

MINUTE
of
EAST RENFREWSHIRE COUNCIL

Minute of Meeting held at 7.00pm in the Council Chamber, Council Headquarters, Giffnock, on 19 December 2018.

Present:

Provost Jim Fletcher	Councillor Alan Lafferty
Councillor Paul Aitken	Councillor David Macdonald
Councillor Caroline Bamforth	Councillor Jim McLean
Councillor Tony Buchanan (Leader)	Councillor Colm Merrick
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
Councillor Annette Ireland	

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); Gerry Mahon, Chief Officer – Legal and Procurement; Graeme Smith, Communications Manager; John Buchanan, Operations Manager; Eamonn Daly, Democratic Services Manager; and Paul O’Neil, Committee Services Officer.

Also Attending:

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

Apology:

Depute Provost Betty Cunningham.

DECLARATIONS OF INTEREST

725. Councillors Devlin, Grant, Merrick and O’Kane declared a non-financial interest in relation to Item 744 by virtue of the fact that they were members of the East Renfrewshire Culture and Leisure Trust Board.

PROVOST’S AWARD TO ASHLEY AND PAUL MCILVENNY

726. Provost Fletcher advised that the winners of this year’s Citizen of the Year Award were Ashley and Paul McIlvenny, a husband and wife who had set up the Include Me 2 Club

in 2010 to provide social opportunities and activities for adults across East Renfrewshire with additional support needs. It was noted that the volunteer-led charity had gone from strength to strength since its inception with almost 400 residents benefitting from the club.

Concluding his remarks, Provost Fletcher advised that such was their dedication they unfortunately could not attend the meeting to accept their award as it coincided with their annual community Christmas party for 120 people in Neilston. However, he further advised that he would arrange to present them with their award at a suitable time.

The Council noted the position and congratulated Mr and Mrs McIlvenny on their award.

MINUTE OF PREVIOUS MEETING

727. The Council considered and approved the Minute of the meeting held on 31 October 2018.

MINUTES OF MEETINGS OF COMMITTEES

728. The Council considered and approved the Minutes of the meetings of the undernoted, except as otherwise referred to in Items 729 and 730 below:-

- (a) Planning Applications Committee – 7 November 2018;
- (b) Local Review Body – 7 November 2018;
- (c) Licensing Committee – 13 November 2018;
- (d) Education Committee – 15 November 2018;
- (e) Appeals Committee - 16 November 2018;
- (e) Cabinet (Police and Fire) – 22 November 2018;
- (f) Audit and Scrutiny Committee – 22 November 2018;
- (g) Cabinet – 29 November 2018;
- (h) Planning Applications Committee – 5 December 2018;
- (i) Local Review Body – 5 December 2018;
- (j) Cabinet – 6 December 2018; and
- (k) Licensing Committee – 11 December 2018.

PLANNING APPLICATIONS COMMITTEE – 7 NOVEMBER 2018 – APPLICATION FOR PLANNING PERMISSION

729. Under reference to the Minute of the meeting of the Planning Applications Committee of 7 November 2018 (Page 608, Item 673(i) refers), when it was agreed to approve an application for planning permission, subject to conditions (i.e. Ref No:- 2018/0065/TP), in respect of the installation of an Anaerobic Digestion Biogas Plant with alterations to vehicular access off A77 and earthworks/excavation operations to change ground levels (amendment to Condition 10 of planning permission 2016/0070/TP that does not allow the use of waste materials) at site 300 metres north east of Greenhags, Ayr Road, Newton Mearns by the Greenhags Energy Company Limited, Councillor Miller requested that in relation to the comments he had made at the meeting which appeared in the second last paragraph on page 608, the Minute be amended by deleting the word 'would' and replacing it with the word 'were'.

The Council approved the Minute, subject to the amendment being made.

AUDIT AND SCRUTINY COMMITTEE – 22 NOVEMBER 2018 - JOINT EAST RENFREWSHIRE CULTURE AND LEISURE TRUST ACTION PLAN IN RELATION TO INDEPENDENT FINANCE AND BUSINESS CASE REVIEW OF THE TRUST

730. Under reference to the Minute of the meeting of the Audit and Scrutiny Committee of 22 November 2018 (Page 635, Item 699 refers), when the committee agreed amongst other things to note the terms of the report in relation to the Trust's Action Plan, Councillor Swift stated that at the meeting he had requested that the committee be provided with regular updates on the Trust's finances and was advised that this information would be provided. He enquired would it be possible for an update to be provided on whether the Trust had managed to close the forecast deficit in its finances.

