure of Eastwood Headquarters, Giffnock and Spiersbridge Office, Thornliebank from 2pm on Friday 23 December to Wednesday 4 January 2023.

OPTIONS FOR THE TIMED TRAFFIC RESTRICTION ON ACADEMY ROAD AT GIFFNOCK PRIMARY SCHOOL AND FUTURE POLICY DEVELOPMENT

249. The Cabinet considered a report by the Head of Environment (Chief Planning Officer) providing an update on the outcomes of the temporary timed traffic restriction on Academy Road at Giffnock Primary School, and outlining possible future options for Academy Road and the development of a policy for timed traffic restrictions at schools in general.

Having outlined the background to the establishment of the temporary traffic restrictions on Academy Road, the report noted that those restrictions could not continue to be in force beyond 6 December 2022 without special permission from Transport Scotland. It was noted that Transport Scotland would only consider granting permission for a 6-month extension to a temporary Traffic Regulation Order (TRO) if it was the intention of the Council to promote a new permanent TRO which reproduced the provisions of the temporary Order, and that any new permanent TRO would need to be promoted on alternative grounds as the COVID-19 reasons for promoting the temporary TRO were no longer valid.

The report set out the findings of the work that had been carried out to monitor the outcomes of the temporary TRO. These were that the introduction of the measures positively correlated with a slightly increased rate of active school travel; the measures were perceived positively among the majority of the school community and local residents; there was a slight reduction in the number of motor vehicles using Academy Road during the restricted periods and a minimal reduction in vehicle numbers overall during the total vehicle count period; and there was some evidence of traffic and parking displacement from Academy Road and Orchard Park to neighbouring St Catherine's Road and Rosslea Drive, although this did not exceed available on-street parking capacity.

The report explained that, moving forward, there were 2 options; one which would note the end of the temporary TRO on Academy Road and see the development of a policy for the future use of timed traffic restrictions at schools, whilst the second option would see approval being sought from Transport Scotland for a 6 month extension to the temporary TRO as well as the development of a policy. The advantages and disadvantages of each option were set out.

The Cabinet:-

- (a) agreed to instruct the Roads Service to seek approval from the National Authority (Transport Scotland) for a six-month continuation of the existing TTRO;
- (b) noted that in the event that an extension is approved, the existing temporary restriction would continue on the same terms for a further 6 months to 6 June 2023 and a permanent Traffic Regulation Order (TRO) would require to be promoted within that period;

- (c) approved the development of a policy and assessment criteria for the use of timed traffic restrictions at schools for future consideration by the Cabinet; and
- (d) agreed that thereafter the agreed policy be used when assessing the suitability of roads for timed traffic restrictions at schools (including Academy Road).

CHAIR