

**MINUTE**  
**of**  
**EAST RENFREWSHIRE COUNCIL**

**Minute of meeting held at 5.00pm in the Council Chamber, Council Headquarters, Giffnock on 13 December 2023.**

**Present:**

|                                 |                                    |
|---------------------------------|------------------------------------|
| Councillor Andrew Anderson      | Councillor David Macdonald (*)     |
| Councillor Tony Buchanan        | Councillor Jim McLean (*)          |
| Councillor Kate Campbell        | Councillor Colm Merrick            |
| Councillor Betty Cunningham (*) | Provost Mary Montague              |
| Councillor Danny Devlin         | Councillor Andrew Morrison         |
| Councillor Paul Edlin (*)       | Councillor Owen O'Donnell (Leader) |
| Councillor Annette Ireland      | Councillor Katie Pragnell          |
| Councillor Chris Lunday         | Councillor Gordon Wallace          |

Provost Montague in the Chair

**Attending:**

Steven Quinn, Chief Executive; Anthony McReavy, Chief Executive of East Renfrewshire Culture and Leisure Trust; Caitriona McAuley, Director of Environment; Julie Murray, Chief Officer, Health and Social Care Partnership; Louise Pringle, Director of Business Operations and Partnerships; Mark Ratter, Director of Education; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Phil Daws, Head of Environment(Strategic Services); Gill Darbyshire, Chief Executive's Business Manager(\*); John Adam, Major Capital Projects Manager; Gerry Mahon, Chief Officer – Legal and Procurement; John Burke, Committee Services Officer; and Lesleyann Burns, Assistant Committee Services Officer.

(\*) indicates remote attendance

**Apologies:**

Councillors Caroline Bamforth

**DECLARATIONS OF INTEREST**

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

**MINUTE OF MEETING OF COUNCIL – 25 OCTOBER 2023**

**687.** The Council considered and approved the Minute of the meeting held on 25 October 2023 with a minor typographical change, to correct Councillor Katie Pragnell's name to the correct spelling.

## MINUTES OF MEETINGS OF COMMITTEES

The Council considered the Minutes of meetings of the undernoted:-

- (a) Cabinet – 2 November 2023;
- (b) Licensing Committee – 7 November 2023;
- (c) Education Committee – 9 November 2023;
- (d) Audit and Scrutiny Committee – 23 November 2023;
- (e) Planning Applications Committee – 29 November 2023;
- (f) Cabinet (Police and Fire) – 30 November 2023;
- (g) Licensing Committee – 5 December 2023; and
- (h) Appeals Committee – 7 December 2023.

The Minutes were approved, subject to the following amendment to the Minute of the Licensing Committee meeting of 5 December, namely that on Page 694, Paragraph 679 ended with the wording “agenda item 3 refers”, this would be amended to read “agenda item 4 refers”.

## INTERIM TREASURY MANAGEMENT REPORT FOR 2023/24 – QUARTER 2

**688.** Under reference to the Minute of the meeting of the Audit and Scrutiny Committee of 23 November 2023 (Page 680, Item 667 refers), the Council considered a report by the Head of Accountancy (Chief Financial Officer) on treasury management activities for the second Quarter of 2023-24.

Councillor Morrison gave an overview of the Audit and Scrutiny Committee’s view of the report and commended their recommendation to the Council for consideration.

The Council approved those organisations specified in the report for the investment of surplus funds.

### **Variation in Order of Business**

In accordance with Standing Order 20, and with a view to making the most effective use of officers’ time, Provost Montague agreed to consider Motions (Item 6) at the end of substantive business.

## STATEMENTS BY CONVENERS AND REPRESENTATIVES ON JOINT BOARDS AND COMMITTEES

The following statements were made:-

(a) **Councillor Anderson – Convener for Education, Culture and Leisure**

Councillor Anderson summarised two significant areas regarding the Culture and Leisure Trust.

Firstly, he referred to a national customer survey for public libraries which had been undertaken by the Scottish Libraries Information Council, which had been conducted both in libraries and online. An overwhelmingly positive response was received within East Renfrewshire, with comments received on how the libraries supported people with their health and wellbeing; social isolation; loneliness; and bringing families and communities together.