The Council agreed:-

- (a) that Councillor Swift be provided with an update on the East Renfrewshire Leisure Trust's finances; and
- (b) to otherwise approve the terms of the Minute.

INTERIM TREASURY MANAGEMENT REPORT FOR 2018/19

731. Under reference to the Minute of the meeting of the Audit and Scrutiny Committee of 22 November 2018 (Page 632, Item 697 refers), when it had been agreed to recommend to the Council that the organisations listed in the report for investment of surplus funds be approved and for the approval of the continuing use of Money Market Funds in light of the new regulations coming into effect from early next year, the Council considered a report by the Chief Financial Officer, providing details about the Council's Treasury Management activities for the first 6 months of 2018/19.

The Council:-

- (a) noted the interim Treasury Management Report 2018/19;
- (b) approved the use of the organisations listed at Appendix II to the report for the investment of surplus funds; and
- (c) approved the continuing use of Money Market Funds in light of the new regulations coming into effect from early 2019.

GENERAL FUND CAPITAL PROGRAMME 2018/19

732. Under reference to the Minute of the meeting of the Cabinet of 6 December 2018 (Page 654, Item 717 refers), when it was agreed to recommend to the Council that the proposed adjustments to the General Fund Capital Programme 2018/19 be approved, the Council considered a report by the Chief Financial Officer, recommending adjustments to the 2018/19 General Fund Capital Programme in light of issues that had arisen since the programme had been approved.

The Council:-

- (a) approved the movements within the General Fund Capital Programme 2018/19; and
- (b) noted that the shortfall of £318,000 would be managed and reported on a regular basis.

HOUSING CAPITAL PROGRAMME 2018/19

733. Under reference to the Minute of the meeting of the Cabinet of 6 December 2018 (Page 655, Item 718 refers), when it was agreed to recommend to the Council that the proposed adjustments to the Housing Capital Programme 2018/19 be approved, the Council considered a joint report by the Chief Financial Officer and Director of Environment, recommending adjustments to the 2018/19 Housing Capital Programme in light of issues that had arisen since the programme had been approved.

The Council:-

- (a) approved the transfer of £50,000 from Purchase of Property to Aids and Adaptations;
- (b) noted and approved the movements within the Housing Capital Programme 2018/19; and
- (b) noted that the shortfall of £85,000 would be managed and reported on a regular basis.

NOTICE OF MOTION No.1

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

“This Council acknowledges the importance of discouraging people from dropping litter, supports increasing fixed penalty notices for littering from £80 to £100 and agrees a letter be sent from this local authority to the Scottish Govt making clear this Council’s support for increasing the default on the spot fines from £80 to £100 and requests that Ministers implement this change as quickly as possible.”

The Council approved the terms of the motion and agreed that:-

- (a) a letter be sent by the Council to the Scottish Government making clear the Council’s support for increasing the default on the spot fines from £80 to £100; and
- (b) the Council requests that Ministers implement the change as quickly as possible.

Variation in Order of Business

Provost Fletcher, having heard Councillor Macdonald request that motions 3 and 4 be considered before motion 2, agreed that in accordance with the terms of Standing Order 19, the order of business be amended to facilitate the conduct of the meeting.

NOTICE OF MOTION No.3

735. In accordance with Standing Order 25, the following notice of motion had been submitted by Councillor Macdonald, seconded by Councillor Aitken.

“That East Renfrewshire Council recognises the Scottish Youth Parliament’s campaign “Right Here Right Now”, understands that this campaign seeks to raise awareness of young people’s rights across society, and supports the Youth Parliament’s cause of ensuring that young people’s rights are protected, respected and fulfilled in Scotland.

The Council further notes and endorses the main objectives of this campaign: to ensure that young people are aware of and empowered to defend their rights as outlined in the United Nations Convention of the Rights of the Child (UNCRC); to ensure that Article 12 of the UNCRC, that young people have a right to be consulted on all matters affecting them, is properly fulfilled by decision-makers at all levels; and ultimately to call on the Scottish Government to incorporate the UNCRC into domestic Scottish Law.

