

## **MINUTE VOLUME CONTENTS**

Planning Applications Committee (already approved by Council on 11 September 2019)	4 September 2019 .....	925
Local Review Body (already approved by Council on 11 September 2019)	4 September 2019 .....	929
Civic Hospitality Committee (already approved by Council on 11 September 2019)	4 September 2019 .....	933
Licensing Committee (already approved by Council on 11 September 2019)	10 September 2019 .....	935
Council	11 September 2019 .....	941
Cabinet	12 September 2019 .....	959
Cabinet (Police & Fire)	19 September 2019 .....	961
Audit & Scrutiny Committee	26 September 2019 .....	965
Council	26 September 2019 .....	973
Local Review Body	2 October 2019 .....	975
Education Committee	3 October 2019 .....	979
Licensing Committee	15 October 2019 .....	983
Cabinet	24 October 2019 .....	985



**MINUTE**  
**of**  
**PLANNING APPLICATIONS COMMITTEE**

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 4 September 2019.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Angela Convery  
Provost Jim Fletcher

Councillor Stewart Miller  
Councillor Jim Swift

Councillor Ireland in the Chair

**Attending:**

Sean McDaid, Principal Planner, and Zara Foster, Graduate Planner, Development Management; Graham Shankland, Principal Strategy Officer (Regulatory and Strategy); and Paul O'Neil, Committee Services Officer.

**Apologies:**

Councillors Betty Cunningham (Vice Chair), and Jim McLean.

**DECLARATIONS OF INTEREST**

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

**NOTIFICATION OF PLANNING APPEALS AND APPEAL DECISIONS**

**996.** The committee considered a report by the Director of Environment, advising of the intimation by the Directorate for Planning and Environmental Appeals (DPEA) of the outcome of two appeals against the committee's decision to refuse planning permission.

The report explained that the appointed Reporter had dismissed one appeal relating to the formation of a driveway incorporating reduction in ground levels and reduction in height of boundary wall with formation of lowered and raised kerbs at footpath at 29 East Kilbride Road, Busby (i.e. Application Ref No:- 2019/0098/TP) and that the other appeal had been upheld by the Reporter in respect of the change of use of a public house to a funeral parlour at the former Toby Carvery, Glasgow Road, Hurler, Barrhead, subject to two conditions (i.e. Application Ref No:- 2019/0085/TP).

The committee noted the terms of the report.

**APPLICATION FOR PLANNING PERMISSION**

**997.** The committee considered a report by the Director of Environment, on an application for planning permission in principle for the erection of a dwellinghouse following demolition of the garage on the garage site adjacent to 10 Ravenstone Drive, Giffnock, requiring consideration by the committee.

Following discussion, the committee agreed that the application be refused.

CHAIR

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT  
1997**

Index of applications under the above acts determined by the Planning Applications  
Committee on  
4th September 2019

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**Reference No:** 2018/0763/TP

**Ward:** 3

**Applicant:**

Mr Douglas Cardiff  
6 Tweedsmuir Crescent  
Bearsden  
Glasgow  
Scotland  
G61 3LE

**Agent:**

Kenneth Findlay  
90 Thane Road  
Knightswood  
Glasgow  
Scotland  
G133BN

**Site:** Garage site adjacent to 10 Ravenstone Drive, Giffnock, East Renfrewshire, G46 6AL

**Description:** Erection of dwellinghouse following demolition of garage (planning permission in principle)

**Decision:** Refused



**MINUTE**  
**of**  
**LOCAL REVIEW BODY**

**Minute of Meeting held at 2.30pm in the Council Chamber, Council Headquarters, Giffnock on 4 September 2019.**

**Present:**

Councillor Annette Ireland (Chair)  
Councillor Angela Convery

Provost Jim Fletcher  
Councillor Jim Swift

Councillor Ireland in the Chair

**Attending:**

Graham Shankland, Principal Strategy Officer (Regulatory and Strategy) (Planning Adviser); Gerry Mahon, Chief Officer - Legal and Procurement (Legal Adviser); and Paul O'Neil, Committee Services Officer (Clerk).

**Apologies:**

Councillors Betty Cunningham (Vice Chair), Jim McLean, and Stewart Miller.

**DECLARATIONS OF INTEREST**

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

**NOTICE OF REVIEW – REVIEW 2019/11 – ERECTION OF RAISED DECKING AT REAR (IN RETROSPECT) AT 14 DUNGLASS PLACE, NEWTON MEARNS (REF NO: 2019/0043/TP)**

**999.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Ms K Lawson, against the decision taken by officers to refuse planning permission in respect of raised decking at rear (in retrospect) at 14 Dunglass Place, Newton Mearns.

The decision had been made in accordance with the Council's Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended.

In accordance with the decision taken at the meeting on 10 August 2016, the Local Review Body had carried out an unaccompanied site inspection of the application site immediately prior to the meeting.

The Local Review Body was advised that the applicant had submitted new evidence which was not before the Appointed Officer at the time the determination of the application was made.

At this stage, a copy of an e-mail of 24 July that the applicant had sent to the Local Review Body but had not been received was tabled. This document provided an explanation as to why the new information had not been submitted to the Appointed Officer at the time the determination of the application was made. Details of the procedure that required to be followed should the new information be taken into account were explained to the Local Review Body.

At this stage, the Local Review Body decided not to give consideration to the new information in the determination of the review.

The Local Review Body, having considered the information previously circulated, agreed that it had sufficient information to determine the review without further procedure, this being subject to the inclusion of an e-mail of 13 August that the applicant had sent to the Local Review Body but had not been received, a copy of which was tabled. This document outlined the applicant's response to the further representations she had received from an interested party in respect of her review case.

Following discussion, Councillor Ireland, seconded by Councillor Convery, moved to uphold the decision of the Appointed Officer as set out in the decision notice of 10 April 2019 and refuse planning permission.

Councillor Swift, seconded by Provost Fletcher, moved as an amendment to overturn the decision of the Appointed Officer as detailed in the decision notice of 10 April 2019 and grant planning permission.

On a vote being taken, 2 Members voted for the motion and 2 Members voted for the amendment. There being an equality of votes cast, in accordance with Standing Order 32(c) the Chair had a casting vote which she cast in favour of the motion.

The motion was accordingly declared carried and it was agreed to uphold the decision of the Appointed Officer as set out in the decision notice of 10 April 2019 and refuse planning permission.

**NOTICE OF REVIEW – REVIEW 2019/12 – ERECTION OF SINGLE STOREY REAR EXTENSION WITH RAISED PLATFORM; INSTALLATION OF DORMER WINDOWS AT FRONT AND REAR AT 5 EDZELL DRIVE, NEWTON MEARNS (REF NO: 2019/0172/TP)**

**1000.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Ms J Raeside against the decision taken by officers to refuse planning permission in respect of the erection of a single storey rear extension with raised platform; installation of dormer windows at front and rear at 5 Edzell Drive, Newton Mearns.

The decision had been made in accordance with the Council's Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended.

In accordance with the decision taken at the meeting on 10 August 2016, the Local Review Body had carried out an unaccompanied site inspection of the application site immediately prior to the meeting.

Having been advised that the applicant had submitted new evidence which was not before the Appointed Officer at the time the determination of the application was made and having noted the procedure that required to be followed should the new information be taken into



account, the Local Review Body decided not to give consideration to the new information in the determination of the review.

The Local Review Body, having considered the information previously circulated, agreed that it had sufficient information to determine the review without further procedure.

Following discussion, it was agreed that the decision of the Appointed Officer as set out in the decision notice of 17 May 2019 be overturned and that planning permission be granted.

CHAIR



**MINUTE**  
**of**  
**CIVIC HOSPITALITY COMMITTEE**

**Minute of Meeting held at 3.30pm in the Council Chamber, Council Headquarters, Giffnock, on 4 September 2019.**

**Present:**

Provost Jim Fletcher (Chair)  
Councillor Barbara Grant

Councillor Annette Ireland  
Councillor Stewart Miller

Provost Fletcher, in the Chair

**Attending:**

Eamonn Daly, Democratic Services Manager and Margaret Pettigrew, Members Services Officer.

**Apology:**

Deputy Provost Betty Cunningham.

**DECLARATIONS OF INTEREST**

**1001.** There were no declarations of interest intimated.

**CIVIC HOSPITALITY COSTS AND USE OF COUNCIL ACCOMMODATION**

**1002.** The committee considered a report by the Deputy Chief Executive advising of costs for various recurring events, the current estimated level of funding available for new events, and the extent to which in terms of delegated powers permission had been given to outside bodies to use Council accommodation for meetings and functions, the responsibility for which fell outwith the letting arrangements managed by other departments.

Having heard Councillor Grant on the possible future reinstatement of the Eastwood Rotary Club fundraising golf competition and on the Rotary Young Leaders Award camp attended by a number of local young people, the committee noted the report.

**REQUESTS FOR CIVIC HOSPITALITY**

**1003.** The committee considered a report by the Deputy Chief Executive seeking consideration of 4 requests that the Council provide civic receptions as undernoted:-

Include Me 2 Club; and East Renfrewshire Additional Support Needs Parents Action Group	To recognise the award of the Queen's Award for Voluntary Service (QAVS) to both organisations
United Reform Church Barrhead	To recognise the 175 <sup>th</sup> anniversary of the church
Mearns Bowling Club	To recognise the centenary of the club
Giffnock Bowling Club	To recognise the 125 <sup>th</sup> anniversary of the club

The committee approved all 4 requests for a civic reception.

CHAIR

**MINUTE**  
**of**  
**LICENSING COMMITTEE**

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 10 September 2019.**

**Present:**

Councillor Angela Convery (Chair)  
Councillor Betty Cunningham (Vice-Chair)

Councillor Charlie Gilbert  
Councillor Stewart Miller

Councillor Convery in the Chair

**Attending:**

Jacqui McCusker, Senior Solicitor; Brian Kilpatrick, Civic Government Enforcement Officer; and Ron Leitch, Committee Services Officer.

**Also Attending:**

Sergeants Scott Brown and Lisa Millar, Police Scotland.

**Apology:**

Councillor Alan Lafferty.

**DECLARATIONS OF INTEREST**

**1004.** There were no declarations of interest intimated.

**Resolution to Exclude Press and Public**

At this point in the meeting, on the motion of the Chair, the committee unanimously resolved that in accordance with the provisions of Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for the undernoted items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 6 and 14 of Part 1 of Schedule 7A to the Act.

**Variation in Order of Business**

In accordance with Standing Order 19, Councillor Convery agreed to vary the order of business as printed on the agenda in order to facilitate the conduct of the meeting.

### **PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT**

**1005.** The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 3 refers).

The applicant was present accompanied by his solicitor Mr O'Donnell.

Sergeants Brown and Millar representing the Chief Constable, who had made an objection in respect of the application, were also present.

The report explained that in determining the application it would be for the committee to decide what weight it wished to attach to the objection by the Chief Constable and its relevance to the type of licence being applied for.

Sergeant Brown was heard in respect of the objection submitted by the Chief Constable and in response to questions from Members.

The applicant's solicitor was then heard in respect of the application and in response to questions from Members.

The committee, having taken account of the applicant's previous conviction, its seriousness and relevance to the licence being applied for, and also having taken account of the objection by the Chief Constable, agreed that the application be granted for a period of 12 months subject to standard terms and conditions.

### **TAXI DRIVER'S LICENCE – REQUEST FOR SUSPENSION**

**1006.** The committee considered a report by the Chief Officer (Legal & Procurement) in relation to a request for the suspension of a Taxi Driver's Licence on the grounds that the licence holder was no longer a fit and proper person to be the holder of such a licence by virtue of the circumstances outlined in the letter from the Chief Constable (Agenda Item 9 refers).

The licence holder was present.

Sergeants Brown and Millar, representing the Chief Constable who had made the request, were also present.

Sergeant Brown was heard in respect of the request submitted by the Chief Constable and in response to questions from Members.

The licence holder was then heard in respect of the request and in response to questions from Members.

Having fully discussed the circumstances, the committee agreed not to suspend the licence in terms of Paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982 pending the outcome of the forthcoming court case.

The licence holder was reminded of his obligation under the terms and conditions of the licence to immediately advise the Council if he was later found guilty of any offence in court.

## **PRIVATE HIRE CAR OPERATOR'S LICENCE – APPLICATION FOR RENEWAL**

**1007.** The committee considered a report by the Chief Officer (Legal & Procurement) in relation to an application for the renewal of a Private Hire Car Operator's Licence (Agenda Item 11 refers).

The licence holder was present.

Sergeants Brown and Millar, representing the Chief Constable who had made an objection in respect of the application, were also present.

Sergeant Brown was heard in respect of the objection submitted by the Chief Constable and in response to questions from Members.

The licence holder was then heard in respect of the application and in response to questions from Members.

Having fully discussed the circumstances, and also having taken account of the objection by the Chief Constable, the committee agreed to renew the licence for a period of 36 months subject to standard terms and conditions.

The licence holder was reminded of his obligation under the terms and conditions of the licence to immediately advise the Council if he was later found guilty of any offence in court.

## **PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT**

**1008.** The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 8 refers).

The applicant was present accompanied by his solicitor Mr Mitchell.

Sergeants Brown and Millar, representing the Chief Constable who had made a representation in respect of the application, were also present.

The report explained that in determining the application it would be for the committee to decide what weight it wished to attach to the representation by the Chief Constable and its relevance to the type of licence being applied for.

Sergeant Brown was heard in respect of the representation submitted by the Chief Constable and in response to questions from Members.

The applicant's solicitor was then heard in respect of the application and in response to questions from Members.

The committee agreed to a short adjournment to consider the matter.

On reconvening, the committee, having taken account of the applicant's previous convictions, their seriousness and relevance to the licence being applied for, and also having taken account of the representation by the Chief Constable, agreed that the application be refused on the grounds that the applicant was not a fit and proper person to be the holder of such a licence by virtue of his previous convictions.

### **PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT**

**1009.** The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 7 refers).

The applicant was present.

Sergeants Brown and Millar representing the Chief Constable who had made a representation in respect of the application were also present.

The report explained that in determining the application it would be for the committee to decide what weight it wished to attach to the representation by the Chief Constable and its relevance to the type of licence being applied for.

Sergeant Brown was heard in respect of the representation submitted by the Chief Constable and in response to questions from Members.

The applicant was then heard in respect of the application and in response to questions from Members.

The committee, having fully discussed the matter, and also having taken account of the representation by the Chief Constable, agreed that consideration of the application be deferred for a period of 6 months or until the conclusion of possible pending court action, whichever is the sooner.

### **PRIVATE HIRE CAR DRIVER'S LICENCE – REQUEST FOR SUSPENSION**

**1010.** The committee considered a report by the Chief Officer (Legal & Procurement) in relation to a request for the suspension of a Private Hire Car Driver's Licence on the grounds that the licence holder was no longer a fit and proper person to be the holder of such a licence by virtue of the circumstances outlined in the report prepared by the Civic Government Enforcement Officer following receipt of a complaint against the licence holder by a member of the public (Agenda Item 10 refers).

