

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

**Minute of Meeting held at 7.00pm in the Council Chamber, Council Headquarters, Giffnock, on 18 December 2019.**

**Present:**

Provost Jim Fletcher	Councillor Alan Lafferty
Councillor Paul Aitken	Councillor David Macdonald
Councillor Tony Buchanan (Leader)	Councillor Jim McLean
Councillor Angela Convery	Councillor Colm Merrick
Councillor Danny Devlin	Councillor Stewart Miller
Councillor Charlie Gilbert	Councillor Paul O’Kane
Councillor Barbara Grant	Councillor Jim Swift
Councillor Annette Ireland	Councillor Gordon Wallace

Provost Fletcher in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Mhairi Shaw, Director of Education; Andy Cahill, Director of Environment; Julie Murray, Chief Officer - Health and Social Care Partnership; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Sharon Dick, Head of HR and Corporate Services; Eamonn Daly, Democratic Services Manager; and Paul O’Neil, Committee Services Officer.

**Also Attending:**

Anthony McReavy, Chief Executive, East Renfrewshire Culture and Leisure Trust.

**Apologies:**

Depute Provost Betty Cunningham and Councillor Caroline Bamforth.

**DECLARATIONS OF INTEREST**

**1129.** Provost Fletcher and Councillors Grant, Merrick and O’Kane declared non-financial interests in relation to Items 1138 and 1141 by virtue of the fact that they were members of the East Renfrewshire Culture and Leisure Trust Board.

**PROVOST’S AWARD TO EVELYN BAXTER**

**1130.** Provost Fletcher advised that the winner of this year’s Citizen of the Year Award was Evelyn Baxter. She had received the award for her tireless work to support the community of Busby and by volunteering to improve the local area for many years. He referred in particular

to the role Mrs Baxter had played in the Busby Memory Lane initiative which launched 3 years ago the aim of which was to give more opportunities for the older people of Busby.

Provost Fletcher explained that with the support of a committee of volunteers, Mrs Baxter planned and delivered weekly sessions in the Duff Hall, Busby to over 30 older people. He provided details of the sessions and highlighted that the feedback from the group was always incredibly positive. Furthermore, he highlighted that Mrs Baxter was also instrumental in the refurbishment of Spider Park a play area in Busby.

The Council noted the position and congratulated Evelyn Baxter on her award.

### **MINUTE OF PREVIOUS MEETING**

**1131.** The Council considered and approved the Minute of the meeting held on 30 October 2019.

### **MINUTES OF MEETINGS OF COMMITTEES**

**1132.** The Council considered and approved the Minutes of the meetings of the undernoted:-

- (a) Planning Applications Committee – 6 November 2019;
- (b) Local Review Body – 6 November 2019;
- (c) Licensing Committee – 12 November 2019;
- (d) Education Committee – 14 November 2019;
- (e) Cabinet (Police and Fire) – 21 November 2019;
- (f) Audit and Scrutiny Committee – 21 November 2019;
- (g) Cabinet – 28 November 2019;
- (h) Planning Applications Committee – 4 December 2019;
- (i) Local Review Body – 4 December 2019; and
- (j) Cabinet – 5 December 2019.

### **INTERIM TREASURY MANAGEMENT REPORT FOR 2019/20**

**1133.** Under reference to the Minute of the meeting of the Audit and Scrutiny Committee of 21 November 2019 (Page 1022, Item 1105 refers), when it had been agreed to recommend to the Council that the organisations listed in the report for investment of surplus funds be approved and the unexpected increase in the cost of borrowing from the Public Works Loan Board be noted, the Council considered a report by the Chief Financial Officer, providing details about the Council's Treasury Management activities for the first 6 months of 2019/20.

The Council:-

- (a) noted the interim Treasury Management Report 2019/20; and
- (b) approved the use of the organisations listed at Appendix II to the report for the investment of surplus funds.

### **GENERAL FUND CAPITAL PROGRAMME 2019/20**

**1134.** Under reference to the Minute of the meeting of the Cabinet of 28 November 2019 (Page 1032, Item 1117 refers), when it was agreed to recommend to the Council that the

proposed adjustments to the General Fund Capital Programme 2019/20 be approved, the Council considered a report by the Chief Financial Officer, recommending adjustments to the 2019/20 General Fund Capital Programme in light of issues that had arisen since the programme had been approved.