Councillor Anderson summarised some of the comments received from customers through the survey.

Secondly, he referred to the Eastwood Theatre as pantomime season was underway. He remarked that the Theatre had performed an incredible turnaround since 2015, summarising the many sell-out shows that had been attracted to perform there. He also praised the currently running pantomime, "Beauty and the Beast" which had received positive reviews.

(b) **Councillor O'Donnell – Leader**

Councillor O'Donnell referred to the recent mini inspection of the Council's Community Learning and Development Partnership, looking at how youth work, adult learning and community capacity building and development services were being delivered by the Council and partners to benefit local people and communities.

The inspection focused on how well the Council was fulfilling its statutory duties in relation to Community Learning and Development (CLD) and examined leadership; effectiveness of CLD work; use of data; strategic focus; and capacity to improve.

The inspection took place in October 2023 and the findings were published in November 2023. East Renfrewshire Council had received the highest of the three possible ratings. Councillor O'Donnell drew attention to the language used in the report to praise leadership at all levels, partnership working, planning, person centred approaches, progression pathways, strategic focus and ambition, use of data, performance monitoring and embedding of self-evaluation. They noted that some of the work had proven to be life changing for local people.

The inspectors highlighted two areas of practice which would be shared nationally: the partnership between CLD staff and Barrhead High School; and the Council's partnership with the Linking Communities Group to oversee the participatory budgeting process.

Councillor O'Donnell praised the hard work of all CLD staff involved in achieving such outstanding results.

(c) **Councillor Pragnell – Convener for Social Work and Health**

Councillor Pragnell provided an update from the last meeting of the Integration Joint Board (IJB) held on 22 November 2023.

She summarised discussion around the financial position of the Health and Social Care Partnership (HSCP), noting that an overspend of £3 million had been reported, however, the situation was reported to have deteriorated since those figures were lodged. An overspend of £5.8 million was now predicted. As a result, there was no choice but to revise the eligibility threshold. HSCP would, therefore, only provide social care support to those with substantial and critical needs. It was noted that while this was not desirable, it was on par with other HSCPs.

The IJB had noted that the Council had indicated some non-recurring support and formal financial recovery planning was now underway. Councillor Pragnell stressed that the situation had not been due to poor financial management, but a combination of increased demand and complexity of demand not covered by existing funding.

An update had been given on the tender evaluation exercise for the replacement case recording system. The magnitude of this work had been recognised by the IJB.

The IJB also approved the refresh of the Strategy for Mental Health Services in Greater Glasgow and Clyde, which had been developed in partnership with all of the other HSCPs in the region.

The IJB had also approved the draft HSCP Winter Plan, received a presentation on delayed discharges, were given an update on actions from the HSCP Workforce Plan, and approved the draft Revised Integration Scheme, which was entering its consultation phase.

Councillor Pragnell thanked all HSCP staff for their hard work during the year under very difficult circumstances.

The Council noted the statements.

## **PROVOST'S ENGAGEMENTS**

**689.** The Council considered a report by the Director of Business Operations and Partnerships, which provided details of civic engagements attended and civic duties performed by Provost Montague since the meeting of the Council held on 25 October 2023.

Councillor Morrison indicated that on Page 21 of the papers, there was an error where Deputy Provost Kate Campbell had attended the Showmen's Guild Luncheon and this had erroneously been said to have been the Provost. He asked that the report be amended to reflect this, which was accepted unanimously.

Council noted the report with the amendment that Deputy Provost Kate Campbell had attended the Showmen's Guild Luncheon on 17 November.

## **REVISION OF CONTRACT STANDING ORDERS**

**690.** The Council considered a report by the Chief Officer – Legal and Procurement seeking approval of revised Contract Standing Orders for the Council.

The report proposed amendments to the existing Contract Standing Orders, which were summarised in Appendix 1 to the report, with a track changed version included as Appendix 2 for comparison.

The Chief Officer – Legal and Procurement responded to members questions around declaration of interests in a procurement exercise and training to promote compliance with Contract Standing Orders.