The licence holder was present accompanied by his solicitor Mr Mitchell.

The Civic Government Enforcement Officer, who had made the request, was also present.

The applicant advised that he had not received the report prepared by the Civic Government Enforcement Officer and was not clear why he was required to attend the meeting, notwithstanding the fact that he had been interviewed by the Civic Government Enforcement Officer in relation to the complaint.

Thereafter, the committee agreed to defer consideration of the request to the next meeting in order to allow time for the licence holder's solicitor to be provided with a copy of the report and to prepare a case on behalf of his client.

### **PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT**

**1011.** The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 4 refers).



The applicant, having been invited to attend, was not present.

Sergeants Brown and Millar, representing the Chief Constable who had made an objection in respect of the application, were present.

The committee agreed to defer consideration of the application to the next meeting to allow the applicant to make a personal appearance. In the event that the applicant again failed to appear the committee would proceed to determine the application in his absence.

#### **PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT**

**1012.** The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 5 refers).

The applicant, having been invited to attend, was not present.

Sergeants Brown and Millar, representing the Chief Constable who had made an objection in respect of the application were present.

The committee agreed to defer consideration of the application to the next meeting to allow the applicant to make a personal appearance. In the event that the applicant again failed to appear the committee would proceed to determine the application in his absence.

#### **PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT**

**1013.** The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 6 refers).

The applicant, having been invited, was not present.

Sergeants Brown and Millar, representing the Chief Constable who had made a representation in respect of the application, were present.

The committee agreed to defer consideration of the application to the next meeting to allow the applicant to make a personal appearance. In the event that the applicant again failed to appear the committee would proceed to determine the application in his absence.

CHAIR



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

**Minute of Meeting held at 7.00pm in the Council Chamber, Council Headquarters, Giffnock, on 11 September 2019.**

**Present:**

Provost Jim Fletcher	Councillor Annette Ireland
Councillor Paul Aitken	Councillor Alan Lafferty
Councillor Caroline Bamforth	Councillor David Macdonald
Councillor Tony Buchanan (Leader)	Councillor Jim McLean
Councillor Angela Convery	Councillor Stewart Miller
Councillor Danny Devlin	Councillor Paul O’Kane
Councillor Charlie Gilbert	Councillor Jim Swift
Councillor Barbara Grant	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); Janice Collins, Head of Education Services (Equality and Equity); Eamonn Daly, Democratic Services Manager; and Linda Hutchison, Senior Committee Services Officer.

**Apology:**

Councillor Colm Merrick.

**REQUEST TO RECORD PROCEEDINGS**

**1014.** Provost Fletcher intimated that a request had been received to audio record the meeting. The request was approved.

**DECLARATION OF INTEREST**

**1015.** Councillor Ireland declared a non-financial interest in relation to Item 1032 by virtue of the fact she resided in Netherlee within the boundary of the proposed Netherlee Conservation Area.

## MINUTE OF PREVIOUS MEETING

**1016.** The Council considered the Minute of the meeting held on 26 June 2019. Under reference to Item 943 (Page 880 refers), Councillor Wallace commented that the report on the East Renfrewshire Social Impact Pledge concerned how the Scottish Government was challenging local authorities to make a positive impact through better use of its assets, referring to the use made of Rouken Glen Park for a music festival as a good example. Having expressed concern that the Park remained seriously damaged after the event despite an undertaking having been given to reinstate it, he sought clarification on when that would be remedied.

The Council, having heard Provost Fletcher remind Members that in terms of Standing Orders the only questions permitted on the Minute were in relation to accuracy and that Councillor Wallace should have raised the matter through the submission of a written question:-

- (a) approved the Minute of the meeting held on 26 June 2019; and
- (b) otherwise, noted the comment made by Councillor Wallace.

## MINUTES OF MEETINGS OF COMMITTEES

**1017.** The Council considered and approved the Minutes of the meetings of the undernoted, except as otherwise referred to in Item 1018 below:-

- (a) Planning Applications Committee – 7 August 2019;
- (b) Local Review Body – 7 August 2019;
- (c) Licensing Committee – 13 August 2019;
- (d) Cabinet – 15 August 2019;
- (e) Audit and Scrutiny Committee – 15 August 2019;
- (f) Education Committee – 22 August 2019;
- (g) Appeals Committee - 27 August 2019;
- (h) Cabinet – 29 August 2019;
- (i) Appeals Committee – 2 September 2019;
- (j) Planning Applications Committee – 4 September 2019;
- (k) Local Review Body – 4 September 2019;
- (l) Civic Hospitality Committee – 4 September 2019; and
- (m) Licensing Committee – 10 September 2019.

## PLANNING APPLICATIONS COMMITTEE – 7 AUGUST 2019 – TELECOMMUNICATIONS CABINET AT POLNOON STREET, EAGLESHAM

**1018.** Under reference to the Minute of the meeting of the Planning Applications Committee of 7 August 2019 (Page 886, Item 951 refers), Councillor Ireland requested that it be clarified further in the penultimate paragraph of the Minute that the committee had agreed to approve Option 2, although this would result in a loss of some broadband service, because this was considered to be a solution that would minimise disruption.

The Council agreed that the Minute as amended be approved.

## **ANNUAL TREASURY MANAGEMENT REPORT 2018/19**

**1019.** Under reference to the Minute of the meeting of the Audit and Scrutiny Committee of 15 August 2019 (Page 901, Item 972 refers), the Council considered a report by the Head of Accountancy (Chief Financial Officer) providing details of the Council's treasury management activities for the year ending 31 March 2019, and seeking approval of the organisations specified in the report for the investment of surplus funds.

The report explained that in line with the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management, the Audit and Scrutiny Committee was responsible for ensuring effective scrutiny of treasury management activities. The submission of the report to the committee had been in accordance with that requirement.

The Council agreed to:-

- (a) note the Treasury Management Annual Report for 2018/19; and
- (b) approve those organisations specified in the report for investment of surplus funds.

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

**1020.** Under reference to the Minute of the meeting of the Cabinet of 29 August 2019 (Page 918, Item 987 refers), when it had been 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.

In reply to Councillor Grant, the Head of Accountancy referred to the phasing of anticipated expenditure on the proposed new Eastwood Leisure Centre. Having explained that the majority of the expenditure was expected to be incurred in 2020/21 and 2021/22 because work on the facility remained to start, she confirmed that a detailed report on the proposed facility was awaited from the Director of Environment. It was confirmed that the report submitted to the Council in February 2019 on the General Fund Capital Plan covering 2019/20 to 2026/27 included reference to funds earmarked for the project and that provision of £100k for fees in the current year, which remained to be spent, had been made.

The Council:-

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

## HOUSING CAPITAL PROGRAMME 2019/20

**1021.** Under reference to the Minute of the meeting of the Cabinet of 29 August 2019 (Page 988, Item 988 refers), when it had been 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 income and expenditure on the programme would be managed and reported on a regular basis.

## NOTICE OF MOTION

**1022.** In accordance with Standing Order 25, the following notice of motion had been submitted by Councillor Miller, seconded by Councillor Swift.

*This council noted the aims of the Give Them Time Campaign, set up by parents, both local and national, to share experiences of applying for a further year of Nursery funding for their child to defer starting P1;*

*understand that the national survey found that only 19% of parents knew about their legal right to defer children born between mid August to December compared to 80% knowing that children born in January and February;*

*notes that East Renfrewshire Council does not offer a guaranteed right to Nursery funding for deferred children born between mid August and December and agrees that, starting with applications for 2020/21 school year, any application to defer a child's P1 start whose birthday falls between the start of the school year and February will be granted automatically, with a further one years Nursery funding provided,*

*agrees that this Authority will write to the Scottish Government to request Ministers engage with East Renfrewshire Council about the extra funding required within it's 2020/21 budget to finance all additional Nursery placements for children who have a legal right to defer the start of primary education under the terms of the Education Scotland Act (1980)*

Councillor O'Kane, seconded by Councillor Buchanan, moved as an amendment that the motion be approved subject to the following amendment:-

*Delete from "East Renfrewshire Council does not offer a guaranteed right to Nursery" to the end and insert "the issues have been discussed locally and at the Children and Young People Board of COSLA and as a result all 32 Local Authorities should now provide clearer information regarding deferral rights and application processes (this is being undertaken by the Education Department); further notes that the Council funds an extra year of early learning and childcare where this is deemed to be of benefit to the child; Council acknowledges that any change to*

*Annex B of Section 34 of the Education Scotland Act (1980) and provision of associated funding is the responsibility of the Scottish Parliament; Council agrees that this Authority will write to the Scottish Government to highlight the campaign and issues raised”.*

Provost Fletcher invited Councillor Miller to speak to the terms of the motion.

Councillor Miller commented that it was well known that children differed and were not all ready for school at the same time. He reported that information he had obtained suggested that were every child to defer the additional cost would be £30m, Additional costs in the event all children with birthdays from August to December deferred would be £3m. As not all of these children would defer, the cost to the Council would be lower still. Councillor Miller suggested that the Education Department seemed more concerned about the cost of the suggestion than its impact on young children. Having acknowledged there would be some cost implications if the motion was carried, he suggested that the number of children concerned would be small and that related costs could be funded from within existing budgets, as some other new initiatives had.

Councillor Miller quoted extensively from comments made by a parent who had applied for a funded deferral, had found the experience horrific, and had said that the nursery had not provided support and that officers had said everything would be fine. He commented that nowhere in the decision made were the wishes of the parents who knew their child best considered, reporting that the parent felt the decision making to be flawed and had said that one informal call to the nursery had decided the application's fate. Councillor Miller suggested this tied in with survey findings which reflected that only 16% of those applying for a funded deferral had said their local authority provided adequate information, and that only one respondent had considered the process straightforward.

Referring to equality, generally and within the Council, Councillor Miller argued that a child born at midnight on 1 January had more rights than one born 10 minutes earlier, an aim of the motion being to correct inequality and 'get it right for every individual child' as one size did not fit all. Having highlighted that the Council promoted fairer East Ren, he said he considered the current approach to be an example of age discrimination, expressing the view that the Council could not have it both ways.

Whilst referring to the enormous work done on the issue through the Give Them Time Campaign and related findings of its extensive research, Councillor Miller commented that some of the conclusions of educationalists across the UK and abroad were quite startling, citing the example of evidence from England which reflected that the attainment gap between older and younger children in the same year group persisted until age 11. He reiterated that the Council's approach was about costs not children's or parents' interests; but acknowledged there were costs associated with approving the motion, including a major one when children who deferred reached secondary 6. Councillor Miller referred to recent comments by the Head Teacher of Williamwood High School about increasing numbers of young people leaving school at the end of S5 and going onto positive destinations, arguing that if this trend continued, approval of the motion could save money over a child's entire time at school.

Councillor Miller concluded that, contrary to some educationalists' views, he agreed with parents that they know their children best and that their views should be taken into account. Having summarised other comments made by parents seeking deferral, such as about receiving incorrect information or it changing over time, he referred to one respondent who had claimed a nursery had been supportive only when the parents' intentions were made clear.

He also referred to the comments of two other respondents, both teachers, who observed a huge difference in children who deferred at age 4, and who had sought deferral for a second child who was academically and emotionally slightly behind an older sibling. Councillor Miller had been advised that the Council had not provided help to them, but that it had been suggested to them that they could self-fund the deferral but without a guarantee of their child remaining at the same nursery. Commending the motion, Councillor Miller said the Council must do better to be regarded as a modern, progressive one, given that it professed to support “fairer East Ren”.

In seconding the motion, Councillor Swift referred to the attainment gap, an approach on sport adopted in America, advantages of older pupils and the wish for children to excel, including in sport and art. He argued that pupils were disadvantaged if they progressed too early, commenting on related issues such as supporting families to help them maximise their children’s attainment and the need for some children to defer without their families being penalised financially. He acknowledged high attainment in local schools, but felt more could be done to give some pupils more space. Having referred to the legal right that currently existed to defer, Councillor Swift questioned why financial provision could not be made, citing the different approach adopted by North Lanarkshire and Falkirk Councils.

Councillor Swift considered there to be almost no financial implications associated with the proposal, commenting that only 12 children in the current year had been affected. He supported choice and the provision of funding when children deferred, considering the current approach untenable. Regarding recent educational developments, including the new Curriculum for Excellence and how such approaches were linked to tailoring education to need, he questioned why such an approach was not taken on nursery provision when parents demonstrated this appropriate.

Whilst responding to the comments made, Councillor O’Kane thanked the Give Them Time Campaign for raising awareness on the issue amongst Elected Members and for meeting with them, encouraging all Councillors to note the Campaign’s aims and appreciate related discussion both locally and nationally. Having referred to extensive work done to ensure parents of children born between mid-August and December were made aware of their rights on deferrals, he commented on the current position, specifying the duties placed upon local authorities under the Standards in Scotland’s Schools Etc. Act 2000. That Act placed a duty on Education Authorities to provide an additional year of free, pre-school education for children with birthdays in January or February in the year they were starting primary school. He highlighted that for children whose 5<sup>th</sup> birthday fell between the start of the term in August and December, Education Authorities required to exercise discretion on granting an additional free year of pre-school education.

Councillor O’Kane clarified that each application for discretionary deferral was looked at individually, including through information from parents, and reports and plans from professionals including the nursery head teacher and others acting in a professional capacity. He stressed that when evidence showed that an additional year of early learning and child care would provide educational benefits the deferral was granted, 10 of the 19 applications for deferral made for the current academic session having been granted. Councillor O’Kane confirmed that if a parent disagreed with the decision, supplementary information was sought, with nursery staff asked to complete an assessment focussing on the child’s social and emotional development which could lead to the original decision being overturned.

Councillor O’Kane explained that if funding was not granted, parents could still exercise their right to defer, subject to meeting the associated costs. He added that, having spoken to the Give Them Time Campaign, education officers and specialists, it was clear that opinions on the benefits of deferral varied. Having commented on some research which found there to



be no effects of school entry age on educational attainment which he offered to make available to other Elected Members, he added that others argued parents know their children best and should have an automatic right to a funded, extra year of early learning. Referring to debate on this issue in the Scottish Parliament he stated that, to avoid a postcode lottery, the Act referred to would require to be amended which was in the hands of the Parliament.

Councillor O’Kane explained that COSLA had addressed the issue with all 32 local authorities. As the Council’s representative on the COSLA Children and Young Peoples Board, he had supported a move to ensure all authorities provided clear and consistent information to parents about their rights to defer, confirming that this work was being progressed by the Education Department. He considered it clear that any national solution would require an element of additional funding for Councils.