That the Council recognises the UNCRC as the most complete statement of children’s rights ever produced as well as the most widely-ratified international human rights treaty in history. Therefore, Council calls on the Scottish Government to incorporate the UNCRC into Scots law before the end of this parliamentary term and that Cllr. Buchanan, in the role of leader of the council, writes to Maree Todd MSP, Minister for Children and Young People calling on this incorporation to take place.”

Councillor O’Kane, seconded by Councillor Merrick, moved as an amendment that after the words “domestic Scottish Law” in paragraph 2 of the motion the following paragraph be inserted:

“Council acknowledges the excellent work already undertaken across East Renfrewshire to support children and young people to be aware of and defend their rights; celebrates the fact that currently all of our schools are engaged in the UNICEF Rights Respecting Schools Award (which recognises a school’s achievement in putting the UNCRC into practice in school and beyond); further celebrates that 9 schools have the Gold level award, 12 have Silver and 9 have Bronze and that Busby Primary, Mearns Primary, St John’s Primary and Woodfarm High have all been recredited at Gold level – meaning they have been standing Rights Respecting Schools at the highest level verified by UNICEF and praised for their work in involving children in decision making across the school.” and that in paragraph 3 of the motion the wording from “...treaty in history.” be deleted and the following paragraph be inserted:-

“: agrees to continue to build on the success of the Rights Respecting Award; notes that Scottish Government made a commitment in September to incorporate the principles of the UNCRC into Scots law; calls for the Scottish Government to go further to fully incorporate the UNCRC and agrees that Councillor Buchanan as Leader of the Council write to Maree Todd MSP, Minister for Children and Young People in this regard.”

The terms of the amendment having been accepted, the Council agreed to approve the terms of the motion as amended and that Councillor Buchanan as Leader of the Council write to Maree Todd MSP, Minister for Children and Young People in this regard.

NOTICE OF MOTION No.4

736. In accordance with Standing Order 25, the following notice of motion had been submitted by Councillor Macdonald, seconded by Councillor Aitken.

“That East Renfrewshire Council commences webcasting of all meetings of the Audit and Scrutiny Committee, Education Committee, Cabinet, Cabinet (Police and Fire) and Planning Committee/Local Review Body in addition to the present arrangements of webcasting of full council meetings utilising the full 30 hours per annum that it pays for within the current contract with Public-i.

That East Renfrewshire Council also broadcast the meetings of all committees previously mentioned plus meetings of the full council using live streaming on social media through it’s Facebook and Twitter social media pages from June 19th 2019 onwards and archive all of them on the council’s Youtube page for the each full term of the council.”

Councillor Ireland, seconded by Councillor Lafferty, moved as an amendment that:-

“East Renfrewshire Council will continue to webcast meetings of the full Council.”

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

Whilst referring to the importance of the electorate being able to see their elected representatives at Council meetings, Councillor Macdonald highlighted that a proportion of the Council’s contracted webcast hours were not being used resulting in a higher than necessary webcast cost per meeting. He proposed that to improve openness and transparency the Council should extend the use of the webcasting system to cover those other meetings set out in his motion.

Councillor Macdonald stated that he had contacted Glasgow City Council to seek information on that authority’s webcasting arrangements and reported the results of his findings to the Council. He also proposed that the Council make use of other forms of social media such as Facebook and Twitter as these were easy to access and provided the means to view meetings that were broadcast. Outlining the benefits of using this form of social media, he emphasised that that there would be no cost to the Council apart from setting up the camera. Concluding his remarks, he suggested that by making use of social media in this way it could save the Council £10,000 per annum by not having to pay for a webcast contract and that these savings could be used to organise an Armed Forces Fun Day in 2019.

In seconding the motion, Councillor Aitken referred to the criticism the Council received in the Best Value Report prepared by Audit Scotland, particularly the Council’s lack of transparency and stated that the motion as proposed was simply seeking approval for other meetings of the Council to be webcast to ensure that the Council was making proper use of the broadcast time it had available through the webcast contract. Concluding his remarks, he emphasised that at present the Council was paying for services it was not using and called upon the Council to support the terms of the motion.

Responding to Councillor Aitken’s comments about Audit Scotland’s report, Councillor Ireland highlighted that the report he referred to had now been superseded and that Audit Scotland was now satisfied with the Council’s transparency arrangements. She also referred to the recent decision by the Planning Applications Committee to put representations to applications for planning permission online as a means of improving transparency.