The Council:

- (a) approved the proposed amendments to the existing Contract Standing Orders, as summarised in Appendix 1 to the report, and adopted the Contract Standing Orders included in Appendix 2 to the report with immediate effect; and
- (b) noted that changes made were to provide further clarity in order to drive greater compliance with procurement governance and best practice.

## REVENUE ESTIMATES 2024/25 – ADVANCE SAVINGS PROPOSALS

**691.** The Council considered a report by the Head of Accountancy (Chief Financial Officer) on further advance savings proposals for 2024/25 in accordance with the Council decision of 1 March 2023, and to provide an update on progress on the 2024/25 savings approved in advance by Council on 1 March 2023.

The report outlined that, due to the complexity of the financial landscape, it had not been possible for officers to complete an assessment of the overall position in time to submit the savings report to Council in October 2023 as had been previously agreed. However, with the details of the temporary reduction in employer pension contributions confirmed, it was clear that significant recurring savings would be required.

Six savings were proposed, which were fully detailed in the report.

There followed a discussion among members around whether it was possible to defer the paper to a later date, however, no proposal to that effect was made. The Chief Executive and Director of Education also provided information, particularly around difficulties in recruiting school crossing patrollers. The Chief Executive also reiterated that the Council's policy was that there would be no compulsory redundancies.

Thereafter, the Council:-

- (a) noted the assessment of the further £1.383m of 2024/25 savings proposals where Council had requested a subsequent report;
- (b) approved savings of £0.842m for implementation in 2024/25 to permit preparatory work to be undertaken, and a further £0.360m in 2025/26, giving a full year total saving of £1.202m, as detailed in Annex A of the report; and
- (c) noted that only £1.267m of the £2.026m savings approved by Council on 1 March 2023 for implementation in 2024/25 are now considered to be deliverable in the next year, as detailed at Annex B to the report, however, at least a further £0.128m would be delivered in 2025/26.

## VISION FOR THE FUTURE

**692.** The Council considered a report by the Director of Business Operations and Partnerships giving an update on progress to develop the Council's long term strategic "Vision for the Future" (VFTF) and seeking agreement on the next steps.

VFTF sat at the top of the Council's strategic planning framework and provided a unifying framework to bring all other plans and strategies together. The first VFTF was published in September 2015, providing a 10-year forward direction for the Council. The document had been changed over time to take account of various landscape changes, as detailed in the report.

An updated VFTF was approved by Council in February 2020, however, the onset of the COVID-19 pandemic disrupted work in that regard. The report outlined the forward plan for delivery of a revised VFTF from the end of 2023 to Autumn 2024, when it would come into full implementation. The current work being undertaken to develop the strategy was also set out, with particular focus on the "three pillars" of the VFTF, which were "Flourishing Families & Individuals"; "Vibrant Communities and Places"; and "Living Well".

In discussion among members, the proposed inclusion of a Community Conference to seek engagement from local communities about the pillars of the VFTF document was particularly welcomed.

The Council:-

- (a) noted that Vision for the Future was being developed around three pillars: "Flourishing Families & Individuals"; "Vibrant Communities & Places"; and "Living Well", and that work was well underway to map strategies, outcomes and analyse data for key opportunities and issues around the three pillars;
- (b) noted the continued development of the scope of each pillar in order to draft ambitions;
- (c) agreed in principle that work was undertaken to develop proposals for an expert panel to provide critical friend and sounding board support around the three pillars;
- (d) agreed that work was also undertaken to develop proposals for a community conference around Vision for the Future; and
- (e) agreed that a further report would be brought to Council once the work set out in (b), (c) and (d) had been completed.

## **EASTWOOD LEISURE CENTRE**

**693.** The Council considered a report by the Director of Environment providing an update on progress made in relation to the new Eastwood Leisure Centre and seeking a decision from Council on how the project should progress.