Whilst referring to the Council’s duty to provide 600 hours of early learning and childcare for eligible children at present, rising to 1140 hours in August 2020, regarding local early learning centres Councillor O’Kane specified that approximately 440 local children were born between August to December annually. Having clarified that approximately 55% of the children with January and February birthdays had sought deferral in the last 3 years, he estimated that if those with August to December birthdays followed the same pattern, the additional cost of providing 600 additional hours to 242 children would be almost £1.1m, the cost of 1140 hours being almost £1.6m. Both required additional funds, including possibly capital expenditure, to provide sufficient space. Having reiterated that the power to change legislation rested with the Scottish Parliament and that additional funds followed any such change, Councillor O’Kane concluded that he was unable to support the motion, but was happy to write to the Scottish Government highlighting the Give Them Time Campaign and related issues raised.

Seconding the terms of the amendment, Councillor Buchanan referred to Councillor O’Kane’s comments on costs and associated issues, commenting on parents’ views and acknowledging that arguments existed on both sides. He highlighted that educational provision and related performance locally were outstanding, argued that the Council delivered at every school stage, and reminded Elected Members of the nursery provision made available locally prior to it becoming a legal requirement, which had been worthwhile. Councillor Buchanan highlighted that making the suggested provision available required savings to be generated elsewhere. Regarding Councillor Swift’s comments on giving children advantages, he stressed that the financial implications of many deferrals would be significant, that the purpose of making provision available in the first place would be defeated therefore, and that this would have a knock-on effect for attainment and a peer impact. His view was that a valid argument for change had not been made, given that deferrals were granted when merited.

Whilst supporting the motion, Councillor Macdonald stressed that inequality was the issue, arguing that a child born in East Renfrewshire should receive no less than one born in North Lanarkshire for example. He accepted that funded deferment should, ideally, be determined by legislation as it was an equality issue, arguing that it would be ridiculous to suggest that issues such as disability or gender equality rights were determined by local authorities, whereas providing equality to young children in this case had been left to them. He believed strongly that the Council should be progressive, as many suggested it was on issues, rather than react to any legislative change on this matter, demonstrating that it stood for fairness and equality and lived up to the expectations of Getting it Right for Every Child (GIRFEC).

Councillor Macdonald expressed the view that by continuing to adopt the current discretionary approach for those children whose birthdays fell between August and December, the Council was enabling age discrimination and inequality to continue and supporting the local authority

lottery that existed on this. Having thanked the Leader and Convener for Education and Equalities for discussing the issue with him at length, he reported that they had clarified they were not convinced that the policy change proposed was fair and just, expressing hope they would reconsider.

Councillor Macdonald challenged the validity of the costs the Education Department had provided to him which had confirmed that the cost of an additional 1140 hours provision per annum would be £6,053 per pupil for a funded provider or £6,555 for a Council run nursery. For £1.5m, this equated to 247 and 228 deferments respectively. Given that only 10 of the 19 funded applications in 2019/20 had been approved, he questioned why the department expected the figure to multiply 13-fold, instead estimating the additional cost to be £115k to £124k per annum if the application rate remained unchanged. He argued that the actual increase was offset by approximately a further £60k per annum as only 10 applications had been approved.

However he also stressed that the deferral decision should not be taken on a monetary basis but rather on the basis of equality and best interests of the child. Referring to the terms of a motion he had moved previously and which had been approved subject to a modest amendment proposed by Councillor O’Kane, calling for the Scottish Government to adopt the UN Convention on Rights of the Child, he urged members to progress this agenda further now. He considered it absurd not to honour the rights of all children with birthdays between August to February by automatically funding deferment if parents applied which he stated would be for valid reasons about their children not being ready for school. He expressed the view that, ideally, parents would wish their child to progress with their friends, adding that a decision to defer in the best interests of their child was heart wrenching for many, the only thing they were requesting being financial support to afford their child additional time to develop and cope with entry into primary school for their benefit. He argued that such children should not be the victims of age discrimination and that parents should not be penalised based on their ability to fund a deferral.

Also speaking in support of the motion, Councillor Aitken commented that it was easy to get lost in terminology used on this issue. He argued that funding for deferment was required because all children were different, that some needed to wait until they were aged 5½ before starting P1, and that children aged 4 who deferred should not be disadvantaged. Referring to Councillor O’Kane’s comments, he stated that legislation was not required on the matter as the authority already had discretion to grant deferrals, suggesting that the issue was simply one of not meeting costs. He shared with Elected Members much fuller testimony from the constituent Mother referred to by Councillor Miller earlier in the meeting. Having quoted extensively what she had said on a range of issues, he encouraged Elected Members to vote in favour of the policy change which he considered the right decision for the area’s youngest citizens.

Councillor Ireland referred to the example cited of the provision made in North Lanarkshire, highlighting that no reference had been made to Fife Council’s decision not to make this provision available. Having thanked the Give Them Time Campaign for its work and acknowledged there were personal issues for some families on this matter, she highlighted the option that already existed for the Education Authority to consider the individual needs of those with birthdays between August and December and fund provision when merited. She commented on the playful pedagogy approach and the importance of children having a smooth transition from nursery to primary school, welcoming promotion of information on rights by the Give Them Time Campaign and COSLA. Councillor Ireland argued that some quick, easy changes could be made, such as the Education Department working with the Council’s Communications Team to promote information and access to application forms for example which would also improve transparency. She welcomed the amendment.

Councillor Bamforth also thanked the Give Them Time initiative for highlighting the position on provision, and referred to extensive background reading available. Referring to some research Councillor Miller had commented on, she reported that this related to statistical analysis of tests in England which revealed that age was not a predictor of attainment. Adding that the position in England differed from Scotland, she explained that general research indicated that by age 7 most children had caught up with each other, arguing in favour of focussing on the few who did not, as promoted by GIRFEC, which focussed on individual children.

Councillor Bamforth reported that, if deferral became more widespread, there could be an 18 month age gap between pupils in some classes, referring to added pressures this would bring to schools and teachers and adding that this might increase anxiety levels amongst children. She highlighted that if the motion was supported, many children would be eligible to leave school at age 16 without any qualifications, this being a reason why pupils were sometimes slotted back into their own peer groups in England. Councillor Bamforth argued that the effect of approving the motion would follow children throughout their entire school career, reporting also that some parents had asked her if they could defer their children's entry into primary school to assist them with placing requests where these had been refused. She supported deferral where merited in line with GIRFEC, welcomed increased transparency, and supported involving quality improvement officers in decision making.

Provost Fletcher invited Councillor Miller to sum up.

In doing so, Councillor Miller stated that he considered some of the comments made incredulous, commenting that both Councillors O'Kane and Bamforth had congratulated the Give Them Time Campaign, but neither had supported the motion nor mentioned involving parents in deferral assessments, adding that some MSPs supported legislative change on the issue. He highlighted that the Convener with responsibility for equalities had not mentioned that issue. Having acknowledged excellent educational provision within the authority, he argued that a better approach could still be adopted and that it was not expected that all who could defer would do so. Referring to comments made by those supporting the amendment about the funding, he stated there had been no mention made of parents.

In accordance with Standing Order 32(b), Councillors Miller, Swift and McLean requested a roll call vote.

On the roll being called, Councillors Aitken, Gilbert, Grant, Macdonald, McLean, Miller, Swift, and Wallace voted for the motion.

Provost Fletcher, Deputy Provost Cunningham and Councillors Bamforth, Buchanan, Convery, Devlin, Ireland, Lafferty and O'Kane voted for the amendment.

There being 8 votes for the motion and 9 for the amendment, the amendment was declared carried and motion as amended was approved as follows:-

*This council noted the aims of the Give Them Time Campaign, set up by parents, both local and national, to share experiences of applying for a further year of Nursery funding for their child to defer starting P1;*

*understand that the national survey found that only 19% of parents knew about their legal right to defer children born between mid August to December compared to 80% knowing that children born in January and February;*

*notes that the issues have been discussed locally and at the Children and Young People Board of COSLA and as a result all 32 Local Authorities should now provide clearer information regarding deferral rights and application processes (this is being undertaken by the Education Department); further notes that the Council funds an extra year of early learning and childcare where this is deemed to be of benefit to the child; Council acknowledges that any change to Annex B of Section 34 of the Education Scotland Act (1980) and provision of associated funding is the responsibility of the Scottish Parliament; Council agrees that this Authority will write to the Scottish Government to highlight the campaign and issues raised.*

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

**1023.** The following statements were made:-

### **Councillor Bamforth - Integration Joint Board**

Councillor Bamforth referred to business considered at the most recent meeting of the Health and Social Care Partnership Integration Joint Board (IJB) at which a presentation had been made by some of the authority's care experienced young people on Team Work Makes Champions and achievements of the Champions Board since its establishment. She emphasised that the IJB had been impressed regarding the strong relationship between the young people and their corporate parents and how they had genuinely influenced change.

Regarding the Council's care at home service, Councillor Bamforth reported that the IJB was continuing to monitor implementation of the action plan, had discussed the importance of people receiving appropriate levels of care, and were encouraged to hear about planned engagement sessions on the service at which care staff could contribute to discussions on future developments. The Board had also received a report on the independent evaluation of Home and Mobile Health Monitoring in East Renfrewshire. Over 600 people were reported to have benefitted from using 'Flow' to help manage their blood pressure, with use of this technology having reduced the need for unnecessary follow up appointments and released clinical time for other patients.

It was confirmed that the next meeting of the IJB was scheduled to take place on 25 September.

### **Councillor O'Kane – Neilston Campus**

Councillor O'Kane was pleased to report that the Council had been successful in attracting support during this phase of funding for new schools, specifically for the learning campus development in Neilston. He referred to the statutory education consultation undertaken as a necessary first step in taking forward improvements for learning and leisure in Neilston, with the renewal of Neilston Primary, St Thomas's Primary and Madras Family Centre being at the heart of the development. He highlighted that, at the time, the proposal was welcomed by the community, subsequent to which £30m had been included in the Capital Plan to bring the project to fruition when a funding contribution was received from the Scottish Government's Learning Estate Investment Programme. The Council was one of 11 councils to be part of the first phase of the £1b. Scottish Government investment.

Councillor O'Kane explained that the locale of Neilston Primary School and Madras Family Centre would provide the cornerstone of the learning campus development,

which would include a new library and improved leisure facilities. The design stage could now be taken forward involving all stakeholders to ensure the facility met local needs now and in future. Children, parents, staff and more generally the community were known to be eager to be involved in shaping their new facilities.

Councillor O’Kane clarified that as progress moved forward on this funding, officers would prepare further bids and submissions for renewal of the school estate, including for schools considered to be in the worst condition such as Carolside and St John’s Primary Schools.

The Council noted the statements.

### **RENFREWSHIRE VALUATION JOINT BOARD – APPOINTMENT OF REPLACEMENT REPRESENTATIVE**

**1024.** The Council considered a report by the Deputy Chief Executive, seeking the appointment of a replacement for Councillor Devlin on the Renfrewshire Valuation Joint Board, following his resignation as one of the Council’s four representatives serving on it. The Board, which came into existence on 1 April 1996, had been established to carry out the valuation functions of Renfrewshire, East Renfrewshire and Inverclyde Councils, and also had responsibility for carrying out Electoral Registration on behalf of the three constituent authorities.

The Council agreed that Councillor Ireland be appointed to the Renfrewshire Valuation Joint Board.

### **BARRHEAD HOUSING ASSOCIATION – NOMINATION OF REPLACEMENT CO-OPTED MEMBER**

**1025.** The Council considered a report by the Deputy Chief Executive, seeking the nomination of a replacement for Councillor Ireland as a co-opted board member of the Board of Barrhead Housing Association.

The report explained that the Association, which was a key, locally controlled body owning nearly 920 properties throughout East Renfrewshire, was run by a Governing Board, the membership of which was outlined. Having explained that the Council had a co-opted place on the Governing Board, the report clarified that the Council’s nominee needed to meet a series of criteria/requirements as set out in the Association’s Co-opted Governing Board Members Policy, a copy of which was attached to the report.

The Council agreed to nominate Councillor Buchanan to replace Councillor Ireland as a co-opted member of the Board of Barrhead Housing Association.

### **PROVOST’S ENGAGEMENTS**

**1026.** 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 previous meeting.

## SCHEME OF DELEGATED FUNCTIONS

**1027.** The Council considered a report by the Deputy Chief Executive, seeking approval of an amended Scheme of Delegated Functions prepared in light of various changes to departmental structures resulting in the transfer of delegated responsibilities and changes in designations. Approval was also sought of a number of additional delegated powers as outlined in the amended Scheme. A copy of the amended Scheme of Delegated Functions was appended to the report.

Having referred to the legislative background to the Scheme, the report explained that since it was last approved in its entirety to reflect the establishment of the Health and Social Care Partnership and Culture and Leisure Trust (CLT), various changes had taken place, including in legislation, officer designations and operational management responsibilities. When those changes occurred, reports had been submitted to the appropriate bodies and changes in the delegated powers agreed.

It was explained that the Scheme already contained provision that empowered the Deputy Chief Executive and Democratic Services Manager to vary the Scheme in three particular cases. Many changes made to the Scheme fell within these categories, approval for which was not required. However, a number of proposed changes, primarily relating to the extension of a previously approved delegated power, were proposed as listed in Appendix 1 to the report which provided a commentary of the changes contained in the Scheme and whether or not approval was required. It was highlighted that Paragraph 1 of the Scheme duplicated Paragraph 5 of the Council's Scheme of Administration, therefore corresponding changes would be made to that Scheme.

Referring to the authorisation to the Head of Accountancy (Chief Financial Officer) to issue a letter to the East Renfrewshire CLT each year confirming the Council's ongoing financial support for the Trust's activities, subject to the Trust's accounts showing a surplus for the year in question, Councillor Swift asked what the financial limit referred to in the letter would be. The Head of Accountancy clarified that if it was indicated that the Trust's accounts would not show a surplus, authorisation regarding this from Elected Members would be sought. It was when an issue of that type was not anticipated that the letter would be issued.

Also in response to Councillor Swift, it was clarified that what was proposed regarding the approval of grant and loans for economic development purposes, was removing the delegation to the Economic Development Manager to grant sums up to £5,000 as the post no longer existed. Authority to approve these grants would be extended from the Director of Environment or Head of Environment (Strategic Services) to the Strategic Services Manager.

The Council agreed:-

- (a) to note the alterations that had been made to the Scheme of Delegated Functions to reflect the changes to departmental structures and designations and which had been approved under existing delegated powers; and
- (b) that delegated powers be granted in respect of those new matters as outlined in the Scheme and as listed in Appendix 1 to the report.

## REVIEW OF STANDING ORDERS

**1028.** The Council considered a report by the Deputy Chief Executive, seeking approval for amended Standing Orders for the Council. A copy of the amended Standing Orders was appended to the report.

Having referred to the legal provision that existed to enable local authorities to make Standing Orders for the regulation of its proceedings and business, and to vary or revoke them, it was clarified that the existing Standing Orders contained provision that they should be reviewed once in the lifetime of the Council, the last full review having taken place in 2013. Having highlighted and itemised the changes proposed, the report clarified that the draft Standing Orders had been discussed by the Standing Orders Review Group comprising Elected Members, the Chief Officer – Legal and Procurement and the Democratic Services Manager, in addition to which the Corporate Management Team, had been consulted.

