

MINUTE
of
CABINET

Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 30 August 2018.

Present:

Councillor Tony Buchanan (Leader)
Councillor Caroline Bamforth
Councillor Danny Devlin

Councillor Alan Lafferty
Councillor Colm Merrick
Councillor Paul O’Kane

Councillor Buchanan, Leader, in the Chair

Attending:

Lorraine McMillan, Chief Executive; Mhairi Shaw, Director of Education; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Mark Ratter, Head of Education Services (Quality Improvement and Performance); Andy Corry, Head of Environment (Operations); Phil Daws, Head of Environment (Strategic Services); and Paul O’Neil, Committee Services Officer.

DECLARATIONS OF INTEREST

555. Councillors Devlin, Merrick and O’Kane declared non-financial interests in relation to Items 563 and 564 by virtue of the fact that they were members of the East Renfrewshire Culture and Leisure Trust Board.

Variation in Order of Business

In accordance with the terms of Standing Order 19, Councillor Buchanan altered the order of business to facilitate the conduct of the meeting.

ESTIMATED REVENUE BUDGET OUT-TURN 2018/19

556. The Cabinet considered a report by the Chief Financial Officer, detailing the projected revenue budget out-turn for 2018/19 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 22 June 2018:-

- (i) Objective and Subjective Summaries;
- (ii) Education Department;
- (iii) Contribution to Integration Joint Board;
- (iv) Health and Social Care Partnership;
- (v) Environment Department;

- (vi) Environment Department – Support;
- (vii) Chief Executive's Office;
- (viii) Chief Executive's Office – Support;
- (ix) Corporate and Community Services Department – Community Resources;
- (x) Corporate and Community Services Department – Support;
- (xi) Other Expenditure and Income;
- (xii) Joint Boards;
- (xiii) Contingency – Welfare;
- (xiv) Housing Revenue Account.

Whilst noting that for accounting purposes the budget agreed at the meeting of the Council on 2 March 2018 had been adjusted to replace loan charges with a depreciation charge for each department, the report highlighted that on the basis of information available as at 22 June 2018, the estimated year-end position showed a net favourable variance on net expenditure of £2,275,000 (or just under 1% of the annual budget) based on current information which equated to the projected underspend on General Fund services.

However, it was noted that as this was early in the financial year it was expected that the position would change as the year progressed particularly as departmental service redesigns progressed resulting in increased demands on restructuring budgets within Other Expenditure. Furthermore, managers were now also reviewing the forecast underspends which had arisen largely from vacancies, early achievement of savings and utility efficiencies, with a view to bringing back proposals to best utilise available budgets to help meet emerging pressures.

The report highlighted a number of operational variances that required management action to ensure that expenditure would be in line with budget at the end of the financial year. It was noted that 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 reported probable out-turn position, agreed that:-

- (a) the service virements and operational adjustments be approved;
- (b) management action be taken to remedy the forecast overspend in the Chief Executive's Office; and
- (c) all departments continued to closely monitor their probable out-turn position.

ENVIRONMENT DEPARTMENT – END-YEAR PERFORMANCE REPORT 2017/18

557. The Cabinet considered and approved a report by the Director of Environment, providing details of the End-Year Performance Report 2017/18 for the Environment Department, details of which were outlined in the appendix to the report.

COLE REPORT

558. The Cabinet considered a report by the Director of Environment, providing details of the Council's action plan prepared in response to the Cole Report. A copy of the action plan was appended to the report.

The report explained that the Cole Report was issued following an independent inquiry Chaired by Professor John Cole CBE, an architect and retired senior civil servant which had been commissioned by the Chief Executive of the City of Edinburgh Council as a result of the collapse of a wall at Oxfangs Primary School.

Whilst noting that following the publication of the inquiry report, the Council had instructed a full programme of visual and intrusive surveys of its Public Finance Initiative/Public Private Partnerships (PFI/PPP) properties, the report advised that an independent structural engineer had confirmed that there no major structural defects in any of the buildings or risk to the health and safety of staff and pupils.

The report also explained that the Cole Report had raised 75 points relating to construction, quality control and supervision and that these points had been reviewed by officers from Property and Technical Services and Building Standards in 2017. As a result, an action plan had been prepared in response and this document would ensure that the Council had additional measures and practices alongside existing procedures to minimise the risks of the issues raised in the Cole Report being experienced in future new build projects.

The Cabinet noted:-

- (a) the proactive approach taken by the Council in relation to the Cole Report and in particular the resulting action plan prepared by Property and Technical and Services (PATS) and Building Standards (BS); and
- (b) the quarterly action plan monitoring regime which had been in place since 1 April 2018.

NON-DENOMINATIONAL PRIMARY SCHOOL AT MAIDENHILL, NEWTON MEARNS

559. The Cabinet considered a report by the Director of Environment, providing an update regarding site progress at the new build non-denominational primary school and nursery at Maidenhill, Newton Mearns. The report also advised of the action that had been taken in relation to works associated with the project and in accordance with the Council's Standing Orders Relating to Contracts.