The Council:-

- (a) approved the movements within the General Fund Capital Programme 2019/20; and
- (b) noted that the shortfall of £425,000 would be managed and reported on a regular basis.

### **HOUSING CAPITAL PROGRAMME 2019/20**

**1135.** Under reference to the Minute of the meeting of the Cabinet of 28 November 2019 (Page 1033, Item 1118 refers), when it was agreed to recommend to the Council that the proposed adjustments to the Housing Capital Programme 2019/20 be approved, the Council considered a joint report by the Chief Financial Officer and Director of Environment, recommending adjustments to the 2019/20 Housing Capital Programme in light of issues that had arisen since the programme had been approved.

The Council:-

- (a) approved the movements within the Housing Capital Programme 2019/20; and
- (b) noted that the shortfall of £88,000 would be managed and reported on a regular basis.

### **STATEMENTS BY REPRESENTATIVES ON JOINT BOARDS/COMMITTEES**

**1136.** The following statement was made:-

- (a) **Councillor Merrick – East Renfrewshire Culture and Leisure Trust**

Councillor Merrick reported of an away day that members of the East Renfrewshire Culture and Leisure Trust Board had undertaken to the Emirates Stadium, Glasgow on 12 November 2019. He also commented that consideration had been given to the Trust's 2019/20 mid-year performance at the Board's meeting in November in the course of which he highlighted a number of positive performance statistics achieved by the Trust during the reported period.

The Council noted the statement.

### **PROVOST'S ENGAGEMENTS**

**1137.** The Council considered and noted a report by the Deputy Chief Executive, providing details of civic engagements attended and civic duties performed by Provost Fletcher since the date of the last meeting.

## **EAST RENFREWSHIRE CULTURE AND LEISURE TRUST 2020/21 BUSINESS PLAN**

**1138.** The Council considered a report by the Director of Education, seeking approval of the East Renfrewshire Culture and Leisure Trust (ERCL) 2020/21 Business Plan, subject to the budget being confirmed at the budget meeting of the Council on 27 February 2020. A copy of the plan was appended to the report.

The report provided background details about the establishment of the Trust as an independent charity and indicated that the business planning process was outlined in the Services Agreement between the Trust and the Council that vested the Trust with the assets to deliver culture and leisure services on behalf of the Council. Details of what the business plan identified together with its strategic aims were outlined in the report.

Whilst noting that this was the fifth East Renfrewshire Culture and Leisure Trust Business Plan which gave clear strategic direction that was in accordance with the Council's strategies, the report highlighted that the plan was supported by detailed operational plans which delivered the Council's objectives under the Community Plan, Fairer East Ren Plan and Outcome Delivery Plan and would guide the work of the Trust and its staff to deliver high quality services to the residents and communities of East Renfrewshire.

The Council approved the East Renfrewshire Culture and Leisure Trust 2020/21 Business Plan, subject to the budget being confirmed at the meeting of the Council on 27 February 2020.

## **INFLUENCING THE FUTURE OF EAST RENFREWSHIRE**

**1139.** Under reference to the Minute of the meeting of 24 June 2015 (Page 1517, Item 1625 refers), when it was agreed amongst other things to approve the 8 key areas in the "Influencing the Future Statement" as detailed in the report which outlined where the Council might wish to seek greater powers or resources with Scottish Ministers/COSLA/Scottish and UK Governments, the Council considered a report by the Chief Executive, seeking approval of key areas where the Council wished to seek greater powers or resources from government to shape the future of East Renfrewshire as an area of continuing and enhanced prosperity.

Whilst noting that there were regular requests from COSLA and Scottish Ministers for the Council to outline its key concerns relating to powers or lack of resources, the report highlighted that arising from these requests a range of issues had emerged from discussions with directors and at the Corporate Management Team including requests to devolve powers more locally or to amend existing legislation. It was noted that there were different ways in which the Council could proceed depending upon the specific area or the legislation that it wished to change. Details of 10 key areas which had emerged together with a brief summary of each were outlined in the report.

The report concluded by indicating that a common theme that emerged through the discussions that had taken place was the importance that the resourcing arrangements for new government policies were provided that ensured local accountability and the flexibility to deliver resources and target local outcomes for communities. This would ensure that the Council could use resources to target areas of greatest need and gain maximum impact. It was proposed that subject to approval by the Council, the statement would be used for discussions with Government Ministers.