It was concluded that the proposed revisions brought the Standing Orders up to date, clarified a number of matters where there was considered ambiguity or lack of clarity, introduced some new processes, particularly around electronic submission of documents, and took account of internal and external changes.

In reply to Councillor Wallace, the Democratic Services Manager clarified that the proposed changes regarding the dates of ordinary meetings, and the place and time of meetings, were simply to provide flexibility if required.

Having heard Councillor Ireland welcome the proposed changes on motions regarding budgets, Councillor Swift sought clarification on the legal provision that existed to implement Standing Order 17 pertaining to Elected Members leaving the Council if their behaviour was considered obstructive or offensive. Provost Fletcher and the Democratic Services Manager confirmed there was no question of any Council officer being required to physically remove anyone from the Chamber, in favour of relying on Elected Members to opt to leave of their own accord.

Having heard Councillor Swift comment on difficulties smaller parties could encounter securing the required number of signatories for a call-in notice the Council agreed that the amended East Renfrewshire Council Standing Orders be approved and implemented with effect from 30 September 2019.

## **STATUTORY REVIEW OF POLLING DISTRICTS AND PLACES**

**1029.** Under reference to the Minute of the meeting of 26 June 2019 (Page 882, Item 946 refers), when a new draft polling scheme as the basis for further consultation had been approved, and it had been noted that the draft scheme contained some polling place and minor boundary changes, the Council considered a report by the Deputy Chief Executive, regarding responses received to the second consultation stage of the review of polling districts and polling places. Approval of the new polling scheme for the East Renfrewshire area was sought, a copy of which was attached to the report.

In response to the second phase of consultation, during which contact had been made with those contacted as part of the first phase of the review and details were published on the Council's website, a further 17 comments had been received. A summary of the comments and related responses pertaining to Wards 1, 3, 4 and 5 was provided.

Having regard to the legal requirement to conduct the review by April 2020, the report clarified that future population growth, the Council's own development plans and, where possible, concerns of parents and carers about needing to arrange alternative childcare on polling days had been taken into account. Although the number of schools used as polling places had been reduced by 3, it was acknowledged that the ongoing use of some would be

disappointing to parents, every effort having been made to move to non-school premises subject to them being suitable. Arrangements to harmonise polling days and school in-service days aimed to reduce further inconvenience to parents and carers.

Subject to the final Scheme being approved, a further review would not be required until October 2023. For the reasons provided, with the exception of the use of Woodfarm Education Centre instead of OLM Primary School, it was not proposed to make any further changes to the draft scheme approved by the Council in June.

In response to Councillor Swift who asked if it was possible for those from Waterfoot to vote at Eaglesham Primary School rather than Kirkhill and to potentially use Broom Church Hall instead of Kirkhill Primary School allowing it to remain open, the Democratic Services Manager stressed not only the concerted efforts made to accommodate parents and reduce school use, but also particular challenges faced in that area. He clarified that Maxwell Mearns Church and the Scout Hall had been considered but deemed unsuitable for reasons specified in the report, but confirmed that, even if the Scheme was approved, opportunities existed to consider amending polling districts and to carry out interim reviews. He referred to the value of the Council approving the Scheme in the current political climate.

Having welcomed the use of Netherlee Pavilion instead of the local school, Councillor Ireland asked what the timescale was for revisiting the possible use of the nursery at Carolside Primary School, acknowledging access issues at Duff Memorial Hall. The Democratic Services Manager confirmed that the condition of existing properties as they were, such as that hall, had to be relied upon as he had no powers to require alterations to be made to them. He gave an undertaking to liaise with the Education Department on when it might be possible to review the possibility of the use the nursery at Carolside Primary School.

In reply to Councillor Bamforth who suggested that, when an interim review was undertaken, the possibility of using the Scout Hall instead of Crookfur Pavilion be considered and then using Broom Church Hall in place of Kirkhill Primary School, the Democratic Services Manager confirmed that the main impediment to using the Scout Hall was pedestrian safety rather than its location. He confirmed that it would be possible to consider using Crookfur nursery in due course.

Having also welcomed the use of Netherlee Pavilion, Councillor Macdonald highlighted disparity in the Clarkston, Netherlee and Williamwood Ward because Busby and Carolside Primary Schools had to close for elections whereas other schools remained open. In response to a suggestion by him about using Williamwood High School gymnasium, the Democratic Services Manager explained why high schools were not generally used, referring to polls commonly coinciding with exam periods and how their use contradicted efforts to increase school security. He emphasised that alternatives were considered wherever possible.

The Council:-

- (a) noted the additional comments received and the related responses prepared;
- (b) approved the amended polling scheme as outlined in Appendix 1 to the report, including the change to the polling district boundaries between polling districts EE03 and EE06, and between ES05 and ES06, as outlined in the previously approved draft scheme; and
- (c) agreed that delegated authority be granted to the Chief Executive to alter or amend any polling place should it become unavailable or unviable.



## **EAST RENFREWSHIRE HEALTH AND SOCIAL CARE PARTNERSHIP ANNUAL PERFORMANCE REVIEW**

**1030.** The Council considered a report by the Chief Officer - Health and Social Care Partnership, providing details of the end of year performance report 2018/19 for the Health and Social Care Partnership (HSCP) in accordance with the requirements of the Public Bodies (Joint Working)(Scotland) Act 2014. A copy of the performance report was appended to the report.

Having referred to the legislation and guidance setting out the prescribed content of a performance report for an integration authority, the report explained that this was the first year of the 2018/21 Strategic Plan and the HSCP's third Annual Performance Report. The report was a high level one, with more details of activities and local targets available in the quarterly and six-monthly performance reports submitted to the IJB Performance and Audit Committee.

The report explained that the Annual Report, a copy of which accompanied the report, set out how the HSCP had delivered on its vision and commitments over 2018/19, with the report structured around the priorities set out in the Strategic Plan and linked to the National Health and Wellbeing Outcomes, as well as those for Criminal Justice and Children and Families. The main elements of the report set out the current strategic approach of the HSCP; how work had been done to deliver its strategic priorities over the preceding 12 months; its financial performance; detailed performance information illustrating data trends against key performance indicators; and key work areas that would be focussed on as the HSCP moved forward.

The report commented further on national performance indicators, outcome measures and organisational measures, as well as key local indicators. It highlighted that performance indicators reflected that the greatest improvements in 2018/19 included those on outcomes for children following support from parenting programmes; helping older people and people with long-term conditions maintain independence at home; and supporting the needs of unpaid carers. It was concluded that the report provided a comparison of performance against Scotland and the previous baseline year.

Councillor Swift highlighted that the level of sickness absence for employees was over 50% above target and questioned how this was being addressed. The Chief Officer - HSCP confirmed that this had been raised at the IJB, clarified that a large proportion of absenteeism related to the homecare service, and highlighted challenges linked to the profile of the workforce providing that service. She clarified that a member of the HR team was working with the HSCP directly to try to address the issue, in addition to which management panels were being put in place where issues could be discussed, adding that there had been some improvement in performance but then a further drop. The Chief Officer - HSCP stressed that those within the HSCP were working hard to address the position.

Councillor Bamforth encouraged Elected Members to read the full report which was available on the Council website and reflected significant progress, such as in terms of outcomes for children through the parenting programme. She also highlighted that the number of elderly remaining at home had increased, and that unplanned hospital admissions had reduced.

The Council noted the contents of the East Renfrewshire Health and Social Care Partnership Annual Performance Report 2018/19.

## EARLY YEARS STRATEGY UPDATE

**1031.** Under reference to the Minute of the meeting of 28 March 2018 (Page 344, Item 372 refers), when the Early Years Strategy Action Plan had been approved, the Council considered a joint report by the Chief Officer – Health and Social Care Partnership and Director of Education, providing an update on progress made implementing the Action Plan and identifying the next steps.

Having clarified that the Action Plan had been developed by the Children's Improvement Collaborative Key Change Group to take control of and drive improvements that supported the delivery of the Community Plan Strategic Outcome regarding all children in East Renfrewshire experiencing a stable and secure childhood, the report referred to contributions made to achieving related intermediate outcomes. A range of information was provided on work undertaken on targeted interventions to increase the confidence of parents most in need of support; to provide accessible and effective support for families to reduce the impact of financial pressures on children; engage communities and increase opportunities for involving parents; and increase activities which supported prevention and early intervention, improve outcomes and reduce inequalities. Information was also provided on progressing issues to improve maternal health and wellbeing, and ensuring children received high quality early learning and childcare.

Having clarified that the Early Years Improvement Team would continue to lead on the implementation of the Action Plan reporting directly to the Improving Outcomes for Children Group, the report explained that, when evaluated, the Team had proved to be a strong interdisciplinary one, with almost all partners attending regularly, which set the agenda and gave updates on critical activities to improve outcomes for children and families. The team's work would contribute to the delivery of the Child Poverty Delivery Plan and the Integrated Children's Services Plan, with three sub-groups leading development across various areas of focus including the Nurtured Improvement Team led by the Early Years Prevention Officer.

Next steps were reported to include reviewing parenting programmes and ensuring support was available for families; and working with partners to increase parenting capacity and understanding of child development and physical health as well as the importance of play experiences for young children.

Having clarified that the implications of the Strategy were wide reaching, such as in terms of improving the way services worked together, increasing community engagement in the development of services and aligning budgets and resources to support prevention and early intervention, the report concluded that significant progress had been made implementing the Strategy, with a vision for early years developed that was shared by staff working in all departments and the HSCP. This was considered to provide a firm platform for continuing to grow and develop this work, with investment in prevention protected over the next few years when budgets were reducing, to recognise that the full benefits from this investment would not be seen for some years.

Welcoming the report, Councillor O'Kane highlighted the range of ongoing work across the Council to support families and improve outcomes for children. He highlighted that schools and nurseries were working well with Family First, focussing on early intervention and prevention, not only within the authority's most deprived communities but also supporting those with hidden poverty. He added that families were benefiting from a range of parental supports which reflected the needs of children. The introduction of Mellow Ability, as a support for parents of children with complex needs, had been very successful.

Councillor O’Kane highlighted a strong commitment across the Council for the work being done in early years settings to ensure they were increasingly family centred, that parents were welcomed as partners, and that families were supported to engage in their children’s learning. He anticipated that everybody would want to continue the Council’s support and investment in early years learning which paid dividends later in life, commending all staff involved in the implementation of the Early Years Strategy, from those in nurseries and early learning to those involved in related policy work.

Councillor Bamforth commented that the report demonstrated great joint working and the Council’s commitment to protecting investment in prevention. She commented that early interventions, such as the Family Nurse Partnership and the enhanced breastfeeding pathway, supported parents to ensure their children had the best start in life. She added that the healthier, wealthier children post within the Money Advice and Rights Team had been invaluable in supporting families to access benefits to which they were entitled, with the NHS Board regarded it as an exemplar.

Councillor Bamforth referred to the positive focus placed on engaging families within their communities to access greenspaces and places to play to support health and wellbeing for the whole family. She highlighted that facilities at the Sir Harry Burns Centre were excellent and provided multi-agency approaches to supporting children and families as well as services working together under one roof at the heart of the community. She commented on the UNICEF breastfeeding gold accreditation achieved by the HSCP, commending this achievement and all of the work behind that to support families extremely well, which had led to some of the highest breastfeeding rates in Scotland.

Having heard Councillor Wallace concur regarding the facilities at the Sir Harry Burns Centre and remind Elected Members of the role of the Conservative Group in the project, the Council:-

- (a) noted the progress made to date; and
- (b) approved the next steps as identified within the report.

### **Sederunt**

Councillor Ireland left the meeting at this stage.

## **PROPOSED CONSERVATION AREAS – NETHERLEE AND CROOKFUR COTTAGE HOMES**

**1032.** The Council considered a report by the Director of Environment seeking approval to formally designate Conservation Areas at Netherlee and Crookfur Cottage Homes as proposed in the adopted East Renfrewshire Local Development Plan (LDP).

Having referred to local authorities’ powers to designate Conservation Areas, the number of such areas that existed in East Renfrewshire and the new areas referred to within the LDP, the report outlined why the areas were being proposed, clarifying that the designation was subject to the terms of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 as amended, and Historic Environment Scotland (HES) guidance. The expectation that local authorities would consult prior to designating a Conservation Area and related matters were commented on.

The report outlined the steps required to designate the Conservation Areas through a notice of designation published in the Edinburgh Gazette and at least one local paper, concurrent to which Scottish Ministers and HES would be notified. Whilst owners and occupiers did not have to be notified individually, publicity would be undertaken. The number of properties affected in each area was quantified as were related implications in terms of permitted development rights and planning permission required in various circumstances in Conservation Areas.

Councillor Swift commented that much of the centre grass area within Crookfur Cottage Homes had been built on following on from which Provost Fletcher referred to a number of stages of work being done at the site by the Retail Trust to improve accommodation.

In response to Councillor Macdonald who queried how options for siting wheelie bins, which many considered unsightly, accorded with the Conservation Area status, the Director of Environment clarified that this issue was not covered by the terms of the proposal but that he would be happy to consider it outwith the meeting.

The Council:-

- (a) authorised the Director of Environment to proceed with the formal designation of Conservation Areas at Netherlee and Crookfur Cottage Homes; and
- (b) noted that the Director of Environment would consider the issue raised by Councillor Macdonald regarding wheelie bins.

#### **MAY 2020 – EARLY MAY BANK HOLIDAY**

**1033.** The Council considered a report by the Deputy Chief Executive seeking approval for the Early May Bank Holiday, in 2020 only, to be moved from the first Monday in May to Friday, 8 May to mark the 75th anniversary of Victory in Europe (VE) day.

The report referred to the Secretary of State for Business, Energy and Industrial Strategy's proposal regarding the Bank Holiday, clarified that in Scotland such holidays were a devolved matter, and explained that the Scottish Government and various other local authorities in Scotland had announced their plans to move the holiday. The early announcement was to facilitate planning within schools and enable parents to be notified. All employee conditions of service that applied to public holidays would apply on 8 rather than 4 May 2020.

The Council agreed to move the holiday on 4 May 2020 to Friday, 8 May 2020 to mark the 75th anniversary of VE day.

CHAIR

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

**Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 12 September 2019.**

**Present:**

Councillor Tony Buchanan (Leader)  
Councillor Caroline Bamforth

Councillor Colm Merrick  
Councillor Paul O’Kane

Councillor Buchanan, Leader, in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Andy Cahill, Director of Environment; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Sharon Dick, Head of HR and Corporate Services; and Paul O’Neil, Committee Services Officer.

**Apologies:**

Councillors Danny Devlin and Alan Lafferty.