Turning to the terms of the motion, Councillor Ireland stated that she had carried out some research into the matter and had found that 72% of councils in Scotland did not webcast their meetings. She also highlighted that at the recent meeting of Renfrewshire Council, the Council had voted two to one against webcasting other council meetings. Concluding her remarks, she stated that the Council would require approximately 70 hours of webcast time to enable it to broadcast all the meetings proposed by Councillor Macdonald. Furthermore, it would also involve additional staffing resources to manage the webcasting of meetings.

Seconding the terms of the amendment, Councillor Lafferty explained that initially he was sympathetic to the terms of the motion. However, having spoken to the Council's Democratic Services Manager he had been made aware of the additional staffing required to webcast each meeting and in view of this, he stated that he would prefer additional staffing resources being made available for the Audit and Scrutiny Committee rather than for webcasting of meetings.

In response to a question by Councillor Grant, the Democratic Services Manager confirmed that information on the viewing figures of meetings that had been webcast in the past was available and that he would send this to her in due course.

Councillor Miller stated that in his opinion the motion should have been submitted to the Council's Budget meeting earlier in the year at which time a decision could have been taken by the Council as to whether it considered webcasting a priority. He also indicated that he had been given details of the viewing figures from the meeting of the full Council in May 2018 and it was clear from this information that very few individuals had actually viewed the meeting. Concluding his remarks, he stated that whilst he agreed that the Council should make use of the 30 hours of webcast time the other meetings proposed by Councillor Macdonald would use up the time at the expense of the time needed for meetings of the full Council.

Provost Fletcher invited Councillor Macdonald to sum up.

In summing up, Councillor Macdonald stated he did not subscribe to the argument put forward by Councillor Ireland regarding the decisions taken by other councils not to webcast their meetings as a valid reason why the Council should do the same. He stated that at present the Council was wasting money by not making full use of the available webcast time. Concluding his remarks, he proposed that the Council should engage with social media as this was the way forward and it would also avoid the Council having to pay for webcasting in the future.

On a vote being taken, 7 members voted for the motion and 9 voted for the amendment. The amendment was accordingly declared carried and it was agreed that the Council would continue to webcast meetings of the full Council.

NOTICE OF MOTION No.2

737. In accordance with Standing Order 25, the following notice of motion had been submitted by Councillor Macdonald, seconded by Councillor Aitken.

“That East Renfrewshire Council reinstate Armed Forces Day within Rouken Glen Park for the summer of 2019 and that provisions are made within upcoming budget to accommodate the return of this much appreciated and worthwhile event.”

Councillor Buchanan, seconded by Councillor O’Kane, moved as an amendment that:-

“East Renfrewshire Council will continue to recognise Armed Forces Day, as we did this year and continue to support our service veterans 365 days a year.”

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

The Council agreed to a minor amendment being made to terms of the motion to the effect that the word 'fun' be inserted between the words "Forces" and "Day".

Councillor Macdonald outlined the role of the armed forces and the sacrifices that were made by the men and women who served in them. He emphasised the importance of remembering those who had died serving their country and the need to celebrate those currently serving in the armed forces. He stated that he was simply requesting that an event similar to the one organised in 2017 be arranged in 2019. He expressed the view that funding for the event could be found given that the cost of the 2017 event was only £10,200 and that staffing for the event could be sourced from volunteers. Concluding his remarks, he proposed that monies in the democratic budget could be reallocated to pay for the event and suggested that a cross party working group be established to take this matter forward.

In seconding the motion, Councillor Aitken whilst acknowledging the financial climate the Council was operating in echoed Councillor Macdonald's comments about funding the event and that he supported the motion put forward to organise an event in 2019.

Councillor Buchanan was heard in support of his amendment. He stated that the Council recognised the sacrifice made by local residents who were still members of the armed forces and this was done in a dignified and respectful manner. He summarised a number of activities that had taken place in 2018 to remember the armed forces including amongst other things a flag raising ceremony on 25 June to mark Armed Forces Day citing the importance of the event given that 2018 was the 100th anniversary of the Armistice. Other events included Remembrance Sunday where three main events were held across East Renfrewshire. He also highlighted that the Council had a Community Covenant with the armed forces to build on the good relations between the armed forces community, the Council and its partner organisations.