The report explained that as part of the Section 75 agreement associated with the project, the developers of the housing site were required to deposit 5,600 cubic metres of top soil on the school site for construction and landscaping purposes, thus saving the Council the cost of importing soil from off-site.

However, it was noted that subsequent testing of the topsoil by the Council's contractor for the new school (BAM Construction) had deemed the soil unsatisfactory. As a result, urgent approval was required for a variation to the contract to authorise the removal of the topsoil and incur costs of £67,000. In accordance with the provisions of clause 14 of the Council's Standing Orders Relating to Contracts, Councillors Buchanan and O'Kane approved the variation to contract, subject to the matter being reported back to the Cabinet.

It was further noted that the Council was progressing a claim against the housing site developers which should recover the additional costs.

The Cabinet noted:-

- (a) the current position on costs and funding in relation to the erection of the new non-denominational primary school at Maidenhill, Newton Mearns; and

- (b) the action taken in accordance with the provisions of clause 14 of the Council's Standing Orders Relating to Contracts.

REMOVAL OF CHARGES FOR CHILDREN'S BURIALS

560. The Cabinet considered a report by the Director of Environment, seeking approval for the removal of children's burial charges.

The report explained that Cosla and the Scottish Government had agreed to work together to remove local authority charges for children's burials and cremations, and that whilst the Council did not currently charge for children's burials for children defined as 16 and under although it did charge 50% of the burial rate for non-resident child burials.

The report highlighted that Scottish local authorities would be given pro-rata funding to remove burial costs for children aged 17 years of age and under and as a result, the Council would require to change its current policy of charging for non-residents and to make a minor alternation to the current age range in order to comply with Scottish Government's recommendations.

The Cabinet agreed that:-

- (a) lairs and internments should be free to all children 17 years of age and under regardless of whether resident or non-resident; and
- (b) the change be implemented with immediate effect.

INDOOR SPORTS FACILITIES AND SPORTS PITCHES STRATEGIES

561. The Cabinet considered a joint report by the Directors of Environment and Education, seeking approval for the draft indoor sports facilities and sports pitches strategies. Copies of the respective strategies were appended to the report.

The Cabinet agreed that consideration of the report be continued to the meeting of the Council on 12 September 2018.

CONTRACT STANDING ORDERS: GREENHAGS CIVIC AMENITY SITE – ACCESS ROAD WIDENING

562. The Cabinet considered a report by the Director of Environment, advising of a variation to the contract for the widening of the access road to Greenhags Civic Amenity Site in accordance with the Council's Standing Orders to Contracts and seeking approval for further expenditure in relation to the contract of £96,915.31.

Whilst noting that the widening of the access to Greenhags Civic Amenity Site would remove the current sub-standard access, the report highlighted that unanticipated landfill material had been discovered which would need to be removed and disposed of and that whilst these works would increase the project costs they could be contained within the existing capital provision.

The report explained that in accordance with the Council's Standing Orders Relating to Contracts, Cabinet approval was sought for the variation to the contract to approve the additional expenditure of £96,915.31 required.

The Cabinet, having noted that the figure that appeared in paragraph 1 of the report should have read £96,915.31 rather than £60,000, agreed to:-

- (a) note the circumstances of the variation to the contract; and
- (b) approve additional expenditure of £96,915.31 (in addition to the original contract value of £246,102.08), to dispose of unexpected landfill material as detailed in the report.

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Councillors Devlin; Merrick; and O’Kane left the meeting at this stage.

EAST RENFREWSHIRE CULTURE AND LEISURE TRUST – END-YEAR PERFORMANCE REPORT 2017/18

563. The Cabinet considered a report by the Director of Education providing details of the End-Year Performance Report 2017/18 for the East Renfrewshire Culture and Leisure, details of which were outlined in the appendix to the report.

In response to a question regarding concessions policy, the Director Education explained that matters associated with the operation of the concession policy were a decision for the Trust Board and not the Council in the course of which she agreed to obtain the costs associated with the change to the senior citizen concession had it not been brought into line with the state retirement age.

The Cabinet approved the report as a summary of the East Renfrewshire Culture and Leisure end-year performance for 2017/18.

EAST RENFREWSHIRE CULTURE AND LEISURE TRUST – CONFIRMATION OF FINANCIAL SUPPORT

564. The Cabinet considered a report by the Chief Financial Officer, seeking homologation of the action taken by officers in issuing a letter to East Renfrewshire Culture and Leisure Trust confirming the Council’s ongoing financial support for the Trust. A copy of the letter was appended to the report.

The report explained that in view of the Trust’s timescales for finalising the audit of the 2017/18 accounts it was necessary to issue a letter of support prior to obtaining Cabinet approval and that homologation of the action taken was now required.

The Cabinet homologated the action taken by officers in issuing a letter to East Renfrewshire Culture and Leisure Trust confirming the Council’s ongoing financial support for the Trust activities.