**DECLARATIONS OF INTEREST**

**1034.** There were no declarations of interest intimated.

**CONSOLIDATION OF THE LIVING WAGE**

**1035.** The Cabinet considered a report by the Deputy Chief Executive, providing an update on the national position on the consolidation of the Living Wage and presenting options for consolidation in the Council.

The report explained that as part of the Scottish Joint Council (SJC) for Local Government Employees pay agreement covering the three year period from 1 April 2018 to 31 March 2021 which had been agreed in March 2019, there was a proposal to uplift the Scottish Local Government Living Wage (SLGLW) by the appropriate percentage uplift in each of the three years. It was noted that the SLGLW rate would be used as a minimum pay level for all pay, including additional hours, overtime, and other allowances.

Whilst noting that consolidation of the Living Wage means setting the lowest Spinal Column Point (SCP) used by Scottish Local Government pay scales at the same or at the nearest higher point to the Living Wage, and deleting all points below this, the report explained that

this would then have a knock on effect to the points above this and that any change the Council made would unavoidably come with a cost which would place further financial pressure on the Council.

The report proposed that the Council would ensure that consolidation of the Living Wage was implemented by March 2021 with the model being chosen being robust until 2024 and only affecting grades 1-6 with the top points for grade 6 remaining the same. Furthermore, it was proposed to engage with the Trade Unions immediately with the aim of agreeing a model for implementation by the end of March 2021.

The Cabinet:-

- (a) acknowledged the current position with regard to the Living Wage and the pay award agreement to consolidate by March 2021;
- (b) agreed that delegated powers be granted to the Deputy Chief Executive and the Head of HR and Corporate Services to negotiate and engage with the Trade Unions for implementation of the consolidated Living Wage; and
- (c) acknowledge and support the principles of:-
  - (i) maintaining incremental progression between grades where possible;
  - (ii) having no overlap between grades where changes are made;
  - (iii) introducing a model which would be robust until April 2024 based on current assumptions; and
  - (iv) introducing consolidation of the Living Wage by March 2021 within known budget constraints.

## **ENVIRONMENT DEPARTMENT – END-YEAR PERFORMANCE REPORT 2018/19**

**1036.** The Cabinet considered a report by the Director of Environment, in relation to the end-year performance report 2018/19 for the Environment Department, details of which were appended to the report.

The Cabinet approved the report as a summary of the Environment Department's End-Year Performance for 2018/19.

CHAIR

**MINUTE**  
**of**  
**CABINET**  
**(POLICE AND FIRE)**

**Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock, on 19 September 2019.**

**Present:**

Councillor Colm Merrick (Chair)  
Councillor Paul O’Kane (Vice Chair)  
Councillor Caroline Bamforth

Councillor Tony Buchanan  
Councillor Barbara Grant

Councillor Merrick in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Caroline Innes, Deputy Chief Executive; Murray Husband, Head of Digital and Community Safety; Claire Reid, Community Safety Manager; and Paul O’Neil, Committee Services Officer.

**Also Attending:**

Chief Superintendent Hazel Hendren, Inspector Bryan McGeogh and Inspector Archie Martin, Police Scotland; and Local Senior Officer Graeme Binning, and Group Manager Colin Martin, Scottish Fire and Rescue Service.

**Apologies:**

Councillors Alan Lafferty and Stewart Miller.

**DECLARATIONS OF INTEREST**

**1037.** There were no declarations of interest intimated.

**OPENING REMARKS**

**1038.** Councillor Merrick welcomed Chief Superintendent Hazel Hendren to her first meeting of the Cabinet (Police and Fire) as the new Divisional Commander of the Greater Glasgow Division of Police Scotland following the recent retirement of Chief Superintendent Brian McNulty.

## **POLICE SCOTLAND – PERFORMANCE REPORT OVER THE FIRST QUARTER OF 2019/20**

**1039.** The Cabinet considered a report by the Divisional Commander, Police Scotland, providing details of the performance of the police over the first quarter of 2019/20. The report also provided statistical information in relation to various categories of crimes and offences committed during the reported period together with comparative statistics for the corresponding period in 2018/19.

Chief Superintendent Hendren began by giving a brief summary of her career to date in the course of which she referred to the changes that had taken place in the Greater Glasgow Division in recent years referring in particular to the introduction of the Contact Assessment Model which was due to go live in October. At this stage, she invited Inspector McGeogh to report on the information contained in the performance report.

Inspector McGeogh reported on the performance of the police against the five local policing priorities contained in the East Renfrewshire Policing Plan 2017/20, details of which were outlined in the report. He began by highlighting that there had been a 21% reduction in serious assaults from 14 in the corresponding period in 2018/19 to 11 in the reported period. Whilst noting that there had not been a single robbery reported during the first quarter of 2019, he reported there had been a significant increase in common assaults and due to the higher incidence of this type of crime there had been an overall increase in crimes of violence in the first quarter of 2019/20 compared to the previous year's figures. Furthermore, in terms of local policing priority in relation to homes being broken into there had been a 20% reduction in this type of crime compared to the corresponding period the previous year. In addition, a 17% increase in the detection rate had been recorded for this type of crime when compared to the corresponding period the previous year. It was noted that during the reported period there had been 5 fewer domestic housebreakings compared to the previous year's figures and almost a 50% reduction when compared to the 5 year average.

Commenting on the local policing priority of crimes associated with child abuse including child sexual exploitation, Inspector McGeogh explained that there had been a 54% increase in the number of sexual crimes that had been reported in the first quarter of this year compared to the corresponding period the previous year (i.e. up from 26 to 40). This reflected a national trend which was partly due to victims having the confidence to come forward and report ongoing and historical incidents. He explained that specialist officers continued to deal with these investigations which were invariably lengthy and complex. He reported that there continued to be positive results in addressing antisocial behaviour and disorder with incidents of antisocial behaviour down by 15% (i.e. 102 fewer calls made to the police) and crimes of vandalism being down by 31 which represented a 23% reduction compared to the corresponding period in 2018/19 year. Furthermore, it was noted that in the first quarter of 2019 there had been continued proactivity in relation to drug dealing and misuse with a variety of controlled drugs being seized and several key arrests being made.

Concluding his remarks, Inspector McGeogh stated that he was delighted to report positive results arising from Police Scotland's most recent public satisfaction survey where public levels of satisfaction of the police service remained incredibly high at 82.9% compared to 81.3% nationally.

There followed a short question and answer session in the course of which Chief Superintendent Hendren and Inspector McGeogh responded to a number of questions and provided clarification on a range of operational issues within East Renfrewshire and the crime statistics recorded in the report.



At this stage, Chief Superintendent Hendren invited Inspector Martin to comment on the Mobile Working Project that was due to be rolled out across the Greater Glasgow Division in the coming months.

Inspector Martin provided an overview of the project in the course of which he highlighted that Police Scotland was equipping 10,000 officers with mobile devices as part of a rolling programme across the country which began in Tayside. He explained that the new devices had numerous functions that would assist policing in terms of more efficient use of officer time, visibility and access to information. He emphasised that by using the new devices whilst on patrol there would be no need for officers to return to the office as tasks such as completing crime reports can be carried out using the new devices. He also explained the security features of the new devices.

The Cabinet:-

- (a) noted the position regarding the Mobile Working Project; and
- (b) otherwise noted the terms of the report.

#### **SCOTTISH FIRE AND RESCUE SERVICE (SFRS) PERFORMANCE REPORT FOR THE FIRST QUARTER OF 2019/20**

**1040.** The Cabinet considered a report by the Local Senior Officer, Scottish Fire and Rescue Services (SFRS), providing details of the performance of the SFRS in East Renfrewshire during the first quarter of 2019/20. An analysis of the incidents identified in the six areas for demand reduction that had taken place in each of the Council's five wards during the reported period was outlined in the report.

Local Senior Officer Binning advised of a number of increases in fire related incidents over the reported period and emphasised that whilst the increase in numbers were low the percentage increases were high due to the figures having been so low in the past. He emphasised that the figures being reported were consistent in all three of the council areas he had responsibility for. Concluding his remarks, he stated that the SFRS Local Authority Liaison Officer was now embedded in the Council and was working every Thursday. He also commented on the high level of partnership working that continued in the Council area. At this stage, he invited Group Manager Martin to comment further on the terms of the performance report.

Group Manager Martin stated that there had been an increase in the number of incidents of accidental dwelling fires from 11 in 2018/19 to 17 in 2019/20. Whilst noting that SFRS was active in a number of areas with a view to driving down the number of fires recorded, he emphasised that in 53% of the cases reported no firefighting action was required due to early detection and that the single male casualty highlighted in the report only suffered slight smoke inhalation.

Whilst noting that the number of non-fire casualties had risen from 7 in 2018/19 to 13 in 2019/20, Group Manager Martin stated that whilst the incidents attended were diverse in nature almost half were Road Traffic Collisions. He also commented that there had been an increase in the number of incidents of deliberate fire setting which he suggested was down to the good weather enjoyed during reported period. He indicated that SFRS continued to work in partnership with Police Scotland by giving talks to school age children about the dangers of deliberate fire setting.

Group Manager Martin advised that the figures reported in relation to the number of incidents associated with non-domestic fire safety were low and remained the same as those reported last year. Furthermore, there had been a significant decrease in the number of Unwanted Fire Alarm Signals (UFAS). It was noted that the service now had a UFAS Champion working in partnership with the Council with a view to reducing the number of incidents and introducing best practice in managing fire alarms/red lines within Council properties. He also highlighted that nursing/care sector accounted for 23% of all UFAS incidents and in view of this SFRS was working together with the NHS as part of the national UFAS reduction group which delivered the TAKE5 initiative across all NHS premises in East Renfrewshire.

There followed a short question and answer session in the course of which Local Senior Officer Binning and Group Manager Martin provided clarification on a range of operational issues within East Renfrewshire.

The Cabinet noted the position.

CHAIR

**MINUTE**  
**of**  
**AUDIT & SCRUTINY COMMITTEE**

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 26 September 2019.**

**Present:**

Councillor Stewart Miller (Chair)  
Councillor Barbara Grant (Vice Chair)  
Provost Jim Fletcher

Councillor Charlie Gilbert  
Councillor Annette Ireland

Councillor Miller in the Chair

**Attending:**

Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Sharon Dick, Head of HR and Corporate Services; Louise Pringle, Head of Communities, Revenues and Change; Michelle Blair, Chief Auditor; Barbara Clark, Chief Accountant; Fiona Muir, Senior Auditor; Alison Ballingall, Senior Revenues Manager; Gill Darbyshire, Chief Executive's Business Manager; Linda Hutchison, Clerk to the Committee; Charlie Leleux, Scrutiny & Evaluation Officer; and Jennifer Graham, Committee Services Officer.

**Also Attending:**

John Cornett and Elaine Barrowman, Audit Scotland.

**Apologies:**

Councillors Jim McLean and Jim Swift.

**DECLARATIONS OF INTEREST**

**1041.** There were no declarations of interest intimated.

**CHAIR'S REPORT**

**1042.** The Chair reported, and it was noted, that there were no issues which he wished to bring to the committee's attention at this time.

## **2018/19 ANNUAL ACCOUNTS FOR THE COUNCIL'S CHARITABLE TRUSTS AND RELATED EXTERNAL AUDIT OPINION AND INTERNATIONAL STANDARD ON AUDITING (ISA) 260 REPORT**

**1043.** Under reference to the Minute of the meeting of 20 June 2019 (Page 861, Item 915 refers), when the committee had noted that the final Annual Accounts for the Council's charitable trusts and related documents would be submitted to this meeting, the committee considered a report by the Head of Accountancy (Chief Financial Officer) explaining that the audit of the 2018/19 Annual Accounts for the seven charitable trusts for which the Council acted as Trustee had been completed, and submitting a copy of these for consideration. The External Auditor's report on the trusts, completed in compliance with ISA 260, was also submitted for consideration.

Whilst referring to the 2018/19 Accounts and related issues, Ms Barrowman explained that the Accounts were unqualified, and that there were no unadjusted misstatements that required to be brought to the committee's attention. However, regarding the Netherlee School 1937 Endowment Trust, she explained that during the audit it had been difficult to obtain supporting audit evidence to confirm what a payment made to a pupil to support her in her academic studies had been spent on, and if the payment was in line with the Trust's objectives. It had been recommended therefore that the Trustees should maintain evidence on the actual use of grant awards. Ms Barrowman added that this issue had also been raised in 2016/17 and confirmed that progress would be checked during the next audit.

The Head of Accountancy (Chief Financial Officer) confirmed that a letter had been issued to the Trustees in 2016/17 and that a further letter would be issued regarding the most recent recommendation. Having confirmed that the evidence supporting the payment had been received more recently than the audit, she clarified that the delay in locating it and lack of action previously was linked to changes in personnel amongst the Trustees at the school.

The committee agreed to:-

- (a) note the External Auditor's report on matters arising from the audits of the registered charities for 2018/19 under requirements of ISA 260;
- (b) note the amalgamated Annual Accounts for 2018/19 for the seven Charitable Trusts for which the Council acted as Trustee; and
- (c) remit the report to the Council for consideration.

## **2018/19 EAST RENFREWSHIRE COUNCIL ANNUAL ACCOUNTS, DRAFT ANNUAL AUDIT REPORT AND RELATED ISA 260 REPORT**

**1044.** Under reference to the Minute of the meeting of 20 June 2019 (Page 861, Item 915 refers), when the committee had noted the unaudited Annual Accounts for 2018/19 and that a report on the final Accounts and associated draft Annual Audit Report to the Council and the Controller of Audit would be submitted to this meeting, the committee considered a report by the Head of Accountancy (Chief Financial Officer) regarding the Annual Accounts for 2018/19, the associated draft Annual Audit Report prepared by the External Auditor which would be issued in final form after the financial statements had been certified, and a further report by the External Auditor on matters arising from the audit of the Council's financial statements for 2018/19 reported under ISA 260 requirements. The draft Audit report provided an overview of the main issues arising from the 2018/19 audit.

The Council had received an audit certificate which was unqualified. As it had operated comfortably within budget, it had not required to draw down £1,355k from reserves as planned. After transfers to earmarked reserves totalling £2,771k, a sum of £421k had been added to the Council's non-earmarked General Fund reserve, resulting in a balance of £10,544k as at 31 March 2019. This equated to 4.4% of the annual budgeted net revenue expenditure, which was slightly above the Council's target of 4%, although the balance would reduce significantly during 2019/20 as the Council had budgeted to use £4,312k of this reserve during the year.

The Accounts reflected the establishment of a Feasibility Fund to permit early preparation and investigations for potential capital projects and enable a faster start on major new capital schemes as work to identify any design or ground condition issues could be taken forward in advance of formal approval of the Capital Plan. Capital expenditure of £41,187k had been invested, in addition to which an operating surplus of £89k had been made on the Housing Revenue Account, thus increasing the accumulated surpluses brought forward to that Account to £1,718k.