Councillor Swift was heard in response to the terms of the report in the course of which he stated that unless there was proper transparency in the consideration of projects which the

Council would be seeking funding for, he would not be keen to support the proposal for the Council to lobby Government Ministers in relation to 'Key Area 9 – City Deal Funding'. He explained the reasons for his view highlighting that councillors had not been given sufficient time to consider in detail the projects there were submitted by the Council securing funding of £44 million from the City Deal, neither were they given details of any other projects that were discounted prior to submission to the Council.

Councillor Grant referred to the 'Review of the Floors Arrangement' (i.e. Key Area 8) and stated that this should be reviewed as soon as possible as in her opinion the Council was effectively providing financial support to other Scottish councils through this arrangement. In addition, she sought clarification in relation to 'Climate Change and Public Transport Improvements' (i.e. Key Area 10) as to whether the Council could require developers to install solar panels on houses being built in new developments.

In reply, Councillor Buchanan explained that in relation to the City Deal there were no proposals as yet to create further funding opportunities throughout a 'City Deal2'. He also indicated that discussions were ongoing at COSLA in relation to the continued operation of the 'Floors Arrangement' in the course of which Councillor Devlin in response to Councillor Grant's comments about solar panels advised that solar panels had been installed in all the new Council houses that were built in the two developments in East Renfrewshire.

The Director of Environment was also heard in response to Councillor Swift's comments regarding the City Deal projects. He explained that at the time of submitting the project proposals to the City Deal he was trying to secure the best deal for East Renfrewshire. He indicated that in the event of further funding being made available through a 'City Deal 2', he would hope that the Council would be given adequate notice so that Members could be given sufficient time to consider project proposals prior to their submission. He also advised that as regards solar panels it was not possible to insist developers installed them on new houses.

Councillor Wallace stated that he did not support the proposal to undertake a review of planning legislation to remove the role of the Reporter as an appeals mechanism for planning applications (i.e. Key Area 3). He emphasised the importance of there being a suitable appeals process in place to allow decisions of the Planning Applications Committee to be reviewed.

In reply, Councillor Buchanan explained that this proposal had been put forward as the Council was concerned about the number of decisions taken by the Planning Applications Committee to refuse applications for planning permission which were being overturned by Scottish Government's Reporters Unit.

Supporting Councillor Wallace, Councillor Aitken emphasised that if the role of the Reporter was removed, applicants would have no right of appeal when their applications were refused by the Planning Applications Committee.

The Council:-

- (a) approved the 10 key areas in the "Influencing the Future Statement"; and
- (b) supported and promoted the Statement in all relevant discussions with COSLA and Scottish and UK Government Ministers.

## CHANGES TO COUNCIL'S ORGANISATIONAL STRUCTURE

**1140.** The Council considered a report by the Deputy Chief Executive, seeking approval for a proposed restructure of Head of Service Management Structure within both the Environment Department and Health and Social Care Partnership. Copies of the existing and proposed structures were appended to the report.

The report advised that in December 2017, the Council had approved a revised Heads of Service structure within the Environment Department and HSCP with a view to supporting the planned budget savings for 2017/18 and beyond. However, the internal and external landscape had changed since then and it was important that the Council was aware of these issues and planned to address them.

Furthermore, it was noted that there were important legislative and other resource intensive challenges with regard to the Environment Department whilst in respect of HSCP there were leadership capacity concerns to ensure that professional leadership and governance in adult social care, improvement in practice, and operational workload were appropriately addressed. Details of the challenges were outlined in the report. The proposed structural changes in the Environment Department and HSCP would ensure that the Council had the appropriate leadership resource in place for the future.

The report also explained that there was a requirement for two Appointments Committees to be set up, one for the Head of Environment (Chief Planning Officer) post and the other for the Head of Specialist and Intensive Services. Details of the proposed recruitment arrangements together with the proposed membership of each Appointments Committee were outlined in the report.

The report concluded by indicating that the proposals would allow restructures within the Environment Department and HSCP to ensure there was appropriate leadership capacity to support the Council's ambitions and address recently emerging challenges.