The Head of Environment (Strategic Services) introduced the report to Council, outlining the two options to members for progressing the construction of the Eastwood Leisure Centre. As at the meeting of Council on 14 December 2022, Council had agreed to progress "Option 2", the two options for progress were titled: Option 2A – build the leisure centre within the budget of £55m; and Option 2B – build the leisure centre to the space standard outlined at the Council meeting of 14 December 2022, which would include a library.

Full details on both options were provided to members, both in the report, and in discussion with the Chief Executive of the East Renfrewshire Culture and Leisure Trust, (ERCLT) the Head of Environment (Strategic Services) and the Major Capital Projects Manager. In particular the subject of the proposed library was discussed and what impact its inclusion

might have on other services, particularly with regard to the Theatre. Explanation was also given around some technical terms within the report, such as “de-risking”.

The Council:

- (a) determined to progress option 2B, at an estimated cost of £59,258,960, that includes a library within the proposed Leisure Centre, with the benefits outlined in the report;
- (b) noted the contingency provision of up to £6.7m was included within the estimated costs and that a further assessment would be made once full construction costs were known in January 2025;
- (c) noted the provision of £55m within the capital programme and a further £700k of Development Contributions was estimated to be available to support the project;
- (d) noted that a cost cutting exercise would be undertaken to reduce estimated costs to within the available budget; and
- (e) approved expenditure not exceeding £1,920,000 for advance works, to enable de-risking of the main contract. This cost was included within the total development costs for both options.

## **MODERNISATION OF EASTWOOD HEADQUARTERS, GIFFNOCK**

**694.** The Council considered a report by the Chief Executive seeking approval to progress with modernisation works at Eastwood Headquarters, Giffnock.

A decision not to renew the lease of the Spiersbridge Office when it expired in February 2026 was approved by Cabinet at its meeting of 19 June 2023 (Page 553, Item 390 refers). As part of this decision, Cabinet noted the intention to return to Council with more detailed costed options for modernisation of Eastwood Headquarters to facilitate the increase in the number of staff based there following the closure of the Spiersbridge Office.

The report set out a proposal to modernise the Eastwood Headquarters and meet the need to support additional staff on a hybrid working basis. This included details of office accommodation; improvements to the Civic Chambers; and opportunities to build in sustainable technologies to provide opportunities to move toward the Council’s Net Zero commitments.

Following discussion among members, Councillor O’Donnell, seconded by Councillor Pragnell, moved in terms of the report’s recommendations.

Councillor Ireland, seconded by Councillor Macdonald, moved that the recommendations in the report not be approved.

On the roll being called, Councillors Anderson, Buchanan, Campbell, Cunningham, Devlin, Edlin, McLean, Merrick, Provost Montague, Councillors Morrison, O’Donnell, Pragnell and Wallace voted for the motion and Councillors Ireland and Macdonald voted for the amendment. Councillor Lunday abstained.

There being 13 votes for the motion and 2 votes for the amendment, the motion was declared carried and the Council:

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- (a) approved carrying out substantive works to Eastwood Headquarters following the decision to terminate the lease and close the Spiersbridge office in part to deliver future savings;
- (b) approved the proposal to undertake minor adaptive works in relation to progress towards net-zero carbon targets;
- (c) noted the requirement for additional capital funding which would be considered as part of the 24/25 budget process, and
- (d) approved further design work to be undertaken to Royal Institute of British Architects (RIBA) Stage 4, acknowledging that this work was undertaken on the assumption that additional capital funding would be made available.

### **HRA LAND TRANSFER FOR AURS ROAD REALIGNMENT PROJECT**

**695.** The Council considered a report by the Director of Environment seeking approval for the transfer of land on the Housing Revenue Account to the General Account for the purpose of constructing the active travel route as part of the Aurs Road Realignment project.

The Aurs Road Improvement project was progressing towards a site start in early 2024, and details and plans were given in the report and in the annex to the report. The Council had written to tenants in September 2022 to seek permission to transfer the land in question from the Housing Revenue Account to the Council's General Fund to promote active travel in the area, with no objections raised. The Scottish Government had also been consulted and raised no objection.