Whilst referring to the Accounts and related issues, Mr Cornett confirmed that it was proposed to issue an unqualified auditor's certificate on the Accounts and that there were no unadjusted misstatements requiring to be brought to the committee's attention. Regarding the Annual Audit Report, he itemised the key messages within it pertaining to the Accounts; financial management; financial sustainability; governance and transparency; and value for money. Whilst referring to these further, he commented on various issues, including that the Council should continue to review its budget monitoring to ensure forecasts for the final outturn reflected actual spending patterns and demand; and that, following discussion with the Section 95 Officer, it had been proposed that additional management commentary be added to the Accounts in future. It was reported that actions that remained outstanding to be taken forward included the accommodation strategy and development of a corporate landlord approach. The introduction of the core financial systems during 2019/20 would also impact on future audit work.

Ms Barrowman referred to the various issues and risks, recommendations and actions agreed as documented in the 2018/19 Action Plan, including in relation to the valuation of assets; grants and contributions due to house building and other development within the area; occupancy levels at Greenlaw Business Centre; the Care Inspectorate Report on the review of the Care at Home Service; and the finalisation of the Council's accommodation strategy.

The Head of Accountancy (Chief Financial Officer) referred to the range of agreed management actions and associated timescales specified in Appendix 1 to the report, confirming that some actions had already been implemented whilst others would be taken forward over a longer timescale. Amongst other things, she referred to work being taken forward on business continuity and the accommodation strategy, and work on and savings arising from the Modern Ambitious Programme (MAP). She also referred to the extent to which Members could access the Care at Home Service inspection report and related documents and raise related issues if they wished, including through reports submitted to the Integration Joint Board (IJB). She confirmed that consideration was being given to including IJB Minutes on Council agendas to increase transparency and allow Elected Members to raise questions.

Mr Cornett and Ms Barrowman thanked the Head of Accountancy and Chief Accountant and her team for their invaluable assistance during the audit, commending the approach adopted which had been key to completing the Accounts timeously.

Provost Fletcher welcomed the comments on the financial position the Council as specified in the Accounts and Annual Audit Report which he regarded as a credit to all those concerned. However, he also referred to a lack of reference within the latter to the real and regrettable impact of cuts on services arising from a reduction in the financial resources at the Council's disposal. He also expressed some related concerns regarding the way in which the Scottish Government notified local authorities of the full resources allocated to them, which could take some time to clarify each year.

Mr Cornett confirmed that the Annual Audit Report focussed on the financial position of the Council, which was positive, but did not necessarily reflect on the impact of cuts and savings in terms of employee numbers and services being provided for example, adding that the impact of such issues was covered in Audit Scotland's Best Value work. However, he undertook to reflect further on the comment made.

During discussion on the 2018/19 underspend, the importance of budgeting accurately at the start of the year and some concerns expressed by Elected Members on ring fenced funding which removed local discretion on expenditure, the Head of Accountancy (Chief Financial Officer) reported that new monitoring approaches had led to a reduction in the underspend for 2018/19, but that departments would always wish to reserve some funding until the year end to enable them to react, if required, to emergencies. She added that restructuring occurred almost every year somewhere within the authority associated with which there could be one-off costs which departments were expected to meet themselves if possible, failing which an allocation from a central budget could be considered.

The committee, having heard Councillor Miller thank the Head of Accountancy (Chief Financial Officer), the Chief Accountant and her team and the External Audit team for their hard work producing the Accounts and related Annual Audit Report, agreed:-

- (a) to note the draft Annual Audit Report to the Council and Controller of Audit 2018/19 and the External Auditor's Report on matters arising from the audit of the Council's 2018/19 Financial Statements prepared under requirements of ISA 260;
- (b) to note the content of the Council's Annual Accounts for 2018/19 and related comments made; and
- (c) to remit the report to the Council for consideration.

## **NATIONAL FRAUD INITIATIVE – UPDATE**

**1045.** Under reference to the Minute of the meeting of 27 September 2018 (Page 553, Item 615 refers) when a report on the National Fraud Initiative (NFI) in Scotland had been noted, the committee considered a report by the Head of Communities, Revenues and Change providing an update on the NFI in Scotland and related work carried out in 2018/19.

Having referred to the data sharing and matching exercise undertaken throughout Scotland every two years, the purpose of the NFI counter-fraud exercise and keys to success, the report explained that East Renfrewshire had a single point of contact for NFI and a well-established network of departmental contacts who were responsible for comparing their own data sets, recovery, and follow up action. Reference was made to the number of matches reported in the 2018/19 exercise with a total potential fraud or error value of £95,360 and how related work was progressed. Further details were provided on related issues and work taken forward on Housing Benefit and Council Tax reduction; the Council Tax single persons' discount (SPD); the Fraud and Error Service set up by the Department of Work and Pensions; and other related initiatives.

It was clarified that the NFI website would be available until February 2020 by which time the majority of investigations would be completed and outcomes recorded. It was concluded that the Council had fully participated in the 2018/19 NFI exercise recovering £23,652 due to fraudulent or claimant error and that it had a robust and effective approach to NFI which complemented existing fraud prevention measures.

The Head of Communities, Revenues and Change commented further on the report during which she reported on the scale of the NFI, related methodology, and the value of not only investigating data matches and identifying and stopping fraud and errors, but also recovering overpayments and improving systems. She highlighted that, to complement the NFI, it had been decided to carry out a further probe on SPD for Council Tax in the interim year using various records, work on which would be progressed later in 2019.

Mr Cornett stressed that not all data matches identified were necessarily fraud related. He stated that he was heartened to hear about the additional work being done during the interim year when an NFI exercise was not being carried which he considered good practice, encouraging its continuation.

The committee noted the report and action taken in respect of the National Fraud Initiative in East Renfrewshire Council for 2018/19.

## **STRATEGIC RISK REGISTER AND RISK MANAGEMENT PROGRESS**

**1046.** Under reference to the Minute of the meeting of 14 March 2019 (Page 780, Item 832 refers), when the position on the Strategic Risk Register (SRR) and progress with risk management across the Council had been noted, the committee considered a report by the Chief Executive regarding the most recent biannual update of the Register and general progress on risk management.

The SRR, a copy of which was appended to the report, itemised key risks that required to be considered and associated actions put in place to manage these. An additional column had been added to the SRR to record the date for completion of proposed risk measures.

Having referred to related operational risk registers in place, the report confirmed that several strategic risks had been amended to include additional control measures and rescored for significance, clarifying that a thorough review of all the strategic risks had been undertaken by the Corporate Management Team (CMT). In total there were now 30 strategic risks, 11 of which were evaluated as high and 19 as medium. Risks evaluated as low had been removed from the SRR and would be monitored within departmental or operational registers as appropriate. Relevant significant risks which could impact on achieving the Council's outcomes regarding the work of the Integration Joint Board (IJB) and the Culture and Leisure Trust had been considered.

In addition to referring to risks added to the SRR, information was provided on risk scores that remained high; amended risk descriptions; risks which had increased from medium to high; and those which had reduced from high to medium. It was confirmed that although reports on the SRR were submitted to the committee every 6 months and the Cabinet annually, the register was considered to be a live document and updated continually, with the review of the SRR playing a fundamental role in ensuring that the Council met its objectives as detailed in Fairer East Ren, the Modern Ambitious Programme and the Outcome Delivery Plan.

Having heard the Business Manager highlight key aspects of the report, Provost Fletcher expressed concern that the risk score for Risk 6.1 on reduced central government funding

had been lowered to medium. In response, the Head of Accountancy clarified that although the position remained challenging, in determining the revised score account had been taken of various issues. These included a trend to mainline some funding now whereas there had been less certainty about this in the past; the outcome of the UK spending review which might result in local authorities receiving a little more in terms of funding than anticipated; and assurances and clarification provided on funding for some initiatives such as the 1140 hours of nursery and childcare provision to be made available from 2020.

Provost Fletcher reiterated his concerns, acknowledged that there had been some successes securing funding, but referred to an on-going lack of assurances on funds and service cuts being a reality, expressing the view that the risk should remain high. Councillor Miller highlighted that the SRR remained under review and that comments made by Elected Members, such as the one expressed, could be fed back and considered.

In reply to Councillor Ireland who referred to Risk 6.7 “interruption to service or total inability to provide ICT services” and the cost of purchasing a back-up generator, the Head of Accountancy confirmed that the CMT had recently discussed this matter, that funding for a generator had been identified, and that the Head of Digital and Community Safety would be taking this forward.

The committee:-

- (a) agreed that the Chief Executive’s Business Manager provide feedback to appropriate senior officers on comments made by members of the committee at the meeting on the SRR for consideration; and
- (b) otherwise, noted the development of the SRR; that it was considered to be a live document; and that it would be updated and amended by the CMT.

## **MANAGING ABSENCE – ANNUAL REPORT**

**1047.** Under reference to the Minute of the meeting of 27 September 2018 (Page 554, Item 617 refers), when absence management during 2017/18 had been discussed, the committee considered a report by the Deputy Chief Executive providing an update on the Council’s sickness absence levels and its approach to managing absence.

Whilst commenting on absence data for 2018/19, the report explained that there had been an increase in both local government employee and teacher absences and itemised the top attributable reasons. Having highlighted various issues on absence benchmarking, including a range of data within the Chartered Institute of Personnel and Development (CIPD) Annual Survey Report 2018 for private, public and non-profit sectors, the report provided statistical information on absence trends since 2012/13 and made reference to related issues. The report commented that it was recognised at a national level that a number of factors influenced absence figures, including whether or not manual services remained in-house as in East Renfrewshire, as such services tended to have higher absence rates associated with them.

Further information was provided on the focus being placed on absence improvement and related matters during which it was highlighted that mental health would be an area of focus in the coming year. Statistics were also provided on dismissals on grounds of capability and the number of ill-health retirements. It was explained that there was potential for absence levels to continue to be of concern over the next few years associated with planned service reviews, but emphasised that improving absence levels through a more robust approach remained a priority for the CMT and departments.



It was concluded that the Council's overall absence performance had improved from 2015/16 to 2017/18, although there had been a decline in 2018/19. A strong focus continued to be placed on absence improvement, benchmarking and implementing related training and improvement actions. Reference was made to the focus to be placed on mental health, including encouraging managers to be proactive and supportive when an employee showed signs of a stress related illness; and to encourage employees to attend training relating to this that could be helpful to them.

Whilst commenting further on various aspects of the report, the Head of HR and Corporate Services confirmed that the Local Government Benchmark Framework data issued by the Improvement Service for 2018/19 was not yet available.

The committee:-

- (a) noted the content of the report and trend in absence ratings; and
- (b) agreed to support the range of approaches being taken to reduce absence levels across the Council.

#### **SUMMARY OF EARLY RETIREMENT/REDUNDANCY COSTS TO 31 MARCH 2019**

**1048.** Under reference to the Minute of the meeting of 27 September 2018 (Page 555, Item 618 refers), when early retirements/redundancies to 31 March 2018 had been discussed, the committee considered a report by the Deputy Chief Executive summarising the position on early retirement/redundancy costs from 1 April 2018 to 31 March 2019 and related issues. Information on the total costs incurred and projected savings was provided.

Whilst commenting on the report, the Head of HR and Corporate Services confirmed that redundancies continued to be assessed using a process based on a financial business case, referred to associated legal requirements, and clarified that related costs depended on the individual circumstances of each employee involved, with each case considered on its own merits.

In response to Councillor Grant, the Head of HR and Corporate Services clarified that retirements/redundancies associated with the Education Department related to local government employees not teachers. In response to Councillor Ireland, she confirmed that the target time for recovering costs was 3 years in line with the business case. The Head of Accountancy referred to recent guidance from the Scottish Government on the payback period regarding which a cap had been set for civil servants, reporting that a sample exercise had confirmed that the restrictions enforced by the Council were more stringent.

The committee noted the content of the report, the explanations provided for early retirements/redundancies within the period it covered, and related projected savings.

#### **AUDIT AND SCRUTINY COMMITTEE WORK PLAN**

**1049.** Under reference to the Minute of the meeting of 15 August 2019 (Page 904, Item 975 refers), when it had been agreed that an update on the committee's work plan be submitted to this meeting, the committee considered a report by the Clerk providing an update on the 2019/20 Audit and Scrutiny Committee Work Plan. It reflected various developments such as the extent to which work for the current year had been progressed; the timetable approved for the committee's work on income generation and commercialisation; and other planned work based on the outcome of discussions at the committee's meeting in August. A copy of the updated plan was attached to the report.

Furthermore, as agreed, the Scrutiny and Evaluation Officer had liaised further with members of the committee and others with a view to identifying a further potential priority 1 (high priority) issue for immediate review and the committee determining what its next detailed piece of review work would be. It was proposed that climate change should be the next high priority issue investigated and that further details of the scope of the review and the proposed timeline be submitted to the next meeting, following further discussion.

During further explanation on the work plan, the Clerk confirmed that where there was less certainty about scheduling of specific issues, this was reflected in notes linked to the work plan.

The committee agreed:-

- (a) to approve the updated 2019/20 annual work plan;
- (b) that climate change be the next high priority issue to be the subject of a scrutiny and evaluation review by the committee as outlined in Appendix 2 to the report; and
- (c) that further details of the scope of the review and the proposed timeline be submitted to the next meeting, following further discussion including with the Environment Department.

## **INVESTIGATION ON INCOME GENERATION AND COMMERCIALISATION – UPDATE ON PROGRESS**

**1050.** Under reference to the Minute of the meeting of 15 August 2019 (Page 906, Item 976 refers), when the committee had noted progress on the investigation on income generation and commercialisation opportunities and that further work on it would be progressed, the committee considered a report by the Chief Executive providing an update on the further progress made since then.

The report referred to meetings which had taken place between members of the committee and representatives of departments and services to discuss current and planned approaches to income generation and commercialisation, related information prepared, and themes discussed and explored. These included how annual savings targets were being met; ways in which external income was currently generated; how a culture of commercialisation was being introduced; and related savings and benefits. The next steps were also outlined.

Whilst commenting on the report, the Scrutiny and Evaluation Officer referred to a further informal meeting on 8 October 2019 at which the information gathered and evidence taken could be discussed with members of the committee. This was with a view to provisional recommendations being developed for the final report on the investigation for submission to the committee for consideration on 21 November.

The committee agreed to note the latest progress with the investigation on income generation and commercialisation opportunities within the Council.

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

**Minute of Meeting held at 4.00pm in the Council Chamber, Council Headquarters, Giffnock, on 26 September 2019.**

**Present:**

Provost Jim Fletcher	Councillor Annette Ireland
Deputy Provost Betty Cunningham	Councillor Alan Lafferty
Councillor Paul Aitken	Councillor David Macdonald
Councillor Tony Buchanan (Leader)	Councillor Colm Merrick
Councillor Charlie Gilbert	Councillor Stewart Miller
Councillor Barbara Grant	Councillor Paul O’Kane

Provost Fletcher in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Louise Pringle, Head of Business Change and Revenues; Barbara Clark, Chief Accountant; Eamonn Daly, Democratic Services Manager; and Liona Allison, Assistant Committee Services Officer.