Concluding his remarks, Councillor Buchanan commented on the work of Council's designated Veterans Support Adviser. He referred to the costs of staging the 2017 event which included a contribution of £2,000 from the Ministry of Defence. At that time, he emphasised that the Council employed event staff although due to budget restrictions these staff were no longer employed. Furthermore, he indicated that in 2017 it had become increasingly difficult to attract personnel from the armed forces to attend the event and in view of this the Council had decided to mark Armed Forces Day in a different but entirely fitting way.

Councillor O'Kane in seconding the amendment stated that whilst the Council was committed to Armed Forces Day, it had to make choices about how it spent its budget. He stated that the Council preferred to invest in armed forces veterans in East Renfrewshire. Furthermore, consideration of a number of issues had been taken into account before the Council had been decided not to organise the event in 2018.

Councillor Grant suggested that the Council needed to focus on a full year to support armed forces by providing 24/7 help for their families in the course of which Councillor Wallace explained that as the Council's representative to the Lowland Reserve Forces and Cadets Association he was aware of the cuts that had been made over the years to the armed forces. In view of this, he suggested that the Council should invest in the work of the Veterans Support Adviser.

Councillor Swift stated that he would like to see the Council re-engage with the Ministry of Defence regarding the possibility of holding an event in the future as in his opinion, the Council should value the event and elevate the social standing of those serving in the armed forces.

At this stage, having been invited to sum up Councillor Macdonald indicated that he no further comment to make.

On a vote being taken, 5 members voted for the motion and 9 voted for the amendment. The amendment was accordingly declared carried and it was agreed that East Renfrewshire Council would continue to recognise Armed Forces Day, as it did this year and continue to support our service veterans 365 days a year.

NOTICE OF MOTION No.5

738. In accordance with Standing Order 25, the following notice of motion had been submitted by Councillor O’Kane, seconded by Councillor Merrick.

“East Renfrewshire Council is rightly proud of its efforts to tackle discrimination in all its forms; we celebrate our greatly diverse community including the largest Jewish population in Scotland; we condemn racism and antisemitism wherever it is found; as part of Council’s ongoing equalities work we resolve to join with the UK and Scottish Governments and the major political parties in the UK in signing up to the internationally recognised International Holocaust Remembrance Alliance (IHRA) guidelines on antisemitism which defines antisemitism thus:

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, towards Jewish Community institutions and religious facilities.”

The guidelines highlight manifestations as including:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extreme view of religion.
- Making mendacious, dehumanising, demonizing or stereotypical allegations about Jews as such or the power of Jews as collective such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other social institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens as being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g. by claiming that the existence of the State of Israel is a racist endeavour.
- Applying double standards by requiring of it behaviour not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g. claims of Jews killing Jesus or blood libel) to characterise Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for the actions of the state of Israel.

Council resolves to:

Restate its condemnation of all forms of racism in all its manifestations and adopts the IHRA definition of antisemitism as the working model for challenging and confronting incidents of this form of racism.”

The Council approved the terms of the motion.

QUESTIONS TO CONVENERS

739. In according with Standing Order 24, the following questions were submitted from Councillor Swift to Councillor Buchanan, Leader of the Council.

Question 1

“Having consulted with an academic, I have been advised in considerable detail and against a range of criteria, which the consultation failed and the bottom line is that the Council’s consultation was quite blatantly biased.

Can the Leader of the Council please advise why the Council constructed a biased consultation?”

In reply, Councillor Buchanan explained that the Council had discussed many aspects of the consultation and he did not share Councillor Swift’s opinion that it was biased. Furthermore, referring to previous concerns that had been expressed about compliance with data protection requirements during the consultation, notification had been received from the Information Commissioner confirming that the Council had been compliant with all data protection obligations during the consultation exercise. Concluding his remarks, he reiterated that the consultation was not biased.

Councillor Swift then outlined five issues in relation to the consultation. These were noted as the following:-

- (i) The Council created a biased survey;
- (ii) The Council disseminated a biased survey;
- (iii) The Council had personate information from the public;
- (iv) The Council reported the consultation results in a slanted way; and
- (v) The Council used a survey with questionable methodology to highlight which sites should be prioritised.

In view of the foregoing, he asked Councillor Buchanan whether he shared his view that efforts were needed to restore faith in the Council and questioned whether Councillor Buchanan and the Chief Executive were the right people to lead the Council.