The Council:

- (a) noted the results of the consultation with tenant representatives and the Scottish Government undertaken; and
- (b) approved the transfer of 1.5 acres of land from the Housing Revenue Account to the Council's General Fund under Section 203(2) of the Housing (Scotland) Act 1987 for the sum of £350,000 for the purposes of constructing an Active Travel route as part of the City Deal funded Aurs Road Realignment Project.

### **ERC PUBLIC ACCESS DEFIBRILLATOR STRATEGY 2022 – 2027 – UPDATE, DECEMBER 2023**

**696.** The Council considered a report by the Chief Executive on work undertaken in relation to the East Renfrewshire Council Public Access Defibrillator Strategy 2022-2027 and proposals for future work in the area to enhance the provision of public access defibrillators within East Renfrewshire.

The Strategy outlined several actions to support its aim to facilitate an increase in the number of defibrillators in an emergency to the public by working with individuals, community groups, community planning partners, local stakeholders and private sector organisations, fully detailed in the report.

It was noted that there were 82 Public Access Defibrillators located in East Renfrewshire, including 28 owned by the Council. The report outlined the location of public access defibrillators in East Renfrewshire; current costs and options for increasing provision; and proposed future work.



Following a discussion among members around work to establish community owned defibrillators, maintenance costs and the possibility of setting up a charitable trust for the purpose of administrating the funding, the Council:

- (a) noted the work undertaken to date on the East Renfrewshire Public Access Defibrillator Strategy 2022-2027;
- (b) agreed that capital funding of circa £40,000 was identified to allow the purchase of up to 15 additional Public Access Defibrillators (PADs) and to support replacement parts, as required, of existing East Renfrewshire Council owned PADs;
- (c) agreed the proposed general locations for up to 15 additional Public Access Defibrillators set out in Appendix 1 to the report;
- (d) agreed that revenue funding of a maximum of £20,000 per annum is identified from 2024/25 onwards to allow the ongoing maintenance for up to 14 additional Public Access Defibrillators (in addition to the current 28 existing PADs) which were sited on East Renfrewshire Council properties bringing the total number up to a maximum of 43;
- (e) noted the work undertaken by the Provost, as Community Defibrillators Champion, to work with local communities, faith groups, businesses and interested parties to raise funding for additional PADs, external cabinets and training and to identify suitable locations for the installation of additional PADs within East Renfrewshire;
- (f) noted the proposal with St John's Scotland and ongoing work to empower community groups to purchase, install and maintain Public Access Defibrillators across East Renfrewshire; and
- (g) noted that the Chief Executive and Head of Accountancy (Chief Financial Officer) would meet with Councillor Edlin to discuss the implications of establishing a charitable trust to manage PADs.

### **Adjournment**

The Council agreed to a brief adjournment.

### **NOTICE OF MOTION – DISPOSABLE VAPES**

**697.** In accordance with Standing Order 27, the following notice of motion had been submitted by Councillor Macdonald, seconded by Councillor Ireland:

*“East Renfrewshire Council acknowledges that 29 out of 32 councils in Scotland have now publicly supported the campaign for a ban on single use disposable vapes. The Council further acknowledges that both the UK and Scottish Governments are now publicly in favour of a ban on single use disposable vapes and are now actively moving towards creating legislation to ban them.*

*We move that East Renfrewshire Council now support the campaign for a ban of single use disposable vapes and that the Leader write to the Scottish Government Minister responsible notifying them of our support.”*

Councillor Pragnell, seconded by Councillor O'Donnell, moved an amendment in the following terms:

*“East Renfrewshire Council notes and welcomes the consultation currently underway by both UK and Scottish Governments considering the health and environmental impacts of disposable vaping, while also acknowledging that vapes can be used to support those trying to quite smoking. As such both Governments are consulting on:*

- *Restricting flavours*
- *Regulating point of sale displays*
- *Regulating packaging and presentation*
- *Considering restricting the supply and sale of disposable vapes*
- *Whether regulations should extend to non-nicotine vapes*
- *Taking action on the affordability of vapes*

*Council welcomes the cooperation between both Governments on sharing evidence to support appropriate policy interventions and would encourage both Governments to proceed with relevant legislation at pace and to take a ‘single UK market’ approach on their implementation.”*

Provost Montague invited Councillor Macdonald to speak in terms of the motion.