**Apologies:**

Councillors Caroline Bamforth, Angela Convery, Jim McLean and Jim Swift.

**DECLARATIONS OF INTEREST**

**1051.** There were no declarations of interest intimated.

**ANNUAL ACCOUNTS FOR THE COUNCIL’S CHARITABLE TRUSTS AND EXTERNAL AUDIT REPORT FOR 2018/19**

**1052.** Under reference to the Minute of the meeting of the Audit and Scrutiny Committee held earlier that day (Page 966, Item 1043 refers), the Council considered a report by the Head of Accountancy (Chief Financial Officer) explaining that the audit of the 2018/19 Annual Accounts for the seven charitable trusts for which the Council acted as trustee had been completed, that the Accounts had been amalgamated into one document, and that a copy was now submitted for consideration. In addition, the External Auditor’s report in respect of the Trusts, in compliance with the International Standard on Auditing (ISA) 260, was also submitted for consideration.

Councillor Miller, Chair of the Audit and Scrutiny Committee, having thanked all finance staff and external audit for their input, the Council noted the 2018/19 Annual Accounts for each of the Trusts and the associated External Auditor's report.

### **EAST RENFREWSHIRE COUNCIL ANNUAL ACCOUNTS AND DRAFT ANNUAL AUDIT REPORT FOR 2018/19**

**1053.** Under reference to the Minute of the meeting of the Audit and Scrutiny Committee held earlier that day (Page 966, Item 1044 refers), the Council considered a report by the Head of Accountancy (Chief Financial Officer) regarding the Annual Accounts for 2018/19, the associated draft Annual Audit Report prepared by the External Auditor, and a further report by the External Auditor on matters arising from the audit of the Council's financial statements for 2018/19 reported under ISA 260 requirements. The draft Audit report provided an overview of the main issues arising from the 2018/19 audit.

The Council had received an audit certificate which was unqualified. After transfers to earmarked reserves totalling £2,771k, a sum of £421k had been added to the Council's non-earmarked General Fund reserve resulting in a balance of £10,544k as at 31 March 2019. This was slightly above the Council's target of 4% of the annual budgeted net revenue expenditure, although it was noted that the balance would reduce significantly as the Council had budgeted to use £4,312 of the reserve during 2019/20.

It was highlighted that the accounts reflected the establishment of a Feasibility Fund to permit early preparation and investigations for potential capital projects which would enable a faster start on major new capital schemes as work to identify any design or ground condition issues could be taken forward in advance of formal approval of the Capital Plan.

It was further noted that capital expenditure of £41,187k had been invested in addition to which an operating surplus of £89k had been made on the Housing Revenue Account, this increasing the accumulated surpluses brought forward to that Account to £1,718k.

Having heard Councillor Miller comment that there had been a good discussion on the report at the Audit and Scrutiny Committee meeting which had agreed to remit it to the Council for consideration discussion then took place.

Councillor Buchanan was heard on the positive nature of both the accounts and the report by Audit Scotland. He emphasised that there had been a number of key areas looked at and offered thanks to the Audit and Scrutiny Committee for its work in reviewing the accounts and Audit Scotland report, and officers from both Audit Scotland and the Council's own finance team for their work.

Councillor Miller having also offered thanks to both the Council's Finance Staff and the officers from Audit Scotland, the Council agreed to:-

- (a) approve the Council's Annual Accounts for 2017/18; and
- (b) note the draft Annual Audit Report to the Council and Controller of Audit 2017/18 and the External Auditor's report on matters arising from the audit of the Council's 2017/18 Financial Statements prepared under requirements of ISA 260.

**MINUTE**  
**of**  
**LOCAL REVIEW BODY**

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 2 October 2019.**

**Present:**

Councillor Annette Ireland (Chair)  
Provost Jim Fletcher

Councillor Stewart Miller  
Councillor Jim Swift

Councillor Ireland in the Chair

**Attending:**

Graham Shankland, Principal Strategy Officer (Regulatory and Strategy) (Planning Adviser); Siobhan Wilson, Solicitor (Legal Adviser); and Paul O'Neil, Committee Services Officer (Clerk).

**Apologies:**

Councillors Betty Cunningham (Vice Chair); Angela Convery; and Jim McLean.

**DECLARATIONS OF INTEREST**

**1054.** There were no declarations of interest intimated.

**NOTICE OF REVIEW – REVIEW 2019/13 – ERECTION OF ONE AND A HALF STOREY REAR EXTENSION WITH RAISING OF RIDGE HEIGHT AND INSTALLATION OF DORMER WINDOWS AT FRONT AND SIDE AT 4 DEVERON AVENUE, GIFFNOCK (REF NO: 2019/0383/TP)**

**1055.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr Niall MacKinnon, against the decision taken by officers to refuse planning permission in respect of the erection of a one and a half storey rear extension with raising of ridge height and installation of dormer windows at front and side at 4 Deveron Avenue, Giffnock.

The decision had been made in accordance with the Council's Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended.

In accordance with the decision taken at the meeting on 10 August 2016, the Local Review Body had carried out an unaccompanied site inspection of the application site immediately prior to the meeting.

Having been advised that the applicant had submitted new evidence which was not before the Appointed Officer at the time the determination of the application was made and having noted the procedure that required to be followed should the new information be taken into account, the Local Review Body decided not to give consideration to the new information in the determination of the review.

At this stage, the Local Review Body, having considered the information previously circulated, agreed that it had sufficient information to determine the review without further procedure.

Following discussion, it was agreed that the decision of the Appointed Officer as set out in the decision notice of 9 August 2019 be overturned and that planning permission be granted.

**NOTICE OF REVIEW – REVIEW 2019/14 – ERECTION OF SINGLE STOREY SIDE EXTENSION AND ATTACHED DOUBLE GARAGE AT FRONT AT MELODIE COTTAGE, 4 OLD HUMBIE ROAD, NEWTON MEARNS (REF NO: 2019/0365/TP)**

**1056.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Ms Lorraine Marchetti, against the decision taken by officers to refuse planning permission in respect of the erection of a single storey side extension and attached double garage at front at Melodie Cottage, 4 Old Humbie Road, Newton Mearns.

The decision had been made in accordance with the Council's Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended.

In accordance with the decision taken at the meeting on 10 August 2016, the Local Review Body had carried out an unaccompanied site inspection of the application site immediately prior to the meeting.

The Local Review Body, having considered the information previously circulated, agreed that it had sufficient information to determine the review without further procedure.

Councillor Ireland, seconded by Councillor Miller, moved to uphold the decision of the Appointed Officer as set out in the decision notice of 22 July 2019 and refuse planning permission.

Councillor Swift, seconded by Provost Fletcher, moved as an amendment that the decision of the Appointed Officer as set out in the decision notice of 22 July 2019 be overturned and that planning permission be granted.

On a vote being taken, 2 Members voted for the motion and 2 Members voted for the amendment. There being an equality of votes cast, in accordance with Standing Order 36(d) the Chair had a casting vote which she cast in favour of the motion.

The motion was accordingly declared carried and it was agreed to uphold the decision of the Appointed Officer as set out in the decision notice of 22 July 2019 and refuse planning permission.

**NOTICE OF REVIEW – REVIEW 2019/15 – ERECTION OF TWO NEW RETAIL/BUSINESS UNITS INCLUDING PROVISION FOR HOT FOOD TAKEAWAY PLUS EXTERNAL ALTERATIONS TO EXISTING BUILDINGS AND NEW PARKING AREA AT 157 BURNFIELD ROAD, GIFFNOCK (REF NO: 2019/0185/TP)**

**1057.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by A12 Properties, against the non-determination of an application in respect of the erection of two new retail/business units including provision for hot food takeaway plus external alterations to existing buildings and new parking area at 157 Burnfield Road, Giffnock.

The report explained that in addition to considering cases where an applicant had submitted a 'Notice of Review' in relation to a decision made by an officer in terms of the Scheme of Delegation, the Local Review Body was also to deal with cases where the Appointed Officer had failed to determine the application within two months from the date it was lodged. This was the case in respect of the application submitted by A12 Properties.

The Local Review Body, having heard the Planning Adviser explain the reasons for the non-determination of the application, agreed that:-

- (a) consideration of the review be continued to allow the Planning Service to prepare a review statement giving an assessment of the proposal and for this statement to be circulated to the applicant giving the applicant the opportunity to submit comments to the Local Review Body within 14 days; and
- (b) in accordance with the decision of the Local Review Body on 10 August 2016 to undertake an unaccompanied site visit prior to the next meeting.

**NOTICE OF REVIEW – REVIEW 2019/16 – ERECTION OF ONE AND HALF STOREY REAR EXTENSION INCORPORATING DORMER WINDOW AT REAR; INSTALLATION OF DORMER WINDOWS AT FRONT AND SIDE AT 83 BEECH AVENUE, NEWTON MEARNS (REF NO: 2019/0284/TP)**

**1058.** The Local Review Body considered a report by the Deputy Chief Executive, relative to a 'Notice of Review' submitted by Mr and Mrs Ali, against the decision taken by officers to refuse planning permission in respect of the erection of a one and a half storey rear extension incorporating dormer window at rear; installation of dormer windows at front and rear at 83 Beech Avenue, Newton Mearns.

The decision had been made in accordance with the Council's Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended.

In accordance with the decision taken at the meeting on 10 August 2016, the Local Review Body had carried out an unaccompanied site inspection of the application site immediately prior to the meeting.

The Local Review Body, having considered the information previously circulated, agreed that it had sufficient information to determine the review without further procedure.

Councillor Ireland, seconded by Provost Fletcher, moved to uphold the decision of the Appointed Officer as set out in the decision notice of 9 July 2019 and refuse planning permission.

978

Councillor Swift, seconded by Councillor Miller, moved as an amendment that the decision of the Appointed Officer as set out in the decision notice of 9 July 2019 be overturned and that planning permission be granted.

On a vote being taken, 2 Members voted for the motion and 2 Members voted for the amendment. There being an equality of votes cast, in accordance with Standing Order 36(d) the Chair had a casting vote which she cast in favour of the motion.

The motion was accordingly declared carried and it was agreed to uphold the decision of the Appointed Officer as set out in the decision notice of 9 July 2019 and refuse planning permission.

CHAIR



**MINUTE**  
**of**  
**EDUCATION COMMITTEE**

**Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 3 October 2019.**

**Present:**

Councillor Paul O’Kane (Chair)  
Councillor Colm Merrick (Vice Chair)  
Councillor Tony Buchanan (Leader)  
Councillor Caroline Bamforth  
Councillor Charlie Gilbert

Councillor Alan Lafferty  
Councillor Gordon Wallace  
Dr Frank Angell  
Ms Dorothy Graham  
Mr Des Morris

Councillor O’Kane in the Chair

**Attending:**

Mhairi Shaw, Director of Education; Janice Collins, Head of Education Services (Equality and Equity); Mark Ratter, Head of Education Services (Quality Improvement and Performance); and Ron Leitch, Committee Services Officer.

**Also attending:**

Rosemary Crossan, Head Teacher and Marie Kane, Depute Head Teacher, St John’s Primary School; and Andy Sinclair, Head Teacher, and Patricia Morrison, Principal Teacher, Barrhead High School.

**Apology:**

Councillor Danny Devlin.

**DECLARATIONS OF INTEREST**

**1059.** There were no declarations of interest intimated.

**WEST PARTNERSHIP IMPROVEMENT COLLABORATIVE - REPORT ON REGIONAL IMPROVEMENT PLAN 2018/19**

**1060.** The committee considered a report by the Director of Education informing it of the evaluation of work undertaken by the West Partnership of the Glasgow Region Education Improvement Collaborative during 2018/19. A copy of the report on the progress with and impact of the Phase 2 Improvement Plan was included as an appendix to the report.

The Director reported that the Partnership's work had been evaluated under 8 key headings reflecting its Improvement Plan and other work. These included, amongst others, the establishment of collaborative learning networks; career-long professional learning; families and communities; and leadership. Other areas of work undertaken had included development of the Partnership's online presence; consultation with practitioners and key stakeholders; resources; and developing strong partnership arrangements with Education Scotland. Overall, the Partnership had made excellent progress in implementing the Phase 2 Improvement Plan with 94% of actions being either complete, superseded or on track. She concluded by explaining that the report had been endorsed by the Glasgow City Region Education Committee on 27 August and submitted to Education Scotland by the due date of 2 September.

In response to Councillor Wallace who asked if any concerns had been raised within the Partnership with regards the ongoing implementation of Curriculum for Excellence (CfE), the Director reported that no major concerns regarding CfE had been raised at the recent Primary Head Teacher's conference. She also explained that a refresh of CfE had been undertaken and that the Scottish Government had confirmed its commitment to CfE. She went on to explain that the objective of CfE was to focus on skills as well as knowledge with a view to producing well rounded young people.

She continued by explaining the importance of the role of families and communities in raising attainment. She highlighted the involvement of third sector bodies in this work and commended the value of family wellbeing workers across the authority in supporting families to support their children, an approach which benefitted both parents/carers and young people.

Councillor Buchanan welcomed the report and the fact that East Renfrewshire had been instrumental in supporting the concept of regional collaboratives, and commended the Director for her strong leadership in taking the West Partnership forward for the benefit of all children and young people across the Glasgow City Region.

Having heard Councillor O'Kane echo the comments made by Councillor Buchanan and others and welcome the opportunity for local scrutiny of the Partnership's work, the committee noted the report.

## **WEST PARTNERSHIP IMPROVEMENT COLLABORATIVE - IMPROVEMENT PLAN 2019 – 2022**

**1061.** The committee considered a report by the Director of Education informing it of the content of the West Partnership's Improvement Plan 2019 – 2022.

The Director explained that the plan was designed to build on the work undertaken by the Partnership through the 2018/19 plan that had been the subject of the previous agenda item and organised under the same 8 key areas as set out in the 2018/19 plan each of which was sponsored by a Director of Education/Chief Education Officer. She went on to explain that the plan captured those areas where collaboration between partners would be beneficial but emphasised that not all schools would participate in all activities. The plan set out the Partnership's offer to schools based on what stakeholders had indicated they would benefit from. The plan did not replicate or duplicate the individual local improvement plans of each partner authority but enhanced each authority's own efforts to support and challenge schools to improve.

She concluded by explaining that the report had been considered and endorsed by the Glasgow City Region Education Committee on 27 August and submitted to Education Scotland by the due date of 2 September.

Mr Morris welcomed reference in the report to professional learning and sought clarification on the concept of establishing learning sets across the region. In response the Director explained that the concept envisaged small groups of teachers coming together to solve common problems and as a result building professional trust in each other.