In response, Councillor Buchanan stated that he rejected Councillor Swift’s comments in the course of which he emphasised that the Council had excellent staff and the Council was held in high regard. He expressed concern about the comments that Councillor Swift had made and the points he was trying to make simply because he did not like the outcome of the consultation which neither biased nor flawed. He stated that the results of the consultation would be used when a decision required to be made in the future.

The Council noted the position.

Question 2

"I have been waiting now since my request on 31st October for a detailed methodology into the report that recommended Shawwood as 1st choice narrowly nudging Broompark into second place as the preferred site for a new Eastwood Leisure Centre. Some of the findings were at best counter intuitive and at worst appeared ridiculous to me.

Can the Leader of the Council please advise why we would spend hundreds of thousands of pounds on reports from consultants that have in my and others' opinions highly dubious findings and those same consultants will not share their methodology, so we can understand how they arrived at their questionable findings?"

In reply, Councillor Buchanan stated that consultants were used on a number of occasions for a variety of services that the Council provided. However, they did not make decisions. He stated that in relation to the methodology used by Turner and Townsend, a well-known and respected firm, Councillor Swift had been provided with information on this matter.

Councillor Swift stated that he had been given information but not an answer. He stated that there were 5 domains that were evaluated within this and within them there were sub-domains although there were no detailed criteria that explained the values attributed or attached to these sub-domains. He stated that the Council had been given a numerical answer to a subjective question and that there was no decent methodology that could be understood.

He enquired that in view of the foregoing whether Councillor Buchanan had any concerns with the report that had been prepared by Turner and Townsend.

In reply, Councillor Buchanan advised that he had no concerns with the report and that the information would be considered in the future prior to a decision being made.

The Council noted the position.

STATEMENTS BY REPRESENTATIVES ON JOINT BOARDS/COMMITTEES

740. The following statements were made:-

(a) **Councillor Bamforth - Integration Joint Board**

Councillor Bamforth reported on the business considered at the most recent meeting of the Integration Joint Board on 28 November 2018. She advised that the Health and Social Care Partnership (HSCP) was planning for winter together with some local work being carried out to reduce emergency admissions and hospital stays.

Whilst noting that staff at the HSCP had led on some changes across the Greater Glasgow and Clyde area, she advised they were open to learning from other neighbouring HSCPs. Details of the most recent performance management information for this area of work had also been provided.

Furthermore, it was noted that the resource released from changes to NHS Complex Care had afforded the IJB the opportunity to invest in Bonnyton House and an update was provided on the development of a 6-bed rehabilitation and recuperation unit there.

Concluding her remarks, she explained that the Board was also given information about the work being undertaken to develop beds at Bonnyton House to support people at end of life who wanted to return to East Renfrewshire but could not return to their own home.

(b) **Councillor Merrick – Culture and Leisure Trust**

Councillor Merrick began by recommending to the Council the latest Business Plan for the East Renfrewshire Culture and Leisure Trust which was the subject of a separate report later in the meeting. He advised that as part of the business planning this year the Board had attended a Strategy Away Day on 23 October which involved a visit to The Peak, an indoor complex at the heart of the Stirling Sports Village and to the National Swimming Academy's 50 metre pool at the University of Stirling's Sports Centre.

Commenting that The Peak was the biggest single development for sport and leisure in Stirling for over 30 years with an investment of £27.3 million and was funded by Stirling Council and **sportscotland**, he stated that the Board was interested in learning about the pioneering development that was shaped by Stirling Council's ambition and vision for sport and recreation for the community, and by modern design and environmental practice. Furthermore, the Board was also given an understanding how the National Swimming Academy's 50 metre pool could support the demand for recreational public swimming, lessons, club activity and events.

Councillor Merrick provided further details about other activities undertaken by the Board as part of the away day. He indicated that the Business Plan had been discussed at the meeting of the Board on 4 December highlighting that it was wholeheartedly endorsed by the Board.

(c) **Councillor Lafferty – Association of Public Service Excellence – Council Award**

Councillor Lafferty advised that at the Association of Public Service Excellence Performance Networks Awards 2018 held on Thursday, 6 December 2018, the Council had won an award for the most improved Council in terms of performance for Roads, Highways and Winter Maintenance.

The Council noted the statements.