The Council:-

- (a) approved the creation of the post of Head of Environment (Chief Planning Officer) along with the indicative changes to the Head of Service remits within the management structure of the Environment Department;
- (b) approved the creation of the Head of Specialist and Intensive Services and the changes to the Head of Service remits within the management structure in the Health and Social Care Partnership;
- (c) agreed that delegated powers be granted to the Deputy Chief Executive, in consultation with the Director of Environment and Chief Officer – Health and Social Care Partnership to make the necessary arrangements to approve any remit changes required; and
- (d) agreed that the following Members be appointed to the undernoted Appointments Committees:-
  - (i) Post of Head of Environment (Chief Planning Officer)
    - Councillor Alan Lafferty - Chair;
    - Councillor Tony Buchanan;
    - Councillor Annette Ireland;
    - Councillor Jim McLean; and
    - Councillor Stewart Miller.

(ii) Post of Head of Specialist and Intensive Services

Councillor Caroline Bamforth – Chair;  
Councillor Paul O’Kane;  
Councillor Jim Swift;  
and 2 NHS Non-Executive Directors.

## **EASTWOOD LEISURE CENTRE AND EASTWOOD PARK MASTERPLAN**

**1141.** Under reference to the Minute of the meeting of the Council of 26 June 2019 (Page 875, Item 937 refers) when it was agreed amongst other things that the Director of Environment report back as soon as possible in relation to the new leisure centre and theatre, the Council considered a report by the Director of Environment, providing an update on the current position in relation to the development of an Eastwood Park Masterplan and the delivery of an Eastwood Park Leisure Centre and Theatre. A copy of the vision and masterplan was appended to the report.

Whilst noting the background of the project, the report referred to the consultant’s report which was appended to the report and which reflected the position at around June 2019. However, it was noted that since that date the Council had approved Local Development Plan2 (LDP2) for publication and consultation and further discussions had taken place between the Council and the consultants with regard to the various possibilities and the detailed potential implications of each of them.

The report emphasised that the consultant’s report was much wider than simply a proposal for a leisure centre and theatre in Eastwood Park and was aspirational as it considered a vision and identity for Eastwood Park in the future including potential options for all the buildings and land within Eastwood Park to optimise the future of the park. The report identified a wide range of options which for presentational purposes were grouped into 4 main options along with a separate list of enhancement opportunities. Noting that these were simply presented as options from the consultants for the Council to consider and were not firm recommendations nor were any of the 4 groupings mutually exclusive, the report indicated that they were merely suggestions/possibilities and that a range of options could be selected or indeed alternative options selected.

Given that this was a complex matter involving options, costs and phasing, the report proposed that a cross party member and officer working group (including Elected Member Trust representation) be established to consider the consultant’s report and report back to the Council in due course with firm recommendations on the way forward. The priority for the working group would be to make recommendations to the Council around the leisure centre and theatre with wider master planning issues following at a later date if necessary. Furthermore, it was proposed that the Chief Executive of the Leisure Trust be part of the group. It was noted that the overall representation from the Trust would ensure that any proposals reflected the developing vision and relationship between the Trust and the Council and that the project and the Trust Business Plan were aligned. The report further proposed to continue to use support from the existing consultants to assist the member/officer working group to move the project at pace on to the next stage. Details of the proposed timescale associated with the process were outlined in the report.

Councillor Buchanan proposed that the joint member/officer working group should comprise himself as Leader of the Council; the Council’s 4 elected Members who sit on the Trust Board; the Chief Executive of the Leisure Trust; one unelected member of the Trust Board; and Councillor Wallace.

In reply to a question by Councillor Devlin, the Democratic Services Manager clarified that in the event of a vote taking place at the future meeting of the Council in relation to the project, the four elected Members of the Trust Board would be able to participate in such a vote and that there would be no conflict of interest.

Councillor Swift having congratulated the Council for excluding Shawfarm and Broomburn Parks as potential sites for the proposed leisure centre and commended officers for the amount of work that had gone into preparing the report, the Council:-

- (a) noted the current position with regard to the Eastwood Leisure Centre and Eastwood Park Masterplan;
- (b) approved the proposal to establish a joint member/officer working group with Elected Member representation from the Leisure Trust; and
- (c) agreed that the member/officer working group would be comprised of the following:-

Provost Jim Fletcher;  
 Councillor Tony Buchanan (Leader);  
 Councillor Barbara Grant;  
 Councillor Colm Merrick;  
 Councillor Paul O’Kane;  
 Councillor Gordon Wallace;  
 Chief Executive of ERCLT; and  
 One unelected member of the Trust Board.