Councillor Wallace welcomed that the fear of loss of local control which had been raised when the concept of regional collaboratives had first been mooted by the Scottish Government had proven to be unfounded in practice. In response the Director stated that it was clear that local governance arrangements continued as before but that closer partnership working was enhancing the excellent work already in place across the authority. She also reported that a new partnership arrangement between the department and South Lanarkshire College would further broaden opportunities for pupils in East Renfrewshire.

Councillor Buchanan welcomed the report which built on the successes already achieved through the sharing of best practice across the collaborative.

Councillor O'Kane expressed the view that the committee had been fully justified in expressing its concerns regarding possible loss of local control when the concept of regional collaboratives had first been suggested, but welcomed the fact that these fears had proved to be unfounded. He concluded by commending the Director of Education for the considerable work she carried out as Regional Lead Officer for Education within the West Partnership.

Thereafter, the committee agreed to note the report.

## **IMPROVING OUTCOMES THROUGH THE PUPIL EQUITY FUNDING**

**1062.** The committee considered a report by the Director of Education informing members of the progress made by schools during 2018/19 in improving outcomes through their use of Pupil Equity Funding, and the interventions used and good practice developed by schools to improve excellence and equity and achieve positive outcomes for all children and young people.

The Head of Education Services (Quality Improvement and Performance) explained that additional funding, the Pupil Equity Fund (PEF), had been allocated until 2021 by the Scottish Government directly to schools and was targeted at closing the poverty related attainment gap as part of the Scottish Attainment Challenge designed to achieve equity in education. In 2017/18 and 2018/19 schools were allocated £1200 per pupil eligible and registered for free school meals with East Renfrewshire schools being allocated £1.14 million in 2018/19 rising to £1.43 million in 2019/20. Head Teachers had been supported to develop PEF plans detailing how these resources would be used to provide targeted interventions in literacy, numeracy and health and wellbeing. In developing these plans it was important that Head Teachers clearly identified their attainment gap, drew on research evidence of what was known to be effective, and ensured collaboration with key stakeholders including pupils, parents and trade union colleagues.

He went on to explain that it was important to recognise that some of the strategies used to improve the attainment of disadvantaged pupils, for example developments in learning and teaching, had resulted in gains for all pupils. Head Teachers had used the additional funding in a variety of different ways to support learners and a summary of the approaches was outlined in Appendix 2 to the report. He concluded by explaining that, as part of the conditions associated with the allocation of this additional funding, the Education Department was required to produce a report summarising the outcomes and performance that had been achieved at the authority level and a high level summary of the progress achieved by East Renfrewshire was contained in Appendix 2.

The Head of Education Services (Quality Improvement and Performance) then invited representatives of St John's Primary School and Barrhead High School to make a brief presentation to the committee on the progress made in their schools in improving outcomes for pupils through their use of PEF allocations.

Ms Crossan and Ms Kane explained that a wide range of interventions had been adopted within St John's Primary School including, amongst others, the funding of a family wellbeing worker, increased use of outdoor learning, a focus on attendance and latecoming, and the establishment of a "kit bag" club aimed at increasing pupils' physical and mental wellbeing. A range of statistics illustrating the improvements that had been achieved was shared with the committee.

Mr Sinclair and Ms Morrison continued by explaining the interventions which had been introduced at Barrhead High School including, amongst others, the creation of 3 principal teacher graded posts centred around the themes of digital literacy, pupil voice, and achievement. A number of examples of the progress that had been achieved were explained with particular emphasis on the establishment of a Friday Club which enabled pupils and staff to come together to participate in non-academic activities designed to increase confidence and improve physical and mental wellbeing.

A number of members commended the school staff for an interesting and uplifting presentation and congratulated them on achieving some impressive results through a wide range of innovative interventions. Many also emphasised the importance of communication and engagement between staff, parents and young people in reducing the attainment gap and also in enhancing the social and emotional skills of young people.

The Director of Education highlighted the positive impact of the use of PEF on the so-called "soft" measures and expressed the view that categorisation of East Renfrewshire schools as "exam factories" was extremely unfair on both staff and young people, reiterating the holistic approach to education in all its forms taken by the Council and the department.

Having heard Councillor O'Kane commend the excellent work by schools in using the additional resources provided through the PEF to target the poverty related attainment gap and thank the staff members present for an excellent and informative presentation, the committee noted the report as a summary of the progress made by schools in improving outcomes through the PEF during session 2018/19.

CHAIR

**MINUTE**  
**of**  
**LICENSING COMMITTEE**

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 15 October 2019.**

**Present:**

Councillor Angela Convery (Chair)  
Councillor Alan Lafferty

Councillor Stewart Miller

Councillor Convery in the Chair

**Attending:**

Jacqui McCusker, Senior Solicitor; Brian Kilpatrick, Civic Government Enforcement Officer; Eamonn Daly, Democratic Services Manager and Liona Allison, Assistant Committee Services Officer.

**Also Attending:**

Constables Morton and Stevenson, Police Scotland.

**Apologies:**

Councillors Betty Cunningham (Vice-Chair) and Charlie Gilbert.

**DECLARATIONS OF INTEREST**

**1063.** There were no declarations of interest intimated.

**Resolution to Exclude Press and Public**

At this point in the meeting, on the motion of the Chair, the committee unanimously resolved that in accordance with the provisions of Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for the undernoted items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 6 and 14 of Part 1 of Schedule 7A to the Act.

**PRIVATE HIRE CAR DRIVER/OPERATOR'S LICENCES – REQUESTS FOR SUSPENSION**

**1064.** The committee considered two reports by the Chief Officer – Legal and Procurement in relation to requests from the Chief Constable for the suspension of a Private Hire Car

Driver's Licence and a Private Hire Car Operator's Licence on the grounds that the licence holder was no longer a fit and proper person to be the holder of such licences by virtue of the circumstances outlined in the letters from the Chief Constable (Agenda Items 3 and 4 refer).

The licence holder was present and accompanied by Mr McArdle, his representative.

Constable Morton and Constable Stevenson, representing the Chief Constable who had made the requests, were also present.

Mr McArdle, the licence holder's representative, was heard in respect of the requests submitted by the Chief Constable.

Constable Stevenson was then heard in respect of the requests submitted by the Chief Constable.

Having fully considered the matter, the committee agreed not to suspend the licence in terms of Paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982 pending the outcome of the forthcoming court case.

The licence holder was reminded of his obligation under the terms and conditions of the licences to immediately advise the Council if he was later found guilty of any offence in court.

CHAIR

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

**Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 24 October 2019.**

**Present:**

Councillor Tony Buchanan (Leader)	Councillor Colm Merrick
Councillor Caroline Bamforth	Councillor Paul O’Kane
Councillor Alan Lafferty	

Councillor Buchanan, Leader, in the Chair

**Attending:**

Lorraine McMillan, Chief Executive; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Phil Daws, Head of Environment (Strategic Services); Robert Spencer, Principal Accountant (Revenue); Gerry Mahon, Chief Officer – Legal and Procurement; and Paul O’Neil, Committee Services Officer.

**Apology:**

Councillor Danny Devlin.

**DECLARATIONS OF INTEREST**

**1065.** There were no declarations of interest intimated.

**ESTIMATED REVENUE BUDGET OUT-TURN 2019/20**

**1066.** The Cabinet considered a report by the Chief Financial Officer, detailing the projected revenue budget out-turn for 2019/20 and providing details of the expected year-end variances for each department, together with summary cost information for each of the undernoted services as at 31 August 2019:-

- (i) Objective and Subjective Summaries;
- (ii) Education;
- (iii) Contribution to Integration Joint Board;
- (iv) Environment Department;
- (v) Environment Department – Support;
- (vi) Chief Executive’s Office;
- (vii) Chief Executive’s Office – Support;
- (viii) Corporate and Community Services Department – Community Resources;
- (ix) Corporate and Community Services Department – Support;
- (x) Other Expenditure and Income;

- (xi) Joint Boards;
- (xii) Contingency – Welfare;
- (xiii) Health and Social Care Partnership; and
- (xiv) Housing Revenue Account.

Whilst noting that as at 31 August 2019, the estimated year-end position showed a net favourable variance on net expenditure of £782,000 based on current information, the report highlighted that for General Fund services the projected underspend was £842,000. Details of a number of service virements and operational adjustments for which approval was sought were also outlined in the report.

The report concluded by highlighting that a number of operational variances required management action to ensure that expenditure would be in line with budget at the end of the financial year. At this time, it was expected that management action would lead to all overspends being recovered, that all underspends were consolidated wherever possible and that spending up to budget levels did not take place.

The Cabinet, having noted the probable out-turn position, agreed:-

- (a) to approve the service virements and operational adjustments set out in the notes in the report;
- (b) that management action be taken to remedy any forecast overspends; and
- (c) that all departments continue to closely monitor their probable out-turn position.

## **HOUSING SERVICES PERFORMANCE REPORT 2018/19 AND ANNUAL ASSURANCE STATEMENT (SCOTTISH SOCIAL HOUSING CHARTER)**

**1067.** The Cabinet considered a report by the Director of Environment, advising of the Council's performance in respect of the Annual Return on the Scottish Social Housing Charter (SSHC) or "the Charter" to the Scottish Housing Regulator (SHR), in relation to performance in 2018/19. The report also sought approval for the Annual Assurance Statement which outlined Housing Services' compliance with the Charter standards and the Council's statutory obligations, and was a new annual requirement introduced this year by the SHR. A copy of Housing Services' annual performance report was appended to the report.

The report explained that the Scottish Social Housing Charter (SSHC) required each landlord to provide the SHR with details 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). The SHR used the information to produce a summary landlord report for every social landlord in Scotland and this information was published on the regulator's website by the end of August each year. Furthermore, the regulator also produced an Engagement Plan for each landlord, which outlined the areas of scrutiny they would focus on based on the previous year's reported performance.

Whilst noting that the Council had performed above the Scottish Council average in approximately 70% of the performance indicators measured by the SSHC, the report highlighted that the Council performed above the Scottish average for all landlords in key areas such as maintaining its homes, completing adaptations and tenancies sustained. A number of improvement areas had been identified and an Assurance Statement which



addressed the areas required for improvement was also appended to the report, it being noted that in terms of improving performance the Council would focus on void property repairs and standards together with the provision of emergency homeless accommodation.

The Cabinet:-

- (a) noted the performance for 2018/19 as outlined in the Annual Return on the Charter (ARC) submitted to the SHR, which would be published via the Council's Housing Services annual performance report as outlined in the report; and
- (b) approved the Annual Assurance Statement prepared by the Council's Housing Services self-evaluation detailing compliance with the Charter's standards and with the Council's statutory obligations for submission to the SHR by 31 October 2019.

### **STRATEGIC HOUSING INVESTMENT PLAN 2020-25 AND COUNCIL NEW BUILD PROGRAMME**

**1068.** The Cabinet considered a report by the Director of Environment, seeking approval for the proposed Strategic Housing Investment Plan 2020/21 to 2024/25 for submission to the Scottish Government. The report also provided an update on the Council's new build housing programme. A copy of the Strategic Housing Investment Programme (SHIP) was appended to the report.

The report explained that the Scottish Government required councils to supplement their Local Housing Strategy with an annual review of the SHIP setting out their affordable housing priorities for the next 5 years. It was noted that the SHIP was a 5 year plan, which would take the Council beyond the Resource Planning Assumption announced in 2019. Details of the subsidies both the Council and Registered Social Landlords received for each property that was built was outlined in the report.

Whilst noting that the proposed SHIP detailed how the Council intended to spend its resource planning allocation from the Scottish Government, the report explained that demand for new social rented housing, especially new Council housing, continued to exceed supply. To address this, the proposed SHIP could deliver 561 units of social rented housing and 50 'Rent off the Shelf' purchases across the 5 year period of the programme.

Furthermore, the need to identify available sites was an ongoing challenge and to assist with this, additional staffing resources had been made available. However, it was noted that private ownership of a number of sites meant that development timescales could not always be controlled by the Council.

The Cabinet:-

- (a) approved the Strategic Housing Investment Plan 2020/21 to 2024/25 for submission to the Scottish Government;
- (b) noted that a further report would be submitted to a future meeting of the Cabinet in relation to the resulting Strategic Local Programme Agreement with the Scottish Government, which would confirm the programme of housing projects being funded locally over the next 2 years; and

- (c) noted the progress made to date with the Council house new build programme, the proposals for future developments and the significant challenges in delivery.

#### **WRITE-OFF OF IRRECOVERABLE FORMER TENANT RENT AND COURT EXPENSES**

**1069.** Under reference to the Minute of the meeting of the Cabinet of 26 January 2017 (Page 2197, Item 2361 refers), when the new rent arrears policy had been approved, the Cabinet considered a report by the Director of Environment, seeking approval to write-off former tenant rent and court expenses which could not be recovered through the debt collection process.

The Cabinet agreed to:-

- (a) write-off the sum up to the value of £54,316.90 of irrecoverable former tenant rent and court expenses, whilst acknowledging that the sums could be pursued and recovered in future should additional information and opportunities arise;
- (b) note that £36,765.81 of this amount was written-off against the Housing Revenue Account (HRA) with the remaining £17,551.09 being written-off against the Non-HRA as this was accrued by homeless households placed in temporary accommodation; and
- (c) note that the write-off of these historic unrecoverable debts would have no net impact on the Council's accounts as provision had been made for the debt, in full, in previous years.

#### **REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000**

**1070.** The Cabinet considered a report by the Chief Officer – Legal and Procurement, seeking approval to the amendment of the Council's procedure on covert surveillance to reflect the addition of a further authorising officer and to report on surveillance activity undertaken by the Council during the period 2017-19. A copy of the revised procedure on covert surveillance was appended to the report.

The report explained that the Regulation of Investigatory Powers (Scotland) Act 2000 (referred to as RIPSAs) came into effect on 2 October 2000 the purpose of which was to ensure that public authorities made only lawful use of directed surveillance and covert human intelligence sources. The Act regulated these activities by requiring that surveillance operations be justified and authorised by a senior officer of the authority.

Whilst noting that as a result of staff changes it was now considered prudent to add a further authorising officer to the list of those able to fulfil this function so as to ensure adequate availability and minimise delay to planned surveillance activities, the report proposed that in accordance with the terms of the Regulation of Investigatory Powers (Prescription of Offices) etc and Specification of Public Authorities (Scotland) Order 2010, that the Data and Information Manager be added to the list.

The report also provided details of the use of directed surveillance and Covert Human Intelligence Sources (CHIS) during the preceding 3-year period which highlighted an upward trend in the use of direct surveillance which was accounted for by the involvement of Trading

Standards (Scotland) (TSS) who were delegated as East Renfrewshire Council Officers for trading standards purposes. It was noted that the surveillance activities focussed on national operations around the online sale of counterfeit goods.

The Cabinet:-

- (a) noted the use of directed surveillance and Covert Human Intelligence Sources (CHIS) during the period 2017-19; and
- (b) approved the revised Procedure on Covert Surveillance which was appended to the report.

CHAIR