PROVOST'S ENGAGEMENTS

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

MANAGEMENT RULES – HOUSEHOLD WASTE RECYCLING CENTRES

742. The Council considered a report by the Director of Environment, requesting that by virtue of the powers conferred upon it by Part IX of the Civic Government (Scotland) Act 1982, the Council introduce Management Rules to regulate the use of, and the conduct of persons while using, any East Renfrewshire Council Household Waste Recycling Centre. The report also sought permission to advertise the proposed Management Rules and

thereby to consult with and seek the views of the public in East Renfrewshire in accordance with terms of the legislation and in the absence of objections from the public, to move directly to the introduction of the Management Rules without the need for a further report to Council. A copy of the proposed Management Rules was appended to the report

The report explained that the Management Rules were intended to provide a clear set of rules for users of household waste recycling centres to abide by, it being noted that the centres were important facilities for the Council to reduce the amount of waste that was sent to landfill by encouraging greater separation of waste. Furthermore, the proposed site rules and associated management practices applied to the household waste recycling centres should go a significant way to preventing the abuse of the sites through the deposit of commercial waste or the use of the sites by residents of other local authority areas.

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

Councillor Swift commented on the rules of admission to the household waste recycling centres and in particular the requirement for residents to produce photographic Identification to gain access. He enquired whether the Council was aware of the number of residents in possession of this type of identification and was concerned about the implications to those who did not have this form of identification.

In reply, the Director of Environment stated that the Council would prefer residents to have photographic identification to gain access to the centres but that other forms of non-photographic identification would be accepted.

Referring to the importance of the Council ensuring the wellbeing of its frontline staff, Councillor Convery suggested that in relation to Clause 6 – Provisions as to Behaviour, sub clause (j) – Offensive Language and Antisocial Behaviour should be strengthened to the effect that violence towards any member of staff will not be tolerated and will be dealt with accordingly.

In reply, the Director of Environment agreed to strengthen the Management Rules accordingly in the course of which the Operations Manager in response to a question by Councillor Macdonald explained that the Council would prefer individuals to exhibit a document confirming proof of residency. Furthermore, by exhibiting this form of documentation it would prevent the misuse of the centres by those who were commercial operators or who were not resident in the area.

The Council:-

- (a) by virtue of the powers conferred on it by the Civic Government (Scotland) Act 1982, agreed that the Council introduce Management Rules for household waste recycling centres as detailed in Appendix A to the reports, subject to the amendments made at the meeting.
- (b) agreed that the proposals to make the rules be advertised in accordance with the provisions of the said Act and, if no objections were received, that delegated powers be granted to the Director of Environment to proceed to make the said rules, subject to the minor amendments proposed being included in the finalised document; and

- (c) noted that if objections were received, a further report containing details of the objections would be submitted which would allow the Council an opportunity to consider the objections and to allow any objector the opportunity to be heard by the Council before authority was given to make the rules.

AMENDMENT TO CONTRACT STANDING ORDERS

743. The Council considered a report by the Chief Officer – Legal and Procurement, seeking approval of a revised version of the Council’s Standing Orders Relating to Contracts. A copy of the revised document was appended to the report.

The report explained that whilst the amendments would provide clarity, work had also been ongoing to provide additional guidance in relation to the reserved contract process, financial assessment model and the variation process. The incorporation of all the changes to the Council’s Standing Orders Relating to Contracts and the issue of associated guidance to staff would help to improve the efficiency of the Council’s contracting processes whilst maintaining appropriate levels of control over contract awards, ensuring compliance from procuring officers and protecting the Council from unnecessary expenditure and risk of challenge.

Referring to the terms of Clause 19 which dealt with contracts for the appointment of consultants, Councillor Swift stated that he would like the threshold within this clause reduced from £50,000 to £10,000 together with explicit reasons given regarding the appointment of consultants.

In reply, the Chief Officer – Legal and Procurement outlined the reasons why the threshold of £50,000 had been proposed highlighting it was to achieve a balance of what was considered the correct threshold when dealing with such matters.

Councillor Swift stated that the report prepared by the consultants in relation to the proposals to build a new leisure facility in the Eastwood area contained insufficient information as to why they arrived at their conclusions regarding the sites chosen. He suggested that it was subjective piece of work and in his opinion, the Council required more information on how it was dealing with consultants. Councillor Macdonald shared Councillor Swift’s comments in the course of which he emphasised that greater scrutiny was required when dealing with such matters.

In reply to the concerns expressed, Councillor Buchanan referred to the additional work that would be required by lowering the threshold to £10,000 highlighting that very few consultants carried out work for less than the threshold being proposed.