#### **THE EAST RENFREWSHIRE COUNCIL (WILLIAMWOOD AND SOUTH GIFFNOCK)(ON-STREET)(WAITING AND LOADING) ORDER 2020**

**1142.** The Council considered a report by the Director of Environment, seeking approval of the making and confirmation of “The East Renfrewshire Council (Williamwood and South Giffnock)(On-Street)(Waiting and Loading) Order 2020”. A copy of the draft Order was appended to the report.

Whilst noting that the Council had introduced Decriminalised Parking Enforcement (DPE) in April 2013 and became the Parking Authority for East Renfrewshire, the report indicated that a review of current restrictions had been undertaken to assess the demands on the transport network taking into consideration changes to road layouts, increased volumes of vehicular and pedestrian traffic and associated road safety issues as a precursor to a formal consultation process and making of a new Order. Details of the formal consultation that was carried out between 23 July and 23 August 2019 together with the notice of the proposals which were published in the Evening Times newspaper and on the Council’s website were outlined in the report.

The report concluded by indicating that “The East Renfrewshire Council (Williamwood & South Giffnock)(On-Street)(Waiting and Loading) Order 2020”, by introducing new and/or amended on-street waiting and loading restrictions in the Williamwood and South Giffnock areas, would balance the demands on the transport network taking into consideration changes to road usage, volumes of vehicular and pedestrian traffic and associated road safety issues.

Councillor Ireland commended the work of officers in relation to the matter, particularly the fact that they had listened to the views of local residents in the course of which Councillor Wallace also thanked officers for being so responsive to the complaints that had been made about parking in and around Williamwood railway station.

The Council:-

- (a) approved the making and confirmation of “The East Renfrewshire Council (Williamwood and South Giffnock)(On-Street)(Waiting and Loading) Order 2020”; and
- (b) agreed that delegated powers be granted to the Director of Environment regarding the implementation of the Order in accordance with the associated statutory procedures.

## **MANAGEMENT RULES – HOUSEHOLD WASTE RECYCLING CENTRES**

**1143.** Under reference to the Minute of the meeting of the Council of 19 December 2018 (Page 672, Item 742 refers) when it was agreed amongst other things in terms of the relevant legislation, that the Council introduce Management Rules for household waste recycling centres as detailed in the report considered at that meeting, subject to the amendments made at the meeting, the Council considered a report by the Director of Environment, seeking approval of the introduction of Management Rules without the need for any amendment to the rules. The report also sought authority for the Director of Environment and the Chief Officer – Legal and Procurement to make the necessary arrangements.

Whilst noting that the management rules appended to the report were intended to provide a clear set of rules for users of Household Waste Recycling Centres (HWRCs) to abide by, the report advised that HWRCs were important facilities for councils to reduce the amount of waste that was sent to landfill by encouraging greater separation of waste. Whilst one objection had been received to the proposal, it was explained that this related to the operational activities within the site which was a delegated function of the Director of the Environment and not a condition of the site rules, and therefore was considered as not relevant.

The report concluded by explaining that the approval of the management rules would allow the site to operate in a proper manner that would maximise the opportunities for residents to recycle their waste and assist the Council in maintaining its status as the top performing recycling council in Scotland.

Councillor Aitken referred to the management rules as detailed in the report and in particular to paragraph 5(c) relating to ‘Rules of Admission’ to the HWRCs. He highlighted that residents living in the Barrhead area and/or surrounding areas who visited the Barrhead recycling centre and who were driving commercial vehicles such as pick-ups or vans were not permitted to gain entry whereas they could gain entry at the Greenhags site. He sought clarification why the Council could not apply the same rules at both recycling centres.

In reply, the Director of Environment advised that the issue raised was an operational matter which was delegated to him. He stated that he had made a decision not to allow commercial vehicles access to the Barrhead centre on the basis of the abuse of the centre that had taken place in the past by traders and those who were not residents of East Renfrewshire. Concluding his remarks, he advised that he did not have the resources to operate both centres in the same way.

The Council agreed to introduce management rules for Household Waste Recycling Centres as amended at the Council meeting of 19 December 2018.