Councillor Macdonald pointed out that when this was previously raised at Council, only 6 Councils had called for a ban, but 29 were now publicly supporting a ban. He also stated that one Council was currently considering it. He expressed disappointment that the motion was subject to amendment as it was not a political issue.

He stressed that the terms of the motion were simply to ask the Council to join the many other Councils who backed a ban. He referred to additional information that had come to the fore in the past 7 months, particularly around the health implications for young people. As a result of their ease of use and cost they were causing considerable problems for young people, especially in schools, as well as causing addiction problems for young people getting addicted to nicotine via the use of the vapes.

He indicated that the future direction of travel across the UK and devolved administrations was that a ban would come. He also reference France as having banned disposable vapes. While accepting that they could be helpful to people trying to quit smoking, he stated that the issues for young people more than counterbalanced that.

Seconding the motion, Councillor Ireland expressed her disappointment in the amendment and felt that it stopped short of supporting a ban. She also referenced the support of 29 Councils for a ban, with cross-party support.

She felt that it was vitally important that East Renfrewshire Council aligned itself with calls for a ban as to be the one outlier among Local Authorities would be an embarrassment to the Council.

Councillor Ireland agreed with Councillor Macdonald that the use among young people was endemic and it was wrong for the Council to turn a blind eye to this. Particularly with young people who never smoked picking up disposable vapes. She cited Cancer Research UK, the British Heart Foundation, the Royal College of Paediatrics and Child Health and the Royal College of Physicians as having uniformly asserted that vaping was unsafe for children and young people. She called for members to stand alongside 29 other Councils across Scotland and support the motion.

In support of her amendment, Councillor Pragnell stated that the landscape had changed and she felt the scope of the original motion was too narrow and did not include reference to the health impacts. She expressed concerns with the health impacts on young people as well as the environmental impacts and welcomed the UK and Scottish Government consultations into the matter.

Councillor Pragnell indicated that she felt it was prudent to await the findings of those consultations were published in full so that the Council could consider the impacts of any future legislation. She believed that any such legislation would have to be implemented at pace and take a single UK market approach on implementation to avoid any discrepancies between devolved nations.

Councillor O'Donnell, in seconding the amendment, indicated that he was content to continue without further commenting on the amendment.

Councillor Morrison agreed with Councillor Pragnell that the previous motion raised on this subject had been too narrow and that health concerns were paramount. He also cited the recommendations in the Zero Waste Scotland report around restricting flavours and other measures to reduce the use. He pointed out that banning disposable vapes would still allow people to purchase reusable ones and there would have to be a fuller approach to dealing with the problem. He felt that, looking at the nine conclusions of the Zero Waste Scotland report, they were better encapsulated in the terms of the amendment.

Councillor Buchanan expressed his astonishment as he felt that all matters were considered within the motion. He was concerned that there could be delays to implementing any legislation due to the upcoming election. He felt it was vital to act as soon as possible to assure effective action could be taken.

Councillor O'Donnell stated that the debate had moved on considerably in the seven months since the original motion, which focused on the environmental impacts of single use disposable vapes. He felt that the motion was redundant as both Governments were in the process of looking at the matter. He felt that things were moving in the direction in which the amendment were suggesting. He clarified that the single UK market approach would prevent loopholes between administrations.

In summing up, Councillor Macdonald stated that the Council was a national embarrassment. He felt that the matter had been politicised, despite 29 Councils of various party control backing a ban on single use disposable vapes. He stated that there was no issue with administrations not working together, as the Scottish and UK governments were already working together and that he felt the amendment was politically motivated.

On the roll being called, Councillors Buchanan, Ireland, Lunday, Macdonald and Merrick voted for the motion.

Provost Montague and Councillors Anderson, Campbell, Edlin, McLean, Morrison, O'Donnell, Pragnell and Wallace voted for the amendment.

There being 5 votes for the motion and 9 for the amendment, the amendment was declared carried.