Councillor Swift, seconded by Councillor Macdonald moved that:-

- (a) in relation to Clause 19 for Contracts for Appointment of Consultants the threshold be reduced from £50,000 to £10,000; and
- (b) all awards made by the Council should be recorded in a log and contain the following fields all of which should be made available to the public:-
- (i) explicit objective of award;
 - (ii) rationale behind the award;
 - (iii) budget allocated;
 - (iv) actual spend; and
 - (v) details of the company.

Councillor Devlin, seconded by Councillor Ireland moved as an amendment that the Council's revised Standing Orders Relating to Contracts appended to the report be approved with immediate effect.

On a vote being taken, 8 members voted for the motion and 7 voted for the amendment. The motion was accordingly declared carried and it was agreed that:-

- (a) in relation to Clause 19 for Contracts for Appointment of Consultants the threshold be reduced from £50,000 to £10,000; and
- (b) all awards made by the Council should be recorded in a log and contain the following fields all of which should be made available to the public:-
 - (i) explicit objective of award;
 - (ii) rationale behind the award;
 - (iii) budget allocated;
 - (iv) actual spend; and
 - (v) details of the company.

EAST RENFREWSHIRE CULTURE AND LEISURE TRUST - BUSINESS PLAN 2019/20

744. The Council considered a report by the Director of Education, seeking approval of the East Renfrewshire Culture and Leisure Trust (ERCL) 2019/20 Business Plan, subject to the budget being confirmed at the budget meeting of the Council on 28 February 2019. A copy of the plan was appended to the report.

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

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

Councillor Swift enquired what market the Leisure Trust was operating in given that there were various types of leisure facilities offered to consumers in the market place in the course of which he sought clarification how often the leisure trust was open to the public. By way of an example he highlighted that the swimming times offered by the Trust were somewhat limited compared to those offered by the David Lloyd facility which offered its members access to the swimming pool from 6am to 10pm on a daily basis. He also enquired what percentage of the leisure facilities market was the Trust excluding itself from.

The Council, having heard the Chief Executive, East Renfrewshire Culture and Leisure in response, approved the East Renfrewshire Culture and Leisure 2019/20 Plan, subject to the budget being confirmed at the budget meeting on the Council on 28 February 2019.

HEAD OF SERVICE REDESIGNATIONS WITHIN CORPORATE AND COMMUNITY SERVICES DEPARTMENT

745. The Council considered a report by the Deputy Chief Executive, seeking approval for the deletion of a Head of Service post from the establishment and the proposed re-designation of other Head of Service remits within the Corporate and Community Services Department following the retirement of the Head of Democratic and Partnership Services. Copies of the current and proposed management structures and responsibilities for the Corporate and Community Services Department were appended to the report.

The report explained that following the retirement of the Head of Democratic and Partnership Services interim arrangements were put in place to allow a review of management arrangements within the department to take place. Details of the reasons why the post of Head of Democratic and Partnership Services should not be replaced at chief officer level together with information on the re-designation of the remaining Head of Service posts within the department were outlined in the report.

The Council:-

- (a) approved the deletion of the Head of Democratic and Partnership Services post from the establishment and the proposed re-designated remits of existing Heads of Service within the Corporate and Community Services Department as detailed in Appendix 1b to the report; and
- (b) agreed that delegated powers be granted to the Deputy Chief Executive to make the necessary arrangements including any further adjustments that might be required as the department's change programme progressed.

EAST RENFREWSHIRE LOCAL LICENSING FORUM – APPOINTMENT OF FORUM MEMBER

746. The Council considered a report by the Deputy Chief Executive, seeking approval of the appointment of a new member on the East Renfrewshire Local Licensing Forum.

The report explained that notwithstanding the fact that the Council had made appointments to the licensing forum at its meetings on 12 September and 26 October, there still existed a vacancy for a further local resident to serve on the forum.

Whilst noting that an application for forum membership had now been received from Mr Ian McMahon, the report advised that the applicant was a resident of Barrhead; a former licensee in the Renfrewshire area; a former Chair of the Local Licence Trade Association; a Director of the Scottish Licence Trade Association; and the Chair of the inaugural Renfrewshire Licensing Forum.

The Council approved the appointment of Mr Ian McMahon to the East Renfrewshire Local Licensing Forum.